

TAXI LICENSING SUB-COMMITTEE – 19 August 2002

Minutes of the meeting of the **Taxi Licensing Sub-Committee** held on **19 August 2002** when there were present:-

Cllr P F A Webster (Chairman)
Cllr Mrs R Brown

Cllr T Livings
Cllr C R Morgan

VISITING MEMBER

Cllr J E Grey

OFFICERS ATTENDING

R Crofts	Corporate Director (Finance & External Services)
S Clarkson	Head of Revenue and Housing Management
Mrs M Martin	Committee Administrator

8 MINUTES

The Minutes of the Meeting held on 5 August 2002 were approved as a correct record and signed by the Chairman.

Matters Arising

Taxi Ranks

Members noted that:-

- as a result of consultation with the County Highways department, it had been established that in Rayleigh a 7 bay feeder rank could be provided in the High Street outside the Boots Lagoon area, complimenting the 7 bays within the Lagoon. A 2 bay rank would be feasible outside Berry's Arcade and a 3 bay rank at the top end of London Hill.
- In Rochford it might be possible to provide a 2/3 bay rank in North Street close to the Congregational Church.
- A County Highways Engineer is working with the District Council to produce a proposal for Hockley Town Centre.

Members noted that a report on taxi ranks would be submitted to the next meeting of this Sub-Committee, to be held on 27 August 2002 and appropriate plans relating to these proposals would be prepared for that meeting.

Criminal Records Bureau

Members noted that a response had been received from Sir Teddy Taylor, MP, in connection with the delays that were being experienced in completing criminal record checks. The Chief Executive of the Criminal Records Bureau has apologised and given a reassurance that this concern will be addressed.

9 HACKNEY CARRIAGE AND PRIVATE HIRE – DRIVER AND VEHICLE LICENSING CONDITIONS

The Sub-Committee considered the report of the Head of Revenue and Housing Management which invited Members to consider drafts of the following which had been appended to the report.

- Hackney Carriage Pre-Licensing Standards
- Hackney Carriage Licensing Conditions
- Private Hire Pre-Licensing Standards
- Private Hire Licensing Conditions
- Driver Pre-Licensing Standards
- Driver Licensing Conditions.

Members had agreed at an earlier meeting of this Sub-Committee that they wished to review all the standards and conditions associated with Driver and Vehicle Licensing. Consultation had taken place with all drivers and operators, who were invited to provide written submissions. Where these had been received, they had been conveyed to those Members who had attended the meetings which had been held on 17 July and 5 August.

During discussion, a majority of Members agreed that:-

- the number of drivers or vehicles licensed by the Council should not be limited, provided that the licensing conditions were fully met.
- there should be no limit to the number of vehicles that each proprietor could have licensed.
- there is no reason why a non-driver could not be a proprietor of vehicles.
- there would be no need for a proprietor who is not a driver to undergo criminal record checks.
- the issue of incentives to acquire wheelchair accessible taxis would be the subject of an addendum to the report on the final recommendations of the Taxi Licensing Review, to be brought to the Environment Overview & Scrutiny Committee to be held on 5 September 2002.
- officers should be given authority to deal with the issue of the engine capacity of vehicles.
- there was no need to specify a requirement for either owners or drivers to live within the district.
- the necessity to carry a first aid kit in the vehicle should be deleted; unless the Head of Service advised Members of any insurance implications.

Members undertook a detailed analysis of the documents that had been appended to the report. The decisions of Members have been incorporated and an updated version of these documents is attached to these Minutes. Members agreed that the new layout of the documents made them easier to read. A copy of the final version would be sent to all operators and drivers after the meeting of the Environment Overview & Scrutiny Committee in September.

TAXI LICENSING SUB-COMMITTEE – 19 August 2002

At that stage the Conditions would be advertised and objections would need to be lodged within 21 days, after which they would be accepted. It was agreed that a Press Notice should then be issued.

Members were informed that Basildon District, Castle Point Borough and Uttlesford District Councils had agreed to take part in a peer review.

Recommended to the Environment Overview and Scrutiny Committee

That the pre-licensing standards and conditions as appended to these Minutes be agreed. (HRHM)

The meeting commenced at 10 am and ended at 10.45 am.

