



**PRIVATE HIRE and HACKNEY CARRIAGE
DRIVERS, VEHICLES and OPERATORS
HANDBOOK**



**April 2013
Version 12**

CONTENTS

	Page No
Introduction	3
Hackney Carriage Licence	4
Private Hire Licence	4
Vehicle Specification	4
Disability Discrimination Act	5
Limousines	5 - 6
Drivers	6 -7
DSA Assessment	8
Drivers Badges	8 - 9
Criminal Record Bureau Disclosure	9 - 10
Criminal Record Policy	11 - 15
Rehabilitation of Offenders Act 1974	15 - 16
Medical Checks	16 -18
Insulin Diabetes Policy	17 -18
Insurance	18
MOT	19
Vehicle Registration Documents	19
Fire Extinguisher	18
First Aid Kit	20
Vehicle Testing	20 - 21
Issue of Licences	21
Plate	21
Fare Card for Hackney Carriage Vehicles	21 -22
Fares for Private Hire	22
Meter	22
Seat Belts	22 -23
Private Hire Operators Licence	23
Planning Permission	23
Dual Plating	23
Record Keeping	24
Advertising on Vehicles	24
Accidents	24 -25
Accident Damaged Vehicles	25
Transfer of Licences	25
Change of Address	25
Sale of Vehicles	26
Fees	26
Methods of Payment	26
Taxi Rank Locations	27
Where to Apply for Licences	27 - 28

APPENDICES

Appendix 1	Taxi Conditions	29 - 41
Appendix 2	Taxi Byelaws	42 - 47
	Rights of Appeal	48

INTRODUCTION

This handbook gives details of all the current policies with regards to hackney carriage and private hire vehicles, driver's licences and operator's licences.

All policies in this handbook have been approved by the Council and will be subject to periodic updating and change. Readers are therefore recommended to use this handbook as a guide and refer to the Licensing Section at South Somerset District Council for confirmation of the latest version of this document.

Any reference to the Council in this handbook also includes the town councils with a delegated licensing function.

HACKNEY CARRIAGE LICENCE – White Plates

A hackney carriage vehicle licence (white plate) entitles the holder to work anywhere in the South Somerset District Council area, they may work from the ranks or be hailed on the street.

The holder is also entitled to undertake private hire work.

The internal MOGO Plate is to be located on the front windscreen of the vehicle on the left hand side when viewed from the driver's position. The MOGLO panel to face outwards.

PRIVATE HIRE - YELLOW PLATE

A private hire vehicle licence (yellow plate) entitles the holder to work anywhere in the South Somerset District taking pre- arranged bookings only. Private hire vehicles may not work from the ranks or be hailed on the street. All private hire vehicles must also work under a private hire operator's licence however an operator's licence is not necessary if you are operating a hackney carriage only.

The internal MOGO Plate is to be located on the front windscreen of the vehicle on the left hand side when viewed from the driver's position. The MOGLO panel to face outwards.

VEHICLE SPECIFICATION

Certain vehicle's, are, due to the size and/or design unsuitable for licensing. Please check the suitability of the vehicle you have in mind with a member of the Licensing Team **before** purchase. The vehicle must be in a clean and undamaged condition.

The seating capacity of the vehicle will depend on the width of the seats. A minimum of 16 inches per person is required. If the size of the vehicle does not allow for the carriage of 4 persons (excluding the driver) the vehicle will not be licensed. The maximum number of passengers, which may be carried in a licensed hackney or private hire vehicle, is 8 persons.

The vehicle must have four doors for easy access.

DISABILITY DISCRIMINATION ACT

Since 31 March 2001 licensed taxi drivers in England and Wales have been under a duty (S37 of the Disability Discrimination Act 1995) to carry guide, hearing and other prescribed assistance dogs in their taxis, without additional charge. Drivers who have a medical condition that is aggravated by exposure to dogs may apply to their licensing authority for an exemption from the duty on medical grounds. Any other driver who fails to comply with this duty is guilty of a criminal offence and liable, on summary conviction, to a fine of up to £1000. Similar duties covering private hire operators and drivers have been in force since March 2004.

At a date to be announced the Disability Discrimination Act will apply in the Somerset District Council area with regards to hackney carriage vehicles. For any hackney carriage to be licensed after this date the vehicle specification will have to comply with the Government specification for disabled access vehicles. The exact requirements have not yet been announced by the Government, they will be included in regulation and once they have been published then the information will be passed to all hackney carriage proprietors.

The Disability Discrimination (Transport Vehicles) Regulations 2005 came into force on 4th December 2006. The result of these regulations is to lift the previous exemption for transport vehicles.

The effect of the regulations is to prevent any discrimination against providing transport services to disabled people. A full copy of the Regulations may be obtained from the Disability Rights Commission Website www.drc-gb.org.

If proprietors or owners wish to have Braille Fare cards for their vehicles then these are available on request from the Licensing Authority.

LIMOUSINES

All limousines will need to be registered as private hire vehicles as of 28th January 2008.

In England, Scotland, Northern Ireland and Wales limousines are all restricted to a maximum of 8 passengers no matter how large

the vehicle is. There are no exceptions to this rule. The reason for this is that to carry more than 8 passengers the vehicle has to be registered as a Public Service Vehicle (PSV) and have a Certificate of Initial Fitness issued (COIF) However none of the American Limousines comply with the requirements and are therefore restricted by law to a maximum of 8 passengers. Limousines need to display the private hire plates at all times. There are further changes to be brought into legislation under the Road Safety Act 2006.

DRIVERS

All persons driving a licensed private hire or hackney carriage vehicle must be in possession of a current private hire and hackney carriage driver's licence issued by South Somerset District Council. The council's driver's badges allow the holder to work in both capacities both as a hackney carriage or private hire driver.

A Hackney carriage driver may only be granted a drivers badge if he has held a driving licence for at least 12 months prior to application to the District Council.

Taxi and Private Hire Vehicle drivers: Holders of European Community/European Economic Area driving licences

In order to be licensed as a taxi or PHV driver, an applicant must hold a full driving licence issued in the UK, the European Community (EC) or one of the other countries in the European Economic Area (EEA).

In addition to the above, from 1 April 2009 the Licensing Authority will require all taxi and PHV drivers who hold a EC/EEA driving licence to have a GB counterpart document.

Any individual making an application for a taxi or PHV driver's licence on or after this date will be required to obtain a GB counterpart prior to the issue of a licence.

When licence holders apply for a counterpart they will be registered with the DVLA and allocated a GB driver number. Any driving convictions and endorsements subsequently incurred by the licence holder in the UK will be recorded by the DVLA.

Having a GB counterpart benefits drivers by allowing them to take part in the fixed penalty system for road traffic offences rather than having to attend court and incur a greater penalty as well as costs. In addition, if a driver loses or has his or her national driving licence stolen, they would probably not be able to get a duplicate from the country it was issued in. However, once registered with the DVLA they will be able to apply for a GB licence.

Currently licensed drivers who hold a EC/EEA licence will be required to obtain a GB counterpart when they apply to be re-licensed. If a licensed driver cannot obtain a GB counterpart before their existing licence expires, the new licence will be issued on condition that a GB counterpart is obtained and produced to the PCO within 3 months.

In order to obtain a UK counterpart, the applicant must be resident in the UK. Any driver who is unable to satisfy this requirement may be licensed on condition that a UK counterpart is obtained within 3 months of the licence being issued.

All non-UK licence holders will still be required to provide a copy of their EC/EEA driving licence with their application.

