CONTENTS

<table>
<thead>
<tr>
<th>Part</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Introduction</td>
<td>4</td>
</tr>
<tr>
<td>B</td>
<td>Drivers</td>
<td>7</td>
</tr>
<tr>
<td>C</td>
<td>Vehicles</td>
<td>20</td>
</tr>
<tr>
<td>D</td>
<td>Operators</td>
<td>29</td>
</tr>
<tr>
<td>E</td>
<td>Regulation</td>
<td>31</td>
</tr>
<tr>
<td>F</td>
<td>Fares and Fees</td>
<td>38</td>
</tr>
<tr>
<td>G</td>
<td>Appendices:</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>a) Applying for a vehicle licence</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) Drivers licence applications</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) Vehicle fitness test</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) Vehicle conditions – Hackney Carriage</td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) Vehicle conditions – Private Hire</td>
<td></td>
</tr>
<tr>
<td></td>
<td>f) Advertising</td>
<td></td>
</tr>
<tr>
<td></td>
<td>g) Private Hire Operator conditions</td>
<td></td>
</tr>
<tr>
<td></td>
<td>h) Signs/Signage</td>
<td></td>
</tr>
<tr>
<td></td>
<td>i) Seating arrangements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>j) Penalty Points scheme</td>
<td></td>
</tr>
<tr>
<td></td>
<td>k) Licensing Subcommittee procedure</td>
<td></td>
</tr>
<tr>
<td></td>
<td>l) Trailers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>m) Limousines</td>
<td></td>
</tr>
<tr>
<td></td>
<td>n) Tuk Tuks/Quad Cycles</td>
<td></td>
</tr>
<tr>
<td></td>
<td>o) Antique/ Vintage vehicles</td>
<td></td>
</tr>
<tr>
<td></td>
<td>p) Single seat vehicles</td>
<td></td>
</tr>
<tr>
<td></td>
<td>q) Taxi ranks</td>
<td></td>
</tr>
<tr>
<td></td>
<td>r) Hackney Carriage byelaws</td>
<td></td>
</tr>
<tr>
<td></td>
<td>s) Private Hire driver licence conditions</td>
<td></td>
</tr>
<tr>
<td></td>
<td>t) CCTV conditions</td>
<td></td>
</tr>
</tbody>
</table>

How to contact us:

All correspondence should be marked for the attention of:

Arun Licensing Team,
Civic Centre,
Maltravers Road,
Littlehampton
West Sussex
BN17 5LF.

If you would like to see a licensing officer you will need to make an appointment by contacting taxis@arun.gov.uk or calling 01903 737755.

This policy was ratified by Full Council on 10th May 2017.
Consultees

In developing this policy, the Council has consulted with the following persons, businesses and professional bodies:

The hackney carriage and private hire trade licensed by the Council
Guide Dogs for the Blind
Neighbouring Local Government Authorities
Local Children’s Safeguarding Board
West Sussex County Council
Sussex Police
The Members of the Council
Parish and Town Councils
Local Bus and Rail operators
Organisations representing local businesses
Members of the public via the Council’s web site and libraries
Local Members of Parliament
Part A

INTRODUCTION

Purpose of this policy

1 This policy is intended to provide guidance on the licensing requirements in the Arun District. The District Council is the licensing authority for Hackney Carriages and Private Hire vehicles in the Arun area. Parliament has imposed requirements and restrictions upon Hackney Carriages, Private Hire Vehicles, and their drivers and operators. These are given force through the licences which the Council is required to issue and regulate under the Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, as amended.

2 The aims, standards, and procedures applied by the Council in administering a licensing regime for Hackney Carriages, Private Hire Vehicles, Drivers, and Operators, are regularly reviewed through a consultative process and set down as policy for the guidance of all concerned. Changes outside of the regular review process may occur if it is found necessary to correct errors or respond to changes in the appropriate law. Minor changes to policy may be made by officers without consultation. This includes amendment of the appendices. We recommend licence holders refer to our website on a bi-annual basis to ensure they have the most up to date version of this document.