Chairman

Date



ROCHFORD DISTRICT COUNCIL

PRE-LICENSING STANDARDS FOR HACKNEY CARRIAGES

1. A person being considered for a Hackney Carriage Licence (Plate) on the first and subsequent occasions shall:
 - 1.1. Have a vehicle which is not more than six years old when first licensed, and is not more than ten years old, with the exception of certain specified vehicles.
 - 1.2. Have a vehicle that is in good mechanical order and body condition, and is in full and proper operational order in every respect.
 - 1.3. Have a vehicle which is suitable in type, size and design for use as a Hackney Carriage and according to the manufacturer's unaltered specification has:
 - 1.3.1. Rear seat accommodation for at least 3 persons, with a minimum of 41cm (16") per person.
 - 1.3.2. Separate front seats to accommodate one person in addition to the driver, or for a vintage car or limousine, a bench seat with an armrest to accommodate one person in addition to the driver.
 - 1.3.3. Except with minibuses and similar vehicles, no less than two doors in addition to any door provided for the driver, each adjacent to and allowing direct access to and from the passenger seats.
 - 1.3.4. An overall height of not less than 135cm (53").
 - 1.3.5. An engine with a nominal cubic capacity of not less than 1550cc.
 - 1.3.6. A seat belt for each passenger.
 - 1.4. Submit the vehicle for mechanical inspection when requested and at least:
 - 1.4.1. Upon initial application.
 - 1.4.2. Annually in respect of vehicles up to six years old.
 - 1.4.3. Six monthly in respect of vehicles over six years old and up to ten years old.
 - 1.4.4. Four monthly in respect of vehicles over ten years old defined under condition 1.1.

2. Produce the current Vehicle Inspectorate MOT Test Certificate following each mechanical inspection and upon request.
3. Produce such insurance documents as may be required, specifying that the vehicle is insured for public hire.
4. In respect of every third, sixth, ninth and twelfth licence granted to an individual or company, the vehicle must be compliant with the specification for Wheelchair Accessible Taxis contained in the Disability Discrimination Act, 1995.
5. Produce such documents or any other evidence of proprietorship of the vehicle as may be required by the Council.
6. Give two referees as to character who are not related to the applicant and who have known the applicant personally.

NOTE: After the issue of a Hackney Carriage Vehicle Licence, the vehicle may only be driven by a driver holding a current Hackney Carriage Drivers Licence.

Draft



HACKNEY CARRIAGE VEHICLE LICENCE

CONDITIONS

INTRODUCTION.

The proprietor of the vehicle must ensure that the vehicle complies with the following conditions at all times.

1 Pre-Licensing Conditions.

Satisfy the pre-licensing conditions for Hackney Carriages.

2 Safety Equipment.

An efficient fire extinguisher shall be carried of a type conforming to BSEN3:1996 (type AFFF 2 litre minimum capacity recommended). It must be readily available for use in case of emergency.

3 Interior Markings.

The Proprietor shall ensure that the following are clearly displayed inside the vehicle:

- 3.1 The number of the licence.
- 3.2 The number of passengers prescribed in the licence.
- 3.3 The table of fares currently in operation.
- 3.4 The name of the proprietor.
- 3.5 Where a "FOR HIRE" flag is installed it must be situated at the bottom left side of the front windscreen, of which the illuminated area does not exceed 16 square inches.
- 3.6 Where in-car video surveillance is installed, a notice to this effect must be clearly displayed inside the vehicle, the wording of which shall be approved by Rochford District Council.

4 Exterior Signs.

The Proprietor shall ensure that:

- 4.1 The plate bearing the number of the licence granted shall be displayed on the outside of the vehicle adjacent to the rear numberplate.

- 4.2 Rochford District Council's official emblem must be permanently fixed on the panels of the rear passenger doors.
- 4.3 Where a "TAXI" sign is to be installed on the roof of the vehicle, it must not exceed 36" x 6¼" x 6½" and should be illuminated only when the vehicle is available for hire.
- 4.4 Where an inscription which identifies the proprietor of the vehicle is to be displayed, it must be positioned either:
 - 4.4.1 In the rear screen of the vehicle, and not exceed 4" high x 18" wide, and must not obscure the view to the rear, or
 - 4.4.2 On the panel of each front door, or
 - 4.4.3 On the boot lid or hatch back door.
- 4.5 Vehicles may display the flag of St George or the Union Flag at any time. It shall not exceed in size 18" x 12" and not obscure the Driver's vision.

5 Advertisements.

- 5.1 Advertisements which do not conflict with any business within the Rochford District may be placed on the outside of the front doors or on the boot lid or hatchback door or moulded rear bumper but restricted to no more than three.
- 5.2 The approval of Rochford District Council shall be obtained as to the content and layout of any advertisement before it is fitted or displayed.

6 Inspection.

The Proprietor will submit the vehicle for mechanical inspection when requested and at least:

- 6.1 On first application for a licence.
- 6.2 Annually in respect of vehicles up to six years old.
- 6.3 Six monthly in respect of vehicles over six years old and up to ten years old.
- 6.4 Four monthly in respect of vehicles over ten years old defined under condition 1.1 of the pre-licensing conditions.
- 6.5 after any repair made necessary by an accident affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers.

7 Taximeter.

- 7.1 The vehicle shall be fitted with a taximeter visibly recording the approved passenger fare payable.

- 7.2 The position of the taximeter shall be agreed by the Council's inspecting officer and shall be maintained at all times so that the fare displayed can readily be seen by the passenger.
- 7.3 The operation of the taximeter shall accord with any byelaws made by the Council.
- 7.4 The taximeter shall be tested for accuracy on initial application and following any changes to the table of fares or as required.