The full list of EC/EEA states is:

Austria	France	Lithuania	Slovakia
Belgium	Germany	Luxembourg	Slovenia
Bulgaria	Greece	Malta	Spain
Cyprus	Hungary	Netherlands	Sweden
Czech Republic	Ireland	Poland	Iceland
Denmark	Italy	Portugal	Liechtenstein
Estonia	Latvia	Romania	..
Finland			

GB counterparts can be obtained free of charge from the DVLA on submission of form D9 which can be downloaded from <http://www.dvla.gov.uk/media/pdf/forms/d9.pdf> . The DVLA advises that it takes approximately 3 weeks from receipt of application to issue a GB counterpart.

DRIVER STANDARDS AGENCY PRIVATE HIRE AND HACKNEY CARRIAGE ASSESSMENTS

As of 1st April 2008 all new applicants for Hackney Carriage and Private Hire drivers licences will need to pass the Drivers Standards Agency's Private Hire and Hackney Carriage assessment test. This is for new drivers only or drivers that have been before the Licensing Committee and been directed to take a test as the result of a complaint against them.

Tests are to be booked by the applicant directly with the DSA and may be taken at Taunton, Yeovil, Dorchester or Weymouth or any other DSA Testing station.

DSA testing information packs are available from the council please contact us directly if packs are required.

DRIVERS BADGES

Drivers are issued with two identical badges. One badge must be worn by the driver at all times they are working. The drivers badge should be visible at all times to passengers and should be clipped to clothing in a visible place or worn on a safety lanyard. Safety lanyards are issued free of charge by South Somerset District Council.

The second badge must be displayed on the dashboard on the vehicle the driver is using. The badge must be visible at all times to passengers in the vehicle.

As a security measure if a badge is lost or stolen this must be reported to the police. A replacement badge will be issued at the cost of £11.00 once a police crime reference number is provided to the licensing department.

Drivers must renew their badges at least seven days prior to expiry if a valid DBS is held. If renewal is not made within the seven day period then the driver making the application will have to apply for a new badge and a DBS will be required. The driver will not be re-licensed and will be prevented from working until such time as the DBS is received and the new badge is issued.

Drivers may apply for either a one year, two year or a three year drivers licence. However the Licensing Authority reserves the right to request either from the driver or the DVLA a copy of a drivers current driving licence at any point during the two or three year period.

Drivers from the European Union

On making an application drivers from the EU must show their passports or National Identity Card, equivalent DBS Disclosure from their home countries (with appropriate translation) a EU driving licence and bring in a recent medical conducted in the United Kingdom.

Immigration status check results may take sometime to be finalised and the applicant may not be permitted to work until they are concluded.

The Immigration Status check may be done in advance of the applicant arriving in the United Kingdom providing documentation is sent to the Licensing Department at Brympton Way, Yeovil.

Disclosure and Barring Service DISCLOSURE

As of 6th October 2006 a Disclosure and Barring Service (DBS) will be sought on first application for a drivers licence and every three years thereafter.

South Somerset District Council abide by the DBS's code of practice and a copy will be made available on request.

DBS's from other sources will not be accepted after 31st March 2007. All applicants will have to apply for a CRB through South Somerset District Council.

When submitting an application for a licence to drive a hackney carriage or private hire vehicle you are requested to declare any cautions or convictions you may have.

The existence of any criminal record will not necessarily preclude you from having a licence unless the council considers the conviction(s) renders you not to be a "fit and proper person". In

making this decision the council will consider the nature of the offence, how long ago and what age you were when it was committed, and any other factors you feel relevant.

This decision will be taken by the Taxi Licensing Sub Committee. The applicant will be asked to attend and may be represented by a friend or legal representative or the applicant may represent themselves.

Any applicant refused a licence on the grounds that they are not a fit and proper person to hold such a licence has a statutory right of appeal to the magistrates court.

DBS process at Town Council Offices

The status of South Somerset District Council has changed from that of an Umbrella Body to that of a Registered body. This means that we can no longer accept DBS applications from other organisations and the town councils are prevented from conducting these checks on our behalf as they are not direct employees of the District Council.

If you need a DBS check conducted through the town councils you will have to take the applications along with your original identification documents. The application and your originating documents will then be sent to the council's main office in the courier, checked and then returned to the town councils. You will then be able to collect your documents from the town council 3 – 4 days after your application was made. However if you need your documentation within this time the application will need to be made directly with the District Council.

Background checks on EU and Overseas applicants

The Licensing Authority require a five year background check for all applicants. If an applicant has lived abroad for any period in the last five years or is from an EU member state or overseas then a certificate of good conduct authenticated and translated by the relevant embassy is required. The Disclosure and Barring Service website www.gov.uk/disclosure-barring-service-check gives information about obtaining certificates of good conduct, or similar documents from a number of countries. More generally, the Home

Office's Employers' Helpline 03001234699 can be used to obtain general information on immigration documentation.

Employers and the Licensing Authority are also able to obtain case specific immigration status information, including whether an applicant is permitted to work or details of work restrictions, from the Evidence and Enquiry Unit, Floor 12, Lunar House, Wellesley Road, Croydon CR9 2BY. Further details on procedures can be obtained from the unit on 020 8196 3011.

DBS Policy

1. Each case will be decided on its own merits
2. The over-riding consideration will always be the protection of public safety
3. A person with a current conviction for serious crime need not necessarily be permanently barred from obtaining a licence, but would be expected to remain free from conviction for 3 to 5 years before an application is entertained. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances.
4. Applicants who have unspent convictions, convictions for serious and/or repeated crimes may be refused a licence. Any such decision can be appealed to the councils taxi licensing sub committee and then to the magistrates court for their consideration as to whether or not a licence shall be granted.
5. The council reserves its right to act as a judicial authority in the case of relevant spent convictions

The following examples afford a general guide on the action which may be taken where convictions are declared. Text which is in *italics* is taken directly from the joint *Department of Transport Circular 2/92 Home Office circular 13/92*, which was based on criteria used by the Metropolitan police, where as additional text is supplementary and has been approved by the council.

Types of Conviction

(a) Minor Traffic Offences

Convictions for minor offences e.g. obstruction, waiting in a restricted street, speeding etc., should not prevent a person from

proceeding with an application. However, the number, type and frequency and repetition of these types of offences may be taken into account. If sufficient points have been accrued to require a period of disqualification of the applicants DVLA driving licence then a hackney carriage / private hire drivers licence may be granted after its restoration but a warning should be issued as to future conduct. Holders of council issued drivers licences convicted during the period of licence of such offences may be warned as to future conduct, and any disqualification from driving will lead to an automatic revocation of any hackney carriage/ private hire drivers licence issued by the council.

(b) Major Traffic Offences

An isolated conviction for reckless driving or driving without due care and attention etc., should normally merit a warning as to future driving and advice on standards expected of hackney carriage and private hire vehicle drivers. More than one conviction for these type of offences within the last two years should merit refusal and no further application will then be considered until a period of at least three years free from convictions has elapsed. Similarly, any conviction during the period of a council issued licence will lead to a warning as to future conduct and may lead to suspension and revocation of that licence.

(c) Drunkenness

(i) With a motor vehicle

A serious view should be taken of convictions for driving or being in charge of a motor vehicle under the influence of drink. An isolated incident in the past should not necessarily debar an applicant but a strict warning should be given as to future behaviour. More than one conviction for these offences should raise grave doubts as to the applicants fitness to hold a hackney carriage/ private hire drivers licence. At least 3 years should elapse after the restoration of the DVLA driving licence before an application can be considered for a Council issue drivers licence. If there is any suggestion that the applicant is or may be an alcoholic, a special medical examination should be arranged before the application is entertained. If the applicant is found to be an alcoholic a period of five years should elapse after treatment is complete before a further licence application is considered. A

driver found guilty of driving whilst under the influence of alcohol will have their hackney carriage/private hire driver licence revoked immediately and will be banned from holding such a licence with the council for a minimum of five years.