This document is not intended to be exhaustive or definitive in terms of the law. We recommend all licence holders familiarise themselves with the provisions of the relevant acts, local byelaws and conditions.

3 The information relating to convictions within this policy has been adopted from the convictions policy produced by the Local Government Association for this purpose. This aims to promote consistency across areas as well as recognising a high standard and promoting public safety.

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

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

How the policy is used

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

- Applicants for drivers’ licences
- Existing licensed drivers whose licences are being reviewed
• Licensing officers
• Members of the Licensing Subcommittee
• Magistrates hearing appeals against local authority decisions

6 In carrying out its regulatory functions, the local authority will have regard to this policy when making licensing decisions regarding taxis and private hire vehicles, drivers and operators. Where it is necessary to depart substantially from this policy, clear and compelling reasons will be given for doing so.

7 In the interests of protecting public safety and ensuring fitness and propriety of licence holders the licensing authority will share information with other enforcement agencies including the UK Border Agency, Driver and Vehicle Standards Agency (DVSA), Inland Revenue, Police, Trading Standards and the Department of Work and Pensions. Information may also be shared with internal council departments including parking services, revenues and benefits and planning. The Council may also share information with other local authorities.

8 Where licensing officers have delegated powers to grant or refuse licences, they will utilise these guidelines when making a decisions. In all other cases, or where an officer in consultation with their manager feels it is appropriate, applications for licences will be referred to the Licensing Subcommittee. Whilst officers and the Subcommittee will have regard to the guidelines contained in the policy, each case will be considered on its individual merits and, where the circumstances demand, the committee/officer may depart from the guidelines.

9 This policy supersedes all previous policy decisions made by the Council from the date of this policy being published.

Application and renewal procedures

10 Every driver of a Hackney Carriage or a Private Hire vehicle in the Arun District that is licensed for such relevant purposes must hold a current dual drivers licence issued by Arun District Council.

11 The Council will consider all applications on their merits once it is satisfied that the statutory criteria have been met and full relevant information and supporting evidence have been provided. Officers, subject to management oversight may grant licences to drivers with single minor offences that are over 10 years old such as; common assault, minor road traffic offences, minor theft offences, criminal damage. If officers have any doubt as to the fitness and propriety of the applicant, or for any other reason, the matter will be referred to the Subcommittee for determination. All other matters will be referred to the Subcommittee for determination.

12 Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. Each case will be decided on its own merits.
Licensees who are licensed by multiple authorities are expected to inform all such authorities of the authorities they are licensed by, and to advise each authority of any changes in this respect; and should expect those authorities to share information regarding their conduct and to take it into account as appropriate.
Part B

DRIVERS

Eligibility

14 The requirements for a dual Hackney Carriage and Private Hire licence are as follows. An applicant must:
   a) Hold and have held for at least 12 months a UK full drivers licence for manually operated or automatic motor cars;
   b) Be physically and mentally fit;
   c) Be a fit and proper person to drive a vehicle for public hire;
   d) Have passed a driving standards test applicable to taxi drivers;
   e) Have passed a knowledge test set by the Council.

15 It is the policy of the licensing authority that every application for a licence to drive a Hackney Carriage and/or Private Hire Vehicle must be accompanied by satisfactory evidence of the following matters (and that applications that are incomplete will not be deemed to have been made until such time as they are completed) -

• That the applicant has the right to live and work in the UK;
• An enhanced criminal record check and evidence that they are not on a child and/or vulnerable adult barring list;
• A certificate of their current medical fitness [to Group 2 standard];
• That the applicant is authorised to drive a vehicle of the same classification as that which the licence will allow them to drive;
• That the applicant has a minimum of 12 months post-qualification UK driving experience;
• That the applicant has adequate literacy and numeracy skills to provide the service for which they wish to be licensed;
• That the applicant has sufficient ability to speak English and to understand spoken English to provide the service for which they wish to be licensed;
• That the applicant has completed and passed the knowledge test set by the licensing authority;
• (For persons who seek to be authorised to drive a wheelchair accessible vehicle) that the applicant has the ability to safely load and secure wheelchair users in a wheelchair accessible vehicle whilst in their chair. Officers may require applicants to take a test to ensure the applicant is capable of this.
16 If an applicant has spent six continuous months or more overseas since becoming the age of criminal responsibility, the licensing authority will expect to see evidence of a criminal record check or certificate of good conduct from the country/countries covering the relevant period before a licence application can be made.