8 Usage.

- 8.1 The vehicle will be available for business at all reasonable times.
- 8.2 Whilst a vehicle is licensed as a Hackney Carriage, it shall not be driven by any person other than a driver properly licensed by Rochford District Council.
- 8.3 If the proprietor permits or employs any other person to drive the vehicle, that person must deposit a copy of his/her Hackney Carriage Drivers licence with the proprietor, before he/she commences to drive the vehicle. The proprietor will record the details of the licence in a register for that purpose. The copy of the Hackney Carriage Drivers licence will be retained until such time as the driver ceases to be permitted or employed to drive the vehicle.

9 Carriage of Assistance Dogs.

The Proprietor shall ensure the Driver of the vehicle complies with the requirement to carry a Guide, Hearing or Assistance Dog when requested, unless the Driver is a holder of an Exemption Certificate.

10 Residence and Change of Address

A Proprietor, who changes the place at which he/she lives, or in the case of a Company, operates, shall notify the Council of such change of address within seven days of the date of the event.

11 Production of Documentation

When requested, a proprietor shall:

- 11.1 Produce the current Vehicle Inspectorate MOT Test Certificate following each mechanical inspection and upon request.
- 11.2 Produce within 7 days of a request, such insurance documents as may be required, specifying that the vehicle is insured for public hire.
- 11.3 Produce such documents or any other evidence of proprietorship of the vehicle.

12 Road Accidents.

The proprietor must notify Rochford District Council of any road accident in which the vehicle has been involved within seventy-two hours of the occurrence.

13 Byelaws and Regulations.

- 13.1 The Proprietor shall ensure that any Driver complies with the Council's Byelaws and Conditions.

13.2 The proprietor should make themselves familiar with statutory requirements relating to Hackney Carriage Licensing in the Town and Police Clause Act, 1847 (as amended), Public Health Acts, 1875 and 1936, and the Local Government (Miscellaneous Provisions) Act 1976.

14 Surrender of Licence.

14.1 If the Proprietor ceases to use the vehicle for the purpose for which it is licensed he shall surrender the licence and return the plate which remains the property of Rochford District Council.

14.2 The Licence may be revoked upon the breach, by the Licence Holder, of any terms and conditions of the Licence.

15 Appeals.

15.1 An Appeal may be brought against the Licensing Conditions within 21 days from the date on which notice of the Condition is served on the applicant to the Rochford Southend Magistrates' Court situated at 80 Victoria Avenue, Southend-on-Sea, Essex SS2 6EU.

15.2 An applicant disappointed by a decision of the Authority in respect of an application also has a right of appeal to the Magistrates Court.

Draft



ROCHFORD DISTRICT COUNCIL

PRE-LICENSING STANDARDS FOR PRIVATE HIRE VEHICLES

A person being considered for a Private Hire Vehicle Licence (Plate) on the first and subsequent occasions shall:

1. Standard Vehicle Specification in respect of Saloon, Hatchback, and Estate Motor Cars, Minibuses, People Carriers and Limousines:
 - 1.1. Have a vehicle which is not more than six years old when first licensed, and is not more than ten years old, with the exception of certain specified vehicles.
 - 1.2. Have a vehicle that is in good mechanical order and body condition, and is in full and proper operational order in every respect.
 - 1.3. Have a vehicle which is suitable in type, size and design for use as a Private Hire Vehicle and according to the manufacturer's unaltered specification has:
 - 1.3.1. Rear seat accommodation for at least 3 persons, with a minimum of 41cm (16") per person.
 - 1.3.2. Separate front seats to accommodate one person in addition to the driver, or for a vintage car or limousine, a bench seat with an armrest to accommodate one person in addition to the driver.
 - 1.3.3. Except with minibuses and similar vehicles, no less than two doors in addition to any door provided for the driver, each adjacent to and allowing direct access to and from the passenger seats.
 - 1.3.4. An overall height of not less than 135cm (53").
 - 1.3.5. An engine with a nominal cubic capacity of not less than 1550cc.
 - 1.3.6. A seat belt for each passenger.
 - 1.3.7. Adequate luggage accommodation with suitable restraints to prevent items in non-saloon vehicles becoming insecure.
 - 1.3.8. In respect of Minibuses a minimum of two doors to the passenger accommodation shall be provided. Where seat rows do not have immediate access to a doorway, a clear passageway must be provided as a means of access and egress.
 - 1.4. A Taximeter may be fitted to a Standard Specification Vehicle.

2. Special Event Vehicle Specification - Stretched Limousine

Any stretched limousine submitted for licensing, which does not comply with the requirements of the standard vehicle specification shall have:

- 2.1. Separate front seats to accommodate one person in addition to the driver, or a bench seat with an armrest to accommodate one person in addition to the driver.
- 2.2. A maximum passenger accommodation of seven. (NOTE: For the purpose of calculating seating capacity the measurement unit of a single seat width shall be 41cm (16") per person.)
- 2.3. All seat positions fitted with approved seat belts.
- 2.4. In addition to the Driver and front passenger doors, two doors allowing access to the rear passenger compartment shall be provided on the near and off-side of the vehicle.
- 2.5. An overall vehicle height of not less than 135cm (53")
- 2.6. An engine rating providing adequate power relative to the size of vehicle.
- 2.7. TAXIMETERS shall not be fitted to vehicles licensed within the Stretched Limousine Vehicle category.