(ii) Not in motor vehicle

An isolated conviction for drunkenness need not debar an applicant from gaining a licence. However, a number of convictions for drunkenness could indicate a medical problem necessitating critical examination. In some cases, a warning would be sufficient. A conviction of this type of offence during the period of a council issued licence could warrant a warning as to future conduct, with subsequent convictions possibly leading to suspension and/or revocation of any licence held.

(d) Drugs

An applicant with a conviction for a drug related offence should be required to show a period of at least 3 years free of convictions before an application is entertained, or 5 years after detoxification treatment if he/she was an addict. A driver found guilty of driving whilst under the influence of drugs, or found guilty of any drug related offence will have their council issued drivers licence suspended and/or revoked immediately and be banned from holding such a licence with the council for a minimum period of five years.

(e) Indecency Offences

As hackney carriage and private hire drivers often carry unaccompanied and/or vulnerable passengers, applicants with convictions for indecent exposure, indecent assault, importuning, or any of the more serious sexual offences, should be refused a licence until they can show a substantial period free of such offences. Each case will be treated on its merits. More than one conviction of this kind should preclude consideration for at least five years. In either case if a licence is issued by the council then a strict warning as to future conduct should be issued. A driver found guilty of indecency offences during the period of the council issued licence will have their licence suspended or revoked immediately and be banned from holding such a licence for a minimum period of five years.

(f) Violence

As hackney carriage and private hire drivers maintain close contact with the public, a firm line should be taken with applicants who have convictions for grievous bodily harm, wounding or assault. At least 3 years free of such convictions should be shown before an application is entertained and even then a strict warning will be administered. A driver found guilty of violence related offences will have their council issued licence suspended and/or revoked immediately and be banned from holding such a licence with the council for a minimum period of five years.

(g) Dishonesty

Hackney carriage and private hire drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property (taking children to school and families on holiday) is indicative of the trust...people place in drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare. Overseas visitors can be confused by the change in currency and become "fair game" for an unscrupulous driver. For these reasons a serious view should be taken of any convictions involving dishonesty. In general, a period of at least 3 to 5 years free of conviction should be required before entertaining an application. Any existing driver convicted of offences of dishonesty can expect a licence to be suspended and/or revoked and a possible ban on holding a licence for a minimum of three years.

(h) Insurance Offences

A serious view will be taken of convictions for driving or being in charge of a vehicle without the correct type of insurance. An isolated incident in the past will not necessarily debar an applicant provided he/she has been 3 years free of conviction unless there are exceptional circumstances, but a strict warning would be given as to future behaviour. More than one conviction for these offences will raise grave doubts as to the applicants fitness to hold a hackney carriage and private hire drivers licence unless there are exceptional circumstances. At least three years should elapse before an applicant is considered for a council issued licence. A

driver found guilty of driving passengers for hire and reward without the appropriate insurance will have his licence revoked immediately and be banned from holding such a licence with the council for a minimum of five years.

(i) Scanners and Radar Detecting Equipment

A serious view will be taken of convictions for use of scanning and/or radar-detecting equipment. Anyone convicted of use of a radio scanner and/or radio-detecting equipment during the period of his/her hackney carriage or private hire drivers licence will be banned from holding any such licence for a period of five years. An isolated incident in the past will not necessarily debar an applicant provided that he/she has been 3 years free of conviction unless there are exceptional circumstances, but strict warnings should be given as to future behaviour. More than one conviction for these offences will raise grave doubts as to the applicants fitness to hold a council issued drivers licence unless there are exceptional circumstances.

REHABILITATION OF OFFENDERS ACT 1974

The following table offers guidance only on when certain convictions can be regarded as “spent”. However it should be borne in mind the Disclosure and Barring Service check will reveal all convictions i.e. even those which are spent. Further more, it should be noted that legislation enables the Council to be able to consider spent convictions in order to determine whether a person is “fit and proper” to hold a licence.

Sentence	Becomes Spent After
A fine or other sentence not otherwise covered in this table	5 years
Imprisonment of up to 6 months	7 years
Imprisonment of between 6 months and 30 months	10 years
Borstal training	7 years
Absolute discharge	6 months
Probation order or conditional discharge	1 year or until order expires whichever is the longer
Detention centre order	3 years
Remand home, attendance centre or approved school order	The period of the order plus 1 year

Hospital order under the Mental Health Act	The period of the order plus 2 years
Cashiering, discharge with ignominy, or dismissal with disgrace from the Armed Forces	10 years
Dismissal from Armed Forces	7 years
Detention	5 years

Notes:- A sentence of more than 30 months imprisonment can never become spent

For convictions imposed when under the age of 17 years, halve the period shown for when convictions become spent.

If you have any queries with regards to previous convictions please contact the Licensing Authority.

MEDICAL CHECKS

The House of Commons Transport Select Committee on Taxis and Private Hire Vehicles recommended in February 1995 that taxi licence applicants should pass a medical examination before a licence could be granted.

Current best practice advice is contained in the booklet "Medical Aspects of Fitness to Drive" published by Medical Commission for the Prevention of Accidents. A copy is available from the council website in the Licensing Section.

As of 15th May 2006 all new drivers will require a medical examination in line with the DVLA Group 2 medical standards.

All licensed drivers will be required to have a medical examination on renewal of their existing licence.

After a new applicants initial medical examination, no further medical is required until he/she reaches 45 years of age then a medical is required every five years to the age of 65, after which a medical should be taken every year.

A medical examination questionnaire will be provided with the drivers licence application. The applicant may wish for their own

medical practitioner to carry out the examination, or you can make an appointment with the Council contracted medical practice through:

The Medical Secretary
Penn Hill Surgery
St Nicholas Close
Yeovil
Somerset
Telephone: 01935 470800

The applicant will provide the medical practitioner with a copy of the questionnaire, the medical practitioner will fill this in during the appointment. The applicant will then need to submit the completed questionnaire with the completed drivers licence application.

The cost of the medical examination with the Council contracted medical practice is £80, there will be a charge of £30 for any missed appointments. No refunds will be provided by the surgery in any circumstances. The cost at your own medical practice may differ.

If further medical tests are required for instance where in depth sight tests are required by the medical practitioner then the applicant must meet the additional cost of the same.

INSULIN DIABETES POLICY

The District Council has now amended its medical policy and now permits drivers with insulin treated diabetes to be licensed subject to strict criteria and a medical test for C1 vehicle usage.

The following criteria need to be met in order that a licence can be granted:

- a) not be able to apply for a taxi driving licence or in the case of an existing licensed driver not to drive a licensed taxi until their condition has been stable for a period of at least one month ;
- b) not have had any hypoglycaemic attacks requiring assistance whilst driving within the previous 12 months ;

- c) regularly monitor their condition by checking their blood glucose levels at least twice daily and at times relevant to driving. The advice is the use of memory chip meters for such monitoring ;
- d) must arrange to be examined every 12 months by a hospital consultant who specialises in diabetes. At the examination the consultant will require sight of their blood glucose records for the last 3 months.
- e) Have no other condition which would render the driver a danger when driving C1 vehicles or hackney carriages and private hire vehicles ;
- f) Sign an undertaking to comply with the directions of the doctor(s) or specialist medical advisor visited at least every 6 months and treating the diabetes and report immediately to South Somerset District Council any significant change in their condition.

The driver would be expected to pay for any expenses that they incurred satisfying these criteria.

INSURANCE

You must provide a certificate of insurance which is current and which must be for the correct category i.e. use as a hackney carriage (taxi) for hire or reward or public hire. For Private hire insurance, certificates will only be accepted if Hire and Reward or Private hire is stated. A cover note will not be accepted. All insurance documents must be shown before a licence can be granted.

All drivers shown on the insurance certificate must be Council licensed drivers as only a licensed driver can drive a licensed vehicle. Therefore once you have licensed your vehicle, only you, as a licensed driver will legally be allowed to drive the vehicle. This applies even if a non-licensed driver wishes to drive the car for “social or domestic” purposes. Any non-licensed person found driving a licensed vehicle may face prosecution, as well as potentially invalidating the vehicles insurance.

MOT

If you have a hackney carriage you must provide a current MOT for vehicles **one year old or over**. This is a statutory requirement. There is no such statutory requirement for private hire vehicles, however council policy requires private hire vehicles over one year of age to provide an MOT to the licensing Authority.

VEHICLE REGISTRATION DOCUMENT

You must provide a Vehicle Registration Document with your correct name and address. A bill of sale, if you have recently purchased the vehicle, or a contract hire agreement, will be accepted.

The bill of sale must state the vehicle registration number, make, colour and model of the vehicle, the date the vehicle was first registered and be in the name of the person licensing the vehicle.

If you have supplied a bill of sale the "V5" vehicle registration document must be produced to the licensing department within 14 days.

FIRE EXTINGUISHER

Each licensed vehicle must carry a fire extinguisher. The minimum size and type of extinguisher conform to one of the following:

Either (a) AFFF (Aqueous Film Forming Foam) - 1.75 litres;
Or (b) Dry Powder - 1 kilogram

British Standard EN3 or BSEN3

All extinguishers must be fitted with a stored pressure gauge to enable the effectiveness to be checked.

The extinguisher must be **securely fixed** in a **readily accessible** position inside the vehicle or in the boot.

Without the fire extinguisher the licence will **not** be issued.

FIRST AID KIT

All hackney carriage vehicles and private hire vehicles should have a first aid kit. The first aid kit must be securely fitted and adequately stocked with a range of basic first aid equipment. It should be readily available for use in an emergency, and may be kept either inside the vehicle or located in the boot.

The contents of the first aid kit should include:

- A leaflet giving general advice on first aid e.g. HSE leaflet “Basic advice on first aid at work” available free from the Licensing Section.
- 10 individually wrapped sterile adhesive dressings (assorted sizes)
- two sterile eye pads
- two individually wrapped triangular bandages
- safety pins
- 3 medium sized (approximately 12 cm x 12 cm) individually wrapped sterile unmedicated wound dressing
- 2 large (approximately 18cm x 18cm) sterile individually wrapped unmedicated wound dressings
- one pair of disposable gloves

You should not keep tablets or medicines in the first aid box.

The above is a suggested contents list only; equivalent but different items will be considered acceptable.

VEHICLE TEST

The vehicle test is undertaken at Lufton Vehicle Workshops, Lufton Trading Estate, Yeovil. You must come to the Brympton Way offices first to make an application and pay the correct fee and obtain a receipt, which you take with you. All vehicle testing must be arranged through the Licensing Section.

If an appointment with the Lufton Vehicle Workshops is cancelled with less than 24 hours notice then the full test fee will be taken and a further fee will be payable prior to a new test being booked.

If the vehicle fails the test you must arrange for the defects to be put right and then arrange through the Licensing team for the vehicle to be re-tested through the Lufton Vehicle Workshops at Yeovil at your own cost.

Once the vehicle has passed this test you must come back to the Brympton Way offices to see a Licensing Officer with the completed test form.

A vehicle test is **NOT** required if the vehicle is less than 3 months old.

ISSUE OF HACKNEY CARRIAGE VEHICLE LICENCE OR PRIVATE HIRE VEHICLE LICENCE

On receipt of the completed vehicle test form the licence and plate will be issued.

PLATE

The plate must be fixed on the left hand side of the car either on or just below the rear bumper, unless the MOGO no drill bracket is used when it will be either above or below the rear number plate and **must not** be placed in the rear window of the vehicle.

FARE CARD FOR HACKNEY CARRIAGE VEHICLES

You will be given a fare card with your vehicle plate number, registration number, number of passengers licensed to carry and expiry date on it. This must be affixed where it is conspicuous to all passengers (normally positioned on the dashboard).

The fare card states the maximum amount you may charge per mile or part thereof. It is illegal to charge more than is stated on the fare card and if you do so you will be liable to prosecution.

FARES FOR PRIVATE HIRE VEHICLE LICENCES

The level of fare must be agreed between the operator and the customer at the time of booking. A fare card applicable to hackney carriages is available on request as a guide only.

METER

As of 1st May 2006 all vehicles wanting to operate in the SSDC area as hackney carriages must have a meter fitted in the vehicle.

Private hire vehicles are not required to have meters fitted.

If you decide to have a meter fitted in the vehicle, you must notify the Licensing Section **immediately** and arrange for a meter test to be undertaken. This takes approximately 20 to 30 minutes depending on traffic and weather conditions.

The test is undertaken along the Cartgate Link Road and you are required to slow the vehicle at the first marked post. You will be asked to drive at a steady 45/50 mph and as the vehicle passes the posts along the kerb the meter must click over at the correct rate. If the meter is incorrect then you will need to have the meter re-calibrated and then arrange for the meter to be re-tested.

The meter has to be sealed and the seal must not be removed at any time.

The cost of the meter test is payable either on conclusion of the test or prior to the test

SEAT BELTS

The passenger is responsible for ensuring that he or she is wearing a seat belt where appropriate.

All cars, including taxis, first registered from April 1987, must be fitted with rear seat belts. Under the terms of the Road Vehicles (Construction and Use) Regulations 1986 **the seat belts must be readily accessible to be used by the passengers in the**

relevant seats. If this is not the case, the driver or the driver's employer is liable on conviction to a maximum fine of £1,000.

PRIVATE HIRE OPERATORS LICENCES

When you apply for a private hire vehicle licence, you must apply for a private hire operator's licence at the same time if you wish to operate your own private hire vehicle and make provision for private hire bookings.

Without a private hire operators licence you will not be issued a private hire vehicle licence.

A private hire operator's licence can be purchased for a three-year period.

Operator's licences are not needed to run a hackney carriage only vehicle service.

PLANNING PERMISSION

If you are running a business providing either hackney carriage or private hire services from your home address or business address you may also need to apply for planning permission.

You will need planning permission if you wish to operate more than one hackney carriage or private hire vehicle.

It is the responsibility of the applicant to ensure that all necessary planning consents are obtained in relation to the provision of hackney carriage or private hire services

Please contact the planning department for your area through the main council number of 01935 462462 for further details.

DUAL PLATING

With effect from 1st May 2006 South Somerset District Council will no longer allow the dual plating of hackney carriages or private hire vehicles with other council areas.

RECORD KEEPING

The licensing Authority require that all operators keep records of each booking, including the name of the passenger, the destination, the name of the driver, the number of the vehicle and the fare quoted at the time of booking. This will, for example, enable police checks to be made should a mishap befall a passenger and may also be used by the Licensing Authority for enforcement enquiries. It is suggested that 6 months is generally the appropriate amount of time for records to be kept.

ADVERTISING ON HACKNEY CARRIAGES VEHICLES

Advertising is permitted on the front and sides of the vehicle only. Prior permission to display advertising on the vehicle should be sought from the District Council. A roof light indicating that the vehicle is a taxi is permitted.

ADVERTISING ON PRIVATE HIRE VEHICLES

Advertising by way of a roof sign is permitted provided that it contains only the proprietor's telephone number and an indication that the vehicle is only available for pre-booked hiring.

The word "taxi" or "cab" MUST NOT appear anywhere on the vehicle as this infers that the vehicle is a hackney carriage vehicle which the vehicle is NOT.

ACCIDENTS

If, at any time, you are involved in an accident you must inform the Council immediately.

Should the vehicle need repairing in any way, you must obtain a letter from the garage where the work has been undertaken to the effect that there is no work outstanding and the car is fully roadworthy.