3. Special Event Vehicle Specification - Heritage Vehicle

- 3.1. A Heritage Vehicle is either a Veteran Car manufactured prior to 31:12:1916 or Vintage Car manufactured between 1:1:1917 and 31:12:1930 or defined as a "Classic" Car, which is not a Stretched Limousine.
- 3.2. Subject to the vehicle being deemed suitable for licensing, the Council may vary or impose additional Conditions appropriate to each individual Application.
- 3.3. TAXIMETERS shall not be fitted to vehicles licensed within the Heritage Vehicle category.

4. Submit the vehicle for mechanical inspection when requested and at least:

- 4.1.1. Upon initial application.
- 4.1.2. Annually in respect of vehicles up to six years old.
- 4.1.3. Six monthly in respect of vehicles over six years old and up to ten years old.
- 4.1.4. Four monthly in respect of vehicles over ten years old defined under condition 1.1.

5. Produce the current Vehicle Inspectorate MOT Test Certificate following each mechanical inspection and upon request.
6. Produce such insurance documents as may be required, specifying that the vehicle is insured for public hire.
7. Produce such documents or any other evidence of proprietorship of the vehicle as may be required by the Council.

8. Give two referees as to character who are not related to the applicant and who ve know the applicant personally.

NOTE: After the issue of a Private Hire Vehicle Licence, the vehicle may only be driven by a driver holding a current Private Hire Vehicle Drivers Licence.

Draft



PRIVATE HIRE VEHICLE LICENCE

CONDITIONS

INTRODUCTION.

The proprietor of the vehicle must ensure that the vehicle complies with the following conditions at all times.

1 Pre-Licensing Conditions.

Satisfy the pre-licensing conditions for Private Hire Vehicles.

2 Safety Equipment.

An efficient fire extinguisher shall be carried of a type conforming to BSEN3:1996 (type AFFF 2 litre minimum capacity recommended). It must be readily available for use in case of emergency.

3 Interior Markings.

The Proprietor shall ensure that the following are clearly displayed inside the vehicle:

- 3.1 The number of the licence.
- 3.2 The number of passengers prescribed in the licence.
- 3.3 The table of fares currently in operation.
- 3.4 The name of the proprietor.
- 3.5 Where in-car video surveillance is installed, a notice to this effect must be clearly displayed inside the vehicle, the wording of which shall be approved by Rochford District Council.

4 Exterior Signs.

The Proprietor shall ensure that:

- 4.1 The plate bearing the number of the licence granted shall be displayed on the outside of the vehicle adjacent to the rear numberplate.
- 4.2 Rochford District Council's official emblem must be permanently fixed on the panels of the rear passenger doors.
- 4.3 Where an inscription which identifies the proprietor of the vehicle is to be displayed, it shall not imply that the vehicle is a Hackney Carriage and the content and layout of the inscription shall be approved by the Council.

- 4.4 Where an inscription which identifies the proprietor of the vehicle is to be displayed, it must be positioned either:
- 4.4.1 In the rear screen of the vehicle, and not exceed 4" high x 18" wide, and must not obscure the view to the rear, or
 - 4.4.2 On the panel of each front door, or
 - 4.4.3 On the boot lid or hatch back door.
- 4.5 Vehicles may display the Flag of St George or the Union Flag at any time. It shall not exceed in size 18" x 12" and not obscure the driver's vision.

5 Advertisements.

- 5.1 Advertisements which do not conflict with any business within the Rochford District may be placed on the outside of the front doors or on the boot lid or hatchback door or moulded rear bumper but restricted to no more than three.
- 5.2 The approval of Rochford District Council shall be obtained as to the content and layout of any advertisement before it is fitted or displayed.

6 Inspection.

The Proprietor will submit the vehicle for mechanical inspection when requested and at least:

- 6.1 On first application for a licence.
- 6.2 Annually in respect of vehicles up to six years old.
- 6.3 Six monthly in respect of vehicles over six years old and up to ten years old.
- 6.4 Four monthly in respect of vehicles over ten years old defined under condition 1.1 of the pre-licensing conditions.
- 6.5 after any repair made necessary by an accident affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers.

7 Taximeter.

If a taximeter is fitted then:

- 7.1 The vehicle shall be fitted with a taximeter visibly recording the approved passenger fare payable.
- 7.2 The position of the taximeter shall be agreed by the Council's inspecting officer and shall be maintained at all times so that the fare displayed can readily be seen by the passenger.
- 7.3 The operation of the taximeter shall accord with any byelaws made by the Council.