The Licensing Officer must then see the vehicle before you commence work again.

A vehicle test may be required if the damage is extensive.

ACCIDENT DAMAGED VEHICLES

Vehicles that fall into category A or B insurance losses will not be licensed other than in exceptional circumstances. No vehicle will be licensed as either a hackney carriage or a private hire vehicle where a condition report obtained from Equifax indicates that the vehicle has been previously classified as a category C, D or F insurance loss, unless a Motor Vehicle Repairers' Association (MRVA) inspector appointed by the Council indicates that the vehicle is safe to be licensed. The cost of the MVRA inspection report and any subsequent re-assessment must be met by the applicant.

The council and their agents will conduct its own Equifax checks on vehicles and bear the cost of the same.

TRANSFER

Should you wish to change your vehicle during the life of the current vehicle licence, you may do so by applying for a Licence Transfer. The same procedure for an ordinary vehicle licence must be followed unless the vehicle is less than 3 months old (see details above).

There is an additional charge for the Licence Transfer.

CHANGE OF ADDRESS

Should you move home within the life of the current vehicle, drivers or operators licence, you must inform the Council in writing within seven days of moving to your new address and (if applicable) telephone number.

SALE OF VEHICLE

Sale as a private vehicle

If a hackney carriage or private hire vehicle is sold as a private car then the Licensing Department must be informed immediately following the sale. The licence plate must be returned to the department within 3 working days.

Transfer of Interest

If a vehicle is transferred or sold to another person for use as a taxi the seller of the vehicle must notify us in writing specifying the name and address of the person to whom the sale or transfer is made within 14 days.

FEES

As of the 4st April 2013 the following fees will apply:

Hackney carriage and private hire driver application:	£56.50
Two year drivers application:	£113.00
Three year drivers application:	£169.50
Criminal Records Bureau Check (Where applicable)	£44.00
Hackney carriage vehicle application:	£221.00
Private hire vehicle application:	£221.00
Vehicle Test at Lufton Testing Station	£51.00
Three year private hire operators licence:	£83.50
Transfer of vehicle:	£66.00
Replacement drivers badge:	£11.00
Replacement vehicle plate:	£28.50
Trailer plate fee:	£22.50
Meter test fee:	£22.00

METHODS OF PAYMENT

Payment must be made in full at the time of application in order for the application to be accepted. Payment may be made by credit or debit card, cash or by cheque which should be made payable to South Somerset District Council.

TAXI RANK LOCATIONS AND TIMES OF USE

The following is a list of all the South Somerset District Councils ranks and the times of their use.

Chard, outside the Guildhall 24 hours a day
Ilminster, Town Square 24 hours a day
Yeovil, Silver Street 24 hours a day
Yeovil, Stars Lane 24 hours a day
Yeovil, Somerfield Car Park 24 hours a day
Yeovil, Lower Middle Street 9 p.m. until 7a.m.
Yeovil, South Street 9 p.m. until 7a.m.,
Yeovil, Hendford 7p.m. until 7a.m.
Martock, Shopping Centre 24 hours a day

WHERE TO APPLY FOR LICENCES

There are no restrictions on where you may apply for a new licence or a renewal of a licence, you may apply at any of the following offices for a licence:-

South Somerset District Council
Brympton Way
Yeovil
BA20 2HT
Telephone Number: 01935 462462
Opening Times Mon – Thurs 08.45 – 17.15
Fri 08.45 – 16.45

Wincanton Town Council
The Town Hall
Market Place
Wincanton
BA9 9LD
Telephone: 01963 31693
Opening Times:
Mon – Thurs 09.00 – 13.00 close for lunch 14.00 – 16.00
Fri 09.00 to 12.00

Yeovil Town Council
The Town House
19 Union Street
Yeovil
BA20 1PQ
Telephone: 01935 382424
Opening Times: Mon – Fri 08.30 – 16.00

Appendix 1

Hackney carriage and Private Hire Licensed Drivers Conditions

Table of Contents

<u>Section</u>	<u>Subject</u>
1.0	Hackney Carriage/Private Hire Licensed Drivers Conditions
2.0	Private Hire Drivers Only
3.0	Hackney Carriage Drivers Only
4.0	The Proprietor/Licensee of a Licensed Vehicle
5.0	General Vehicle Licence Conditions
6.0	Hackney Carriage Vehicles Only
7.0	Private Hire Vehicles Only
8.0	Wheelchair Accessible Vehicle requirements
9.0	Special Event Vehicles
10.0	Private Hire Operators Conditions

1.0 HACKNEY CARRIAGE/PRIVATE HIRE LICENSED DRIVERS CONDITIONS

- 1.1 **Driver's Licence.** Drivers' licenses are not transferable and no licensee shall assign or in any way, part with the benefit of the licence.
- 1.2 **Cease of Business.** Should the licensee cease to carry on his business or employment he shall return his driver's licence and driver's badge forthwith.
- 1.3 **Changes to Licence.** The licensee shall notify the Licensing Section in writing forthwith of any changes whatsoever in the particulars disclosed on their drivers licence/driver application.
- 1.4 **Fare Demanded.** The driver shall not demand from any hirer of a vehicle a fare in excess of that previously agreed. If a vehicle is fitted with a taximeter and there has been no previous agreement, the fare should be as shown on the face of the taximeter or less than that amount shown. A percentage charge on top of the fare may be charged for credit/debit facilities subject to condition 1.4 above.
- 1.5 **Tout/Solicit.** The driver/person in charge of a hackney carriage/private hire vehicle shall not tout or solicit or cause or procure any person to tout or solicit on a road or other place any person to hire or to be carried for hire in any vehicle.
- 1.6 **Behaviour.** The driver shall be clean, behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or alighting from the vehicle.
- 1.7 **Number of Passengers.** The number of passengers carried at any one time should not exceed the number specified in the licence.
- 1.8 **Drinking/Eating.** The driver shall not eat or drink in the vehicle without the express consent of the hirer.
- 1.9 **Carriage of Other Passengers.** The driver shall not, without the consent of the hirer of a vehicle, convey or permit to be conveyed any other person in that vehicle.
- 1.10 **Prompt Attendance.** The driver shall attend for all appointments promptly, unless prevented from doing so by sufficient cause.
- 1.11 **Property Left in Vehicle.** The driver shall, as soon as reasonably practicable, check the vehicle for any property, which may have been accidentally left there.
- 1.12 **Lost Property.** Any lost property found, or handed to the driver, should be taken as soon as possible, or in any event within 24 hours, to a convenient police station and a receipt obtained from the officer-in-charge. This shall not apply if the rightful owner claims the lost property in the meantime.

2.0 PRIVATE HIRE DRIVERS ONLY

- 2.1 **Immediate Hire.** The driver/person in charge of a private hire vehicle shall not offer the

vehicle or make provisions for immediate hire while he/she or that vehicle is on the road or other place, other than his place of business.

- 2.2 **Pre-Booked Journeys.** The driver/person in charge of a private hire vehicle shall not accept an offer for the immediate hire of his vehicle while he or that vehicle is on a road or other place except where such an offer is first communicated to them in person by telephone or radio fitted to the vehicle without them in any way procuring the offer.