- 7.4 The taximeter shall be tested for accuracy on initial application and following any changes to the table of fares or as required.
- 7.5 A table of approved charges must be displayed in a prominent position.

8 Usage.

- 8.1 Whilst a vehicle is licensed as a Private Hire Vehicle, it shall not be driven by any person other than a driver properly licensed by Rochford District Council.
- 8.2 If the proprietor permits or employs any other person to drive the vehicle, that person must deposit a copy of his/her Private Hire Vehicle Drivers licence with the proprietor, before he/she commences to drive the vehicle. The proprietor will record the details of the licence in a register for that purpose. The copy of the Private Hire Vehicle Drivers licence will be retained until such time as the driver ceases to be permitted or employed to drive the vehicle.

9 Carriage of Assistance Dogs.

The Proprietor shall ensure the Driver of the vehicle complies with the requirement to carry a Guide, Hearing or Assistance Dog when requested, unless the Driver is a holder of an Exemption Certificate.

10 Change of Address.

A Proprietor, who changes the place at which he/she lives, or in the case of a Company, operates, shall notify the Council of such change of address within seven days of the date of the event.

11 Production of Documentation.

When requested, a proprietor shall:

- 11.1 Produce the current Vehicle Inspectorate MOT Test Certificate following each mechanical inspection and upon request.
- 11.2 Produce within 7 days of a request, such insurance documents as may be required, specifying that the vehicle is insured for public hire.
- 11.3 Produce such documents or any other evidence of proprietorship of the vehicle.

12 Road Accidents.

The proprietor must notify Rochford District Council of any road accident in which the vehicle has been involved within seventy-two hours of the occurrence.

13 Byelaws and Regulations.

- 13.1 The Proprietor shall ensure that any Driver complies with the Council's Byelaws and Conditions.
- 13.2 The proprietor should make themselves familiar with statutory requirements relating to Private Hire Vehicle Licensing.

14 Surrender of Licence.

- 14.1 If the Proprietor ceases to use the vehicle for the purpose for which it is licensed he shall surrender the licence and return the plate which remains the property of Rochford District Council.
- 14.2 The Licence may be revoked upon the breach, by the Licence Holder, of any terms and conditions of the Licence.

15 Appeals.

- 15.1 An Appeal may be brought against the Licensing Conditions within 21 days from the date on which notice of the Condition is served on the applicant to the Rochford Southend Magistrates' Court situated at 80 Victoria Avenue, Southend-on-Sea, Essex SS2 6EU.
- 15.2 An applicant disappointed by a decision of the Authority in respect of an application also has a right of appeal to the Magistrates Court.

Draft



ROCHFORD DISTRICT COUNCIL

PRE-LICENSING CONDITIONS FOR HACKNEY CARRIAGE DRIVERS

- 1 A person being considered for a Hackney Carriage Drivers Licence shall:
 - 1.1 Pass a Rochford District Council Driving Test.
 - 1.2 Pass a Test in respect of:
 - 1.2.1 The Knowledge of the streets of the Rochford District and any other area regularly frequented by taxi passengers.
 - 1.2.2 The appropriate Byelaws of Rochford District Council.
 - 1.2.3 The Conditions of the Licence.
 - 1.2.4 The operation of the meter.
 - 1.3 The Council may require a retest of any driver at any time.
 - 1.4 Be over 21 Years of age.
 - 1.5 Be vetted by the Criminal Records Bureaux. Applicants are required to complete a form for this purpose (obtainable from Rochford District Council) and return it together with the appropriate fee to Rochford District Council.
 - 1.6 Pass a Medical Examination by the Applicant's General Practitioner to the criteria laid down in "Medical Aspects of Fitness to Driver" (Group 2 Standard), and produce a medical certificate in the form prescribed by Rochford District Council.
 - 1.7 Produce a current Passport or Birth Certificate.
 - 1.8 Supply four passport size photographs.
 - 1.9 Have held a full licence to drive a motor car for not less than one year immediately prior to making the application for Hackney Carriage Drivers Licence.
 - 1.10 Not have been convicted of more than three Motoring Offences, which individually exceed 2 Penalty Points during the previous three years.

- 1.11 Not have been convicted of a serious Motoring Offence during the previous three years.
- 1.12 Not have been convicted of a Criminal Offence (e.g. theft) during the previous three years.
- 1.13 Not have been convicted of a serious Criminal Offence e.g. causing grievous bodily harm or sexual offence during the previous seven years.

Notes: As defined in Home Office Circular 13/92.

- 1.14 Not have received a Police Caution for a Criminal Offence within the previous twelve months.
- 2 A person being considered for a Driving Licence who has surrendered his/her Licence previously or who has not held one during the previous three months shall be treated as a person being considered for a Licence on the first occasion.
- 3 The application form together with all relevant documentation must be presented by the applicant, in person, to Rochford District Council.
- 4 Any person aggrieved by a decision of the Council to refuse to grant a licence has the right to appeal to a Magistrates' Court within 21 days of that decision.

Draft



HACKNEY CARRIAGE DRIVERS LICENCE

CONDITIONS

INTRODUCTION.

In order that a reliable Hackney Carriage service of an acceptable standard is provided under a Rochford District Council licence, the following conditions will apply. These conditions may be amended or varied by the Council at any time.

1 Pre-Licensing Conditions.

In order that licensed drivers are reliable and of a good standard, a person being considered for a Hackney Carriage Drivers Licence shall satisfy all aspects of the Council's Pre-Licensing Conditions.

2 Conduct of Driver.

- 2.1 The Driver of a Hackney Carriage shall, when requested by the person who has hired the vehicle:
 - 2.1.1 Convey a reasonable quantity of luggage.
 - 2.1.2 Afford reasonable assistance in loading and unloading such luggage.
 - 2.1.3 Afford reasonable assistance in removing such luggage to or from the entrance of any building, station or place at which he/she may take up or set down such person.
- 2.2 The Driver of a Hackney Carriage when hired to drive to any particular destination shall, subject to any direction given by the Hirer, proceed to such destination by the shortest possible route.
- 2.3 The driver shall be clean, respectable and act with civility towards every person travelling in the vehicle and shall comply with his or her reasonable requirements.
- 2.4 The driver will take all reasonable precautions to ensure the safety of persons travelling in or alighting from such vehicle.
- 2.5 The driver shall not at any time, when driving for hire, smoke tobacco or any other like substance without permission of the person travelling in the vehicle.
- 2.6 The driver of a Hackney Carriage shall not by calling out or otherwise, importune any person to hire the vehicle and shall not make use of the service of any other person for the purpose.

- 2.7 The person authorised by the proprietor of a Hackney Carriage to act as the driver of the vehicle shall not permit any other person to act as driver of the vehicle without consent of the proprietor.
- 2.8 The driver of a Hackney Carriage shall not tamper with or permit any person to tamper with the taximeter with which the vehicle is provided.
- 2.9 The driver shall comply with Rochford District Council's Byelaws as to Hackney Carriages.

3 Passengers.

- 3.1 The driver shall not convey or permit to be conveyed in a Hackney Carriage vehicle a greater number of persons than that prescribed in the licence for the vehicle.
- 3.2 No person shall be carried in a Hackney Carriage when hired without the express consent of the person hiring the vehicle.

4 Lost Property.

- 4.1 The Driver of a Hackney Carriage shall immediately after termination of the hiring carefully search the vehicle for any property that may have been accidentally left in the vehicle.
- 4.2 The Driver of a Hackney Carriage shall, if any property accidentally left in the vehicle, is found by or handed to him.
 - 4.2.1 Deposit the property with Rochford District Council as soon as possible and in any event within 48 hours, unless it is claimed by or on behalf of its owner.
 - 4.2.2 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.

5 Written Receipts.

The driver shall if requested by the hirer of a Hackney Carriage vehicle, provide him/her with a written receipt for the fare paid.

6 Animals.

- 6.1 A driver of a Hackney Carriage is required to carry a Guide, Hearing or Assistance Dog free of charge unless the driver has a proven medical condition that would preclude such action.
- 6.2 A driver who has a proven medical condition that prevents him/her carrying a Guide, Hearing or Assistance Dog when driving a Hackney Carriage must obtain a Driver Exemption Certificate and DISPLAY IT CLEARLY at all times when driving the vehicle. A driver is responsible for informing his employer of such a condition when first employed or, if such condition occurs subsequently, at that time.

7 Prompt Attendance.

The driver of a hackney carriage vehicle shall, punctually attend a hiring at the appointed time and place unless unavoidably delayed or prevented.

8 Documents.

8.1 The driver shall at all times when driving a hackney carriage vehicle, carry with him/her a copy of:

8.1.1 These conditions and make them available for inspection by the hirer or any other passenger on request.

8.1.2 Rochford District Council Byelaws as to Hackney Carriages.

9 Use of Unlicensed Drivers.

The use of an unlicensed driver is strictly forbidden. If a driver wishes to be employed in such a capacity, then he/she must deposit with the proprietor a copy of his licence which authorises him to drive, as well as a Hackney Carriage driving licence issued by Rochford District Council. The proprietor will retain that copy until such time as the driver ceases to be permitted or employed to drive a hackney carriage vehicle.

10 Change of Address.

Changes of address must be notified within seven days.

11 Convictions.

Convictions recorded since the completion of the Application Form for this Licence shall be reported to the Council within seven days of the event.

12 Accidents.

The driver shall notify the Rochford District Council in writing of any vehicle accident in which the driver is involved, whilst driving a Hackney Carriage vehicle. The notification must be received within 72 hours of such an accident.

13 Wearing of Badge.

The driver shall at all times when acting in accordance with his/her licence wear the badge issued by Rochford District Council in a conspicuous position.