3.0 **HACKNEY CARRIAGE DRIVERS ONLY**

- 3.1 **Taximeter Not in Use.** The driver of a hackney carriage vehicle shall when standing or plying for hire keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate a sign, which shall bear the words "For Hire" in clear legible letters.
- 3.2 **Taximeter in use.** The driver of a hackney carriage vehicle shall as soon as the carriage is hired and before commencement of the journey bring the taximeter into action so that the words "Hired" are clearly legible and keep the taximeter in action until the termination of the hiring.
- 3.3 **Adjustment/Repairs to Taximeter.** Any taximeter fitted to a hackney carriage vehicle, which has been adjusted or repaired shall have the taximeter retest by the District Council.
- 3.4 **Display of Fare/Tariff Card.** The driver of a hackney carriage vehicle shall ensure that the District Council fare card is clearly visible at all times.
- 3.5 **Plying for Hire/Stands.** The driver of a hackney carriage vehicle shall, when plying for hire, proceed with reasonable speed to a Council appointed stand. If a stand, at the time of arrival, is already full with the full compliment of authorised carriages, then he should proceed to another stand.
- 3.6 **Obstruction of stands.** No driver of a hackney carriage shall wilfully obstruct another hackney carriage vehicle, which is leaving the stand.

PENALTIES

The Local Government (Miscellaneous Provisions) Act 1976 provides that any person who acts in contravention of the provisions of Part II of the Act shall be guilty of an offence and liable on summary conviction to a fine. In addition such action, whether or not resulting in criminal proceedings being taken, may lead to the suspension of/or revocation of an existing licence or refusal to renew such a licence.

4.0 **THE PROPRIETOR/LICENSEE OF A LICENSED VEHICLE**

- 4.1 **Cease of Business.** Should the Licensee cease to carry on his business or employment he should return the vehicle licence, and licence plate to the District Council within 7 days.

- 4.2 **Vehicle Licence, Plate, & Inspection Certificates.** The vehicle licence and inspection certificate shall not be transferred under any circumstances to another vehicle.
- 4.3 **Changes To vehicle licence.** The licensee shall notify the Licensing Department of any changes whatsoever, in the particulars disclosed on their vehicle application in respect of the vehicle's registration document or insurance policy.
- 4.4 **The Licence, Plate and (Roof Sign where applicable).** The proprietor/licensee shall cause the vehicle plate and (roof sign where applicable) to be displayed at all times while the vehicle licence is in force.
- 4.5 **Reporting a Lost, Damaged or Stolen Licence Plate.** The proprietor/licensee shall inform the District Council immediately should the licence plate become lost, damaged or stolen.
- 4.6 **List of drivers to be maintained.** The proprietor/Licensee shall maintain a list of names and address of all persons that have use of that licensed vehicle.
- 4.7 **Vehicle Alterations.** No alterations in the specification, design or appearance of the vehicle shall be made which would mean that the vehicle would be in contravention of the District Council Licence Conditions or relevant Legislation.

5.0 GENERAL VEHICLE LICENCE CONDITIONS

- 5.1 **Vehicle Testing.** No vehicle shall be first licensed or re-licensed unless the vehicle has passed the vehicle inspection at the District Council's approved testing stations.
- 5.2 **Safety Standards.** All vehicles shall be built to the safety standard relevant to that vehicle at the time of manufacture as set out by EEC regulations.
- 5.3 **Altered Vehicles.** Any vehicle, which has been altered from the original manufacture's specification, re-registered or has been an insurance loss shall only be considered for licensing if the vehicle has been subjected to a satisfactory SVA test (engineers report) from the Vehicle & Operator Services Agency (VOSA). Vehicles without a VOSA engineers report will only be considered for licensing if they have been built to the manufacturers original specification. Alterations for Stretch limousines are exempt from this condition as this is covered in condition 9.7.
- 5.4 **Three Door Vehicles.** The District Council will not licence three door vehicles. (Applies to saloon, hatch and estate vehicles only).
- 5.5 **Seating Capacity.** Passenger seating capacity shall be measured as one person per seat that measures a minimum of 400mm and every seat must be fitted with appropriate seat belts. Side facing seats are not permitted on any vehicle (except special event vehicles). Estate versions of saloon vehicles fitted with seats in the rear luggage compartment will be licensed for a maximum of 4 passengers.
- 5.6 **Vehicle Ventilation.** All vehicles shall have suitable and adequate ventilation.
- 5.7 **Window Tints.** No glass, with the exception of a tinted sun-strip along the top of the

windscreen, shall be tinted to such an extent as to obscure the view of the inside of the vehicle under normal workshop lighting conditions from a distance of 4 metres.

5.8 **Mechanical/Bodywork Standards.**

5.8.1 If an issue arises then below are listed the standards that we would apply

5.8.2 The vehicle bodywork should be in second hand showroom conditions, which accounts for minor evidence of age, wear and tear.

5.8.3 The paint quality over the whole of the vehicle should be of professional quality and uniform in colour texture and finish. It should also be free from flaky paint with no exposed undercoat or primer.

5.8.4 Stone chips must be covered by touch-up paint in the same colour as the surrounding bodywork.

5.8.5 No single scratch, rust patch or dent on the painted area of bodywork shall exceed the size of a 5cm circle. In addition, no more than four scratches, rust patches or dents should be present where each scratch, dent or rust patch exceeds the size of a 2.5cm circle. This excludes the vehicle's bumpers where no more than two scratches, dents or rust patches, which exceeds the size of a 2.5cm circle, will be allowed.

Notes:

1. A rust patch shall include both where the rust is visible on the surface and where by blistering of the paintwork it is apparent that there is rust below the paint.
2. A scratch shall be where there is surface paint damage whether or not there is also a dent.
3. A dent shall be where there is any damage causing a deviation from the original contours of the vehicle.

5.9 **Vehicle Exterior & Interior.** The vehicle exterior and interior shall be kept reasonably clean at all times and all vehicle trim shall be complete.

5.10 **Tools & Spare Wheel.** The vehicle shall carry in a suitable and secure location (in or on the vehicle) a jack, wheel brace and spare wheel.

5.11 **Fire Extinguisher & First Aid Kit.** The vehicle shall carry a fire extinguisher and first aid kit, which is suitable and sufficient and shall be secured within the vehicle.

5.12 **Vehicle Licence Plate.** The vehicle licence plate shall be fixed and displayed outside and on the rear left hand side of the vehicle and shall be clearly visible during daylight hours from a distance of not less than 5 metres. The licence plate should not obstruct any signage prescribed by the District Council or any lights or the vehicles registration mark. Any items such as tow-bars shall not obstruct the licence plate.

5.13 **Signage.** No sign or advertisement shall be displayed upon the licensed vehicle that contains religious or political material or material, which would be considered offensive. No sign or advertisement shall impede visibility or obstruct any signage provided by the District Council.

6.0 HACKNEY CARRIAGE VEHICLES ONLY

- 6.1 **Fare/Tariff Cards.** A current fare/tariff card as approved by the Council shall be clearly displayed within the vehicle where any passenger carried can see it.
- 6.2 **Roof Sign Size/Colour.** Roof signs fitted upon a hackney carriage vehicle must be white in colour and shall be securely fitted to the vehicle. The minimum height of the roof sign must not be less than 127mm. The minimum length of the roof sign must not be less than 406mm.
- 6.3 **Wording For Roof Sign.** Hackney carriages shall carry a sign on the roof with the word “Taxi” on the front. The sign shall be capable of being illuminated internally in such a manner that the words “TAXI” is illuminated at all times when the vehicle is plying for hire, but not otherwise.
- 6.4 **Wording Colour.** All wording and numbering on the roof sign shall be in black lettering and the word “TAXI” displayed at the front of the roof sign shall be not less than 125mm in height.
- 6.5 **Meter Rate of Fare.** The taximeter shall record on the face of the taximeter, in figures clearly legible and free from ambiguity, a fare not exceeding the rate or fare that the proprietor is entitled to demand for the hire of the carriage distance.
- 6.6 **Visibility of Meter.** The taximeter shall be placed in a safe position and so far as possible so that all letters and figures on the face thereof shall be at all times plainly visible to any person being conveyed in the carriage. For that purpose, the letters and figures shall be capable of being suitably illuminated during the period of hiring.
- 6.7 **Security Seals.** The taximeter and all the fittings thereof shall be so affixed to the carriage with security seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently disabling the security seals.