14 Return of Badge.

The driver shall upon the expiry (without immediate renewal); revocation or suspension of his/her licence return the drivers badge issued to him by Rochford District Council.

15 Display of Plate.

The driver shall ensure that the hackney carriage licence plate is displayed in the correct position and is clear and legible at all times.

16 Fare to be Demanded.

16.1 The Driver of a Hackney Carriage shall:

16.1.1 When the vehicle is not hired keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter.

16.1.2 At the commencement of the journey when the vehicle is hired bring the machinery of the taximeter into action 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.

16.1.3 Be entitled to demand and take for the hire the displayed rate of fare approved by Rochford District Council or, by negotiation, a lesser fare.

16.1.4 Ensure that during the time the vehicle is hired the digital display of the taximeter is plainly visible to any person travelling in the vehicle and is properly illuminated.

17 Physical and Mental Fitness.

The driver shall during the period of the licence report to Rochford District Council as soon as practicable any disability, physical or mental medical condition which develops or worsens and may effect his/her ability to drive safely.

18 Medical Evidence.

A Licensee who has reached the age of 45 Years shall submit himself or herself for a Medical Examination every five years until the age of 65 years and thereafter every year.

19 Certificate of Insurance.

The driver will be responsible for ensuring that any vehicle in his/her charge is insured for use as a hackney carriage vehicle. The conditions relating to insurance of motor vehicles are contained in part 6 of the Road Traffic Act 1988.

20 Penalties.

Rochford District Council may suspend or revoke the licence granted if any of the above conditions are not complied with.

21 Appeals.

21.1 An Appeal may be brought against the Licensing Conditions within 21 days from the date on which Notice of the Condition is served on the Applicant to the Magistrates Court (situated at 80, Victoria Avenue, Southend-on-Sea, Essex SS2 6EU).

21.2 An Applicant disappointed by the decision of the Authority in respect of an Application also has a right of Appeal to the Magistrates Court.



PRE-LICENSING CONDITIONS FOR PRIVATE HIRE VEHICLE DRIVERS

- 1 A person being considered for a Private Hire Vehicle Drivers Licence shall:
 - 1.1 Pass a Rochford District Council Driving Test.
 - 1.2 Pass a Test in respect of:
 - 1.2.1 If the driver is to use a vehicle fitted with a taximeter:
 - 1.2.1.1 The Knowledge of the streets of the Rochford District and any other area regularly frequented by taxi passengers.
 - 1.2.1.2 The operation of the meter.
 - 1.2.2 The appropriate Byelaws of Rochford District Council.
 - 1.2.3 The Conditions of the Licence.
 - 1.3 The Council may require a retest of any driver at any time.
 - 1.4 Be over 21 Years of age.
 - 1.5 Be vetted by the Criminal Records Bureau. Applicants are required to complete a form for this purpose (obtainable from Rochford District Council) and return it together with the appropriate fee to Rochford District Council.
 - 1.6 Pass a Medical Examination by the Applicant's General Practitioner to the criteria laid down in "Medical Aspects of Fitness to Driver" (Group 2 Standard), and produce a medical certificate in the form prescribed by Rochford District Council.
 - 1.7 Produce a current Passport or Birth Certificate.
 - 1.8 Supply four passport size photographs.
 - 1.9 Have held a full licence to drive a motor car for not less than one year immediately prior to making the application for Private Hire Vehicle Drivers Licence.
 - 1.10 Not have been convicted of more than three Motoring Offences, which individually exceed 2 Penalty Points during the previous three years.

- 1.11 Not have been convicted of a serious Motoring Offence during the previous three years.
- 1.12 Not have been convicted of a Criminal Offence (e.g. theft) during the previous three years.
- 1.13 Not have been convicted of a serious Criminal Offence e.g. causing grievous bodily harm or sexual offence during the previous seven years.

Notes: As defined in Home Office Circular 13/92.

- 1.14 Not have received a Police Caution for a Criminal Offence within the previous twelve months.
- 2 A person being considered for a Driving Licence who had surrendered his/her Licence previously or who had not held one during the previous three months shall be treated as a person being considered for a Licence on the first occasion.
- 3 The application form together with all relevant documentation must be presented by the applicant, in person, to Rochford District Council.
- 4 Any person aggrieved by a decision of the Council to refuse to grant a licence has the right to appeal to a Magistrates' Court within 21 days of that decision.

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PRIVATE HIRE VEHICLE DRIVERS LICENCE

CONDITIONS

INTRODUCTION.

In order that a reliable Private Hire Vehicle service of an acceptable standard is provided under a Rochford District Council licence, the following conditions will apply. These conditions may be amended or varied by the Council at any time.

1 Pre-Licensing Conditions.

In order that licensed drivers are reliable and of a good standard, a person being considered for a Private Hire Vehicle Drivers Licence shall satisfy all aspects of the Council's Pre-Licensing Conditions.

2 Conduct of Driver.

- 2.1 The Driver of a Private Hire Vehicle shall, when requested by the person who has hired the vehicle:
 - 2.1.1 Convey a reasonable quantity of luggage.
 - 2.1.2 Afford reasonable assistance in loading and unloading such luggage.
 - 2.1.3 Afford reasonable assistance in removing such luggage to or from the entrance of any building, station or place at which he/she may take up or set down such person.
- 2.2 The Driver of a Private Hire Vehicle when hired to drive to any particular destination shall, subject to any direction given by the Hirer, proceed to such destination by the shortest possible route.
- 2.3 The driver shall be clean, respectable and act with civility towards every person travelling in the vehicle and shall comply with his or her reasonable requirements.
- 2.4 The driver will take all reasonable precautions to ensure the safety of persons travelling in or alighting from such vehicle.
- 2.5 The driver shall not at any time, when driving for hire, smoke tobacco or any other like substance without permission of the person travelling in the vehicle.
- 2.6 The driver of a Private Hire Vehicle shall not by calling out or otherwise, importune any person to hire the vehicle and shall not make use of the service of any other person for the purpose.

- 2.7 The person authorised by the proprietor of a Private Hire Vehicle to act as the driver of the vehicle shall not permit any other person to act as driver of the vehicle without consent of the proprietor.
- 2.8 The driver of a Private Hire Vehicle shall not tamper with or permit any person to tamper with the taximeter with which the vehicle is provided.
- 2.9 The driver shall comply with Rochford District Council's Byelaws as to Private Hire Vehicles.

3 Passengers.

- 3.1 The driver shall not convey or permit to be conveyed in a Private Hire Vehicle a greater number of persons than that prescribed in the licence for the vehicle.
- 3.2 No person shall be carried in a Private Hire Vehicle when hired without the express consent of the person hiring the vehicle.

4 Lost Property.

- 4.1 The Driver of a Private Hire Vehicle shall immediately after termination of the hiring carefully search the vehicle for any property that may have been accidentally left in the vehicle.
- 4.2 The Driver of a Private Hire Vehicle shall, if any property accidentally left in the vehicle, is found by or handed to him.
 - 4.2.1 Deposit the property with Rochford District Council as soon as possible and in any event within 48 hours, unless it is claimed by or on behalf of its owner.
 - 4.2.2 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.

5 Written Receipts.

The driver shall if requested by the hirer of a Private Hire Vehicle, provide him/her with a written receipt for the fare paid.

6 Animals.

- 6.1 A driver of a Private Hire Vehicle is required to carry a Guide, Hearing or Assistance Dog free of charge unless the driver has a proven medical condition that would preclude such action.
- 6.2 A driver who has a proven medical condition that prevents him/her carrying a Guide, Hearing or Assistance Dog when driving a Private Hire Vehicle must obtain a Driver Exemption Certificate and DISPLAY IT CLEARLY at all times when driving the vehicle. A driver is responsible for informing his employer of such a condition when first employed or, if such condition occurs subsequently, at that time.

7 Prompt Attendance.

The driver of a Private Hire Vehicle shall, punctually attend a hiring at the appointed time and place unless unavoidably delayed or prevented.

8 Documents.

8.1 The driver shall at all times when driving a Private Hire Vehicle vehicle, carry with him/her a copy of:

8.1.1 These conditions and make them available for inspection by the hirer or any other passenger on request.

8.1.2 Rochford District Council Byelaws as to Private Hire Vehicles.

9 Use of Unlicensed Drivers.

The use of an unlicensed driver is strictly forbidden. If a driver wishes to be employed in such a capacity, then he/she must deposit with the proprietor a copy of his licence which authorises him to drive, as well as a Private Hire Vehicle driving licence issued by Rochford District Council. The proprietor will retain that copy until such time as the driver ceases to be permitted or employed to drive a Private Hire Vehicle vehicle.

10 Change of Address.

Changes of address must be notified within seven days.

11 Convictions.

Convictions recorded since the completion of the Application Form for this Licence shall be reported to the Council within seven days of the event.

12 Accidents.

The driver shall notify the Rochford District Council in writing of any vehicle accident in which the driver is involved, whilst driving a Private Hire Vehicle vehicle. The notification must be received within 72 hours of such an accident.

13 Wearing of Badge.

The driver shall at all times when acting in accordance with his/her licence wear the badge issued by Rochford District Council in a conspicuous position.

14 Return of Badge.

The driver shall upon the expiry (without immediate renewal); revocation or suspension of his/her licence return the drivers badge issued to him by Rochford District Council.

15 Display of Plate.

The driver shall ensure that the Private Hire Vehicle licence plate is displayed in the correct position and is clear and legible at all times.

16 Fare to be Demanded.

16.1 If the vehicle is fitted with a taximeter, the Driver of a Private Hire Vehicle shall:

16.1.1 When the vehicle is not hired keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter.

16.1.2 At the commencement of the journey when the vehicle is hired bring the machinery of the taximeter into action 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.

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