7.0 PRIVATE HIRE VEHICLES ONLY

- 7.1 **Words Not Permitted on Roof Sign.** The private hire vehicle shall not display any sign, which consists of or includes the word “**Taxi**” or “**Cab**” whether singular or plural, or “**Hire**”, or any word of similar meaning or appearance to any of those words, whether alone or as part of another word. The only exception for use of the word “**Hire**” displayed on a private hire vehicle is when the word is used in conjunction with the word “Private” to form the word “**Private Hire**”.
- 7.2 **Roof Sign Colour and Size.** Roof signs fitted to a private hire vehicle should be yellow in colour and shall be securely fitted to the vehicle. The minimum height of the roof sign must not be less than 127mm. The minimum length of the roof sign must not be less than 406mm. Words displayed upon the roof sign shall be black in colour.
- 7.3 **Wording For Roof Sign.** Vehicles fitted with roof signs shall display from the rear of the roof sign the words “**Private Hire**” along with the vehicle licence number. From the front, rear and sides of the vehicle the words “Pre-Booked Only” or “Advance Bookings Only” shall be clearly displayed. Wording shall not be less than 25mm in height.

8.0 WHEELCHAIR ACCESSIBLE VEHICLE REQUIREMENTS

- 8.1 **Wheelchair entrance.** The doorway, through which a wheelchair will enter the vehicle, must be on the nearside or rear of the vehicle and must provide a minimum of 1170mm in height and 680mm in width of unobstructed space.
- 8.2 **Lifts/Ramps.** Access to the vehicle must be possible from the road or pavement either by a lift or ramp. Any power-operated device must be capable of manual operation in the event of a power failure. The boarding device must have a safe working load of 300kg and operate under normal loading conditions without undue deflection.
- 8.3 **Ramps.** A ramp should be of slip resistance material and at least 750mm in width. The ramp should be capable of being deployed both onto the road and onto a 125mm high kerb. The ramp when deployed should be securely located at the point of entry to the vehicle. For side loading the ramp when deployed to the pavement should not exceed a slope of 1:4. For rear loading the ramp when deployed to the road should not exceed 1:4. When not in use the ramp should be securely stored in such a manner as not to block any of the vehicle doors and not to present a hazard to the vehicle occupants.
- 8.4 **Lifts.** The lift platform must be not less than 750mm in width and not less than 1200mm in length. The ramp should be equipped with a device to prevent the wheelchair rolling off and should operate at a vertical speed of less than 0.15m/s.
- 8.5 **Designated wheelchair space.** The inside of the vehicle must be of sufficient size to allow a wheelchair to be moved from alongside the vehicle into the space. The headroom must be at least 1300mm.
- 8.6 **Wheelchair securing mechanism.** A securing mechanism must be provided to secure the wheelchair in position and the wheelchair should be locked in the direction of travel once the journey commences. The occupant of the wheelchair must be provided with an occupant restraining system (seatbelt).

PENALTIES.

The Local Government (Miscellaneous Provisions) Act 1976 provides that any person who acts in contravention of the provisions of Part II of the Act shall be guilty of an offence and liable on summary conviction to a fine. In addition such action, whether or not resulting in criminal proceedings being taken, may lead to the suspension of/or revocation of an existing licence or refusal to renew such a licence.

10.0 PRIVATE HIRE OPERATORS LICENCE CONDITIONS

- 10.1 **Records of Hiring.** An Operator shall enter in a suitable book or equivalent computerised system, the pages of which should be numbered consecutively, particulars of every private hire booking made by him and the particulars shall be entered in the book before the commencement of each journey, and shall include the following;
- a. The date and time of each booking.

- b. The time of pick up.
- c. Where the journey was from.
- d. The name of the hirer.
- e. The private hire licence plate number, of the vehicle given the booking.
- f. These details must be recorded in such a manner as to allow any authorised officer to easily determine which driver and vehicle was used for a particular job e.g. use of call signs with appropriate index giving full details and which is readily available.

10.2 **Records of Vehicles.** An operator shall maintain at his premises particulars of all vehicles operated by him, which shall include the following;

- a. The licence plate number.
- b. The vehicle registration number.
- c. The name and address of the proprietor.
- d. The name(s) and address(es) of the driver(s) of the vehicle(s).
- e. The badge number(s) of the driver(s).

10.3 **Records Kept For.** Records shall be kept for a period of not less than 3 years, or such longer period as is required by an authorised officer of the Council.

10.4 **Records On Request.** Records shall be produced, on request, to any police officer or authorised officer of the Council.

10.5 **Booking Type Not Permitted.** No operator shall invite or accept a booking for a private hire vehicle or control or arrange a journey to be taken by such vehicle, without first making available in writing, or giving orally, to the person making the booking information as to the basis of charge for the hire of the vehicle.

10.6 **Acceptable Service.** The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times.

10.7 **Time Keeping.** An operator must ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, that the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place.

10.8 **Suitability of Premises.** Premises, which the operator provides, should be kept clean with adequate heat, ventilation and lighting to any area, which the public have access.

10.9 **Seating Facilities.** The operator should ensure that any waiting area provided has adequate seating facilities.

- 10.10 **Communication Facilities.** The operator should ensure that all telephone and radio equipment are maintained in sound condition and that any defects are repaired promptly.
- 10.11 **Drunk & Disorderly Person.** An operator shall not permit any person who is drunk, or is behaving in a disorderly manner to remain upon the premises in respect of which the licence is in force.
- 10.12 **Operator Control.** An operator in his capacity as his operator and without prejudice to any liabilities imposed under the Act shall use his best endeavours to ensure that drivers of vehicles owned or controlled or operated in association with the operator shall observe and perform the conditions of their private hire driver's licence and that the vehicles shall conform to their private hire vehicle licence.
- 10.13 **Change of Details.** The Operator shall notify the Council in writing of any changes of his home address within seven days of moving. If he wishes to move his business address he will first need to obtain an operating licence from the Council for the new address before conducting any business from the new address.
- 10.14 **Convictions.** The operator shall within seven days disclose to the Council in writing details of any conviction imposed on him (or if the operator is a company or partnership, on any of the directors or partners) during the period of the licence.

PENALTIES.

The Local Government (Miscellaneous Provisions) Act 1976 provides that any person who acts in contravention of the provisions of Part II of the Act shall be guilty of an offence and liable on summary conviction to a fine. In addition such action, whether or not resulting in criminal proceedings being taken, may lead to the suspension of/or revocation of an existing licence or refusal to renew such a licence.

LEGISLATIVE REQUIREMENTS.

Summary of the main offences and other provisions in the Local Government (Miscellaneous Provisions) Act 1976 that are not otherwise contained or referred to in the application form or conditions.

S.46 (1)

- (a) No proprietor of any vehicle shall use or permit the same to be used without having a current licence for the vehicle.
- (b) No person shall drive a vehicle without having a current licence.
- (c) No proprietor shall employ as a driver any person who does not have a current licence.
- (d) No person shall operate any vehicle without having a current licence.
- (e) No person shall operate any vehicle unless the vehicle and its driver have current licences.

S.49

- (1) If a proprietor transfers his interest he shall within fourteen days give notice in writing thereof

to the Council specifying the name and address of the person to whom the vehicle has been transferred.

S.50

- (1) A proprietor of a vehicle shall present it for inspection and testing by or on behalf of the Council within such period and at such place as they may by notice reasonably require.
- (2) The proprietor shall, within such period as the Council may by notice reasonably require, state in writing the address of every place where the vehicle is kept when not in use, and should if the Council so require afford to them such facilities as may be reasonably necessary to enable them to cause such vehicle to be inspected and tested there.
- (3) The proprietor shall report to the Council as soon as reasonably practicable, and in any case within 72 hours of the occurrence thereof, any accident causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein.
- (4) The proprietor shall at the request of any officer produce for inspection the vehicle licence and the certificate of the policy of insurance or security required by Part VI of the Road Traffic Act 1988 in respect of such vehicle.

S.53

- (3) The driver of any vehicle shall at the request of any officer produce for inspection his driver's licence either forthwith or at the principle offices of the Council or at any police station which is within the area of the Council and is nominated by the driver when the request is made before the expiration of the period of 5 days beginning with the day following that on which the request is made.

S.54

- (2)(a) A driver shall at all times when acting in accordance with the licence granted to him wear his badge in such a position and manner as to be plainly and distinctly visible.

S.56

- (2)(3) Every operator shall produce their records and their licence on request to and officer for & (4) inspection.

S.48

- (1) On the revocation, expiry or suspension of a vehicle licence the Council may by notice require the proprietor of that vehicle to return to them the plate or disc within seven days after the service on them of a notice.
- (2) If the proprietor fails without reasonable excuse to comply with the terms of a notice any officer shall be entitled to remove and retain the said plate or disc.

S.60

- (1) The Council may suspend or revoke or refuse to renew a vehicle licence on any of the following grounds-
 - (a) That the vehicle is unfit for use.
 - (b) Any offence under, or non-compliance with, the provisions of the Acts by the operator

or driver or,

- (c) Any other reasonable cause.

S.61

- (1) The Council may suspend or revoke or refuse to renew a licence of a driver on any of the following grounds-
 - (a) That he has since the grant of the licence-
 - (i) been convicted of an offence involving dishonesty, indecency or violence; or
 - (ii) been convicted of any offence under or has failed to comply with the provisions of the Acts; or
 - (iii) any reasonable cause.
- (2) (a) and the driver shall on demand return his badge.

S.62

- (1) The Council may suspend or revoke or refuse to renew an operator's licence on any of the following grounds-
 - (a) any offence under, or non-compliance with, the Acts
 - (b) any conduct which appears to the Council to render him unfit to hold a licence
 - (c) any material change since the licence was granted in any of the circumstances of the operator on the basis of which the licence was granted; or
 - (d) any other reasonable cause.

S.64

- (1) No person shall cause or permit any vehicle other than a hackney carriage to wait on any stand for hackney carriage during any period for which that stand has been appointed, or is deemed to have been appointed, by a district council under the provisions of section 63 of this Act.
- (3) If any person without reasonable excuse contravenes the provisions of this section, he shall be guilty of an offence.

S.68

Any officer shall have power at all reasonable times to inspect and test, for the purpose of ascertaining its fitness, any vehicle, or any taximeter affixed to such a vehicle, and if he is not satisfied as to the fitness of the vehicle or accuracy of its taximeter he may by notice in writing require the proprietor to make the vehicle or its taximeter available for further inspection and testing at such reasonable time and place as may be specified in the notice and suspend the licence until such time as the officer is so satisfied.

Provided that, if he is not so satisfied before the expiration of a period of 2 months, the said licence shall be deemed to have been revoked.

S.69

No driver shall without reasonable cause unnecessarily prolong, in distance or in time, the journey for which the vehicle has been hired.

S.71

- (2) No driver shall (a) tamper with any seals of any taximeter without lawful excuse; or (b) alter any taximeter with intent to mislead.

S.73

- (1) No person shall-
- (a) wilfully obstruct an officer acting in pursuance of the Acts
 - (b) without reasonable excuse fail to comply with any requirement properly made to him by such officers
 - (c) without reasonable cause fail to give such an officer any other assistance or information which he may reasonably require.
- (2) in giving any such information, make any statement, which he knows to be false.

The Disability Discrimination Act 1995

- S.37 Came into force on the 31st March 2001 and requires a hackney carriage driver to carry a guide dog, which is in charge of a disabled person or a dog under training without charge. Regulations made in 2000 under Section 37 updated the section to the "Carrying of Guide, Hearing and Other Assistance Dogs in Taxis.
- S.37 (a) Came into force on the 31st March 2004 and requires a private hire driver to carry a guide, hearing and other assistance dog, which is in charge of a disabled person or a dog under training without charge. This section also places a legal duty for operators to accept bookings from or on behalf of disabled people accompanied by guide, hearing or prescribed assistance dogs without extra charge.

Appendix 2

Hackney Carriage Byelaws for South Somerset District Council

SOUTH SOMERSET DISTRICT COUNCIL

BYELAWS

Made under section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act 1875, by South Somerset District Council with respect to hackney carriages in the district of South Somerset.

Interpretation

1. Throughout these byelaws “the Council” means South Somerset District Council and “the district” means South Somerset.

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

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

Provisions regulating how hackney carriages are to be furnished or provided

3. The proprietor of a hackney carriage shall: -
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver;
 - (b) cause the roof or covering to be kept water-tight;
 - (c) provide any necessary windows and a means of opening and closing not less than one window on each side;

- (d) cause the seats to be properly cushioned or covered;
 - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering;
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
 - (h) provide an efficient fire extinguisher (which conforms to the specification of the Licensing Authority) which shall be carried in such a position as to be readily available for use; and
 - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
4. The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say :-
- (a) the taximeter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (b) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
 - (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures, a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by time as well as for distance in pursuance of the tariff fixed by the Council;
 - (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and
 - (f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

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

5. The driver of a hackney carriage provided with a taximeter shall :-
- (a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;
 - (b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the

- said key, flag or other device so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring; and
- (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half-an-hour after sunset and half-an-hour before sunrise, and also at any other time at the request of the hirer.
6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
7. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired :-
- (a) proceed with reasonable speed to one of the stands appointed by the Council;
 - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and
 - (d) from time to time, when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
8. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.
9. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
10. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
11. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
12. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
13. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage :-
- (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading; and

- (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.

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

- 14. (i) The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council, the rate or fare being calculated by a combination of distance and time unless the hirer express at the commencement of the hiring his desire to engage by time.
- (ii) Where a hackney carriage furnished with a taximeter is hired by distance and time the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.
- 15. (i) The proprietor of a hackney carriage shall cause a statement of the fares fixed by council resolution to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- (ii) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

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

- 16. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring, or as soon as practicable thereafter, carefully search the carriage for any property which may have been accidentally left therein.
- 17. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him :-
 - (a) carry it as soon as possible and in any event within 48 hours if not sooner claimed by or on behalf of its owner, to a police station in the District and leave it in the custody of the officer in charge of the station on his giving a receipt for it; and

- (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever be the greater) but not more than five pounds.

Penalties

18. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction.

Repeal of Byelaws

19. The byelaws relating to hackney carriages which were made by South Somerset District Council on the 31st day of January 1986 and the 12th day of December 1986 and which were confirmed by the Secretary of State for Transport on the 21st day of April 1986 and the 23rd Day of February 1987 respectively are hereby repealed.
20. The foregoing byelaws were hereby confirmed by the Secretary of State and came into force on the 1st Day of September 2006.

ADDITIONAL INFORMATION

If you wish to discuss any aspect of operating a hackney carriage vehicle or private hire vehicle, please contact a member of the Licensing Section

Tel: 01935 462462.

Address Licensing Service
 South Somerset District Council
 Brympton Way
 Yeovil
 Somerset
 BA20 2HT

E mail: Licensing@southsomerset.gov.uk

Rights of Appeal

The Local Government (Miscellaneous Provisions) Act 1976 provides several rights of appeal to any person/driver/operator aggrieved by a decision of a district council under the act may appeal that decision to a magistrates court.

Hackney carriage and private hire drivers also have a right of appeal against any condition of a licence with which they have to comply. This right of appeal is provided for under Section 300(3) of the Public Health Act 1936.