If a certificate of good conduct is not provided in written English, the applicant will pay the cost of the translation.

The application procedure is detailed in the appendices of this policy.

**Dual Licences and duration of licences**

17 The statutory and practical criteria and qualifications for a private hire driver are identical to those for a hackney carriage driver. Arun District Council only issue dual licences.

18 The Council will generally look to licence drivers for 3 year periods with the exception of first time applicants who may invited to apply for a one year licence. An option to be licensed for one year period remains if there are circumstances that make this the best option for the applicant.

19 In cases where a licence holder is working under the authority of a Visa, a licence will only be granted until the date of Visa expiry.

20 Operator licences may be applied for either 5 year or one year period applying similar principles as above.

**Driver Requirements**

**Right to work**

21 The Immigration Act 2016 places duties upon local authorities to prevent illegal working in the taxi and private hire sector. If the requirements of the Act are not satisfied, the authority will not issue a licence. See [www.arun.gov.uk/licensing](http://www.arun.gov.uk/licensing) for more information.

**Fitness**

22 Hackney Carriage and Private Hire drivers have an elevated risk of certain medical conditions as they spend considerably longer behind the wheel than normal domestic drivers. New licence applicants must provide a medical examination certificate in support of their application and at 5 yearly intervals from the age of 45 until they reach the age of 65. A form for completion by a doctor will be provided to applicants. Licence holders over the age of 65 are required to undertake annual medical examinations.

The test applied is the DVLA Group II medical standard for HGV and PSV drivers.

*Examination fees are the responsibility of the licence holder.*
23 Licence holders must advise the Council promptly of any deterioration in their health that may affect their driving capabilities, and may be referred for an independent assessment. Action will be taken for non-compliance with this requirement.

24 If at any time a driver fails to meet the current medical standards, the licence may be suspended/revoked in line with the advice given in the medical standards of fitness report or by the Council’s medical advisor.

**Age and Experience**

25 A licence to drive a hackney carriage or private hire vehicle will not be granted to a person who is under 18 years of age.

26 A licence will not be granted to anyone over 18 who has not held a full UK driving licence for a period of 12 months or more.

**Local Knowledge Tests**

27 Hackney Carriage and Private Hire drivers need a good working knowledge of the area for which they are licensed. New applicants are required to pass a test of local and industry related knowledge as a condition of first grant of a licence. This includes a written/electronic test so the applicant can show their knowledge of the local geography, local businesses, and awareness of public safety, customer service and vehicle maintenance. More information can be found at [www.arun.gov.uk/licensing](http://www.arun.gov.uk/licensing)

28 The authority may require drivers to pass a knowledge test or attend training in relation to a specific subject area as a condition of renewal if it believes it is in the interests of public safety. For example a condition of renewal may be that a driver is required to undertake a training module related to increasing awareness of Child Sex Exploitation.

29 Licensed drivers who have failed to renew their licence in the required time will be treated as a new applicant and required to undertake the local knowledge test again before a new licence is granted.

**Driving Proficiency and Qualifications**

30 Each applicant for the grant of a first licence must undertake and pass a driving assessment to demonstrate that they are competent, safe and have sufficient experience and knowledge of driving on UK roads and that their driving is of a nationally acceptable level. The driving assessment must be undertaken with a bone fide road safety charity or a driving instructor organisation. Officers may be contacted for advice regarding suitable testers.

31 Existing drivers whose licence is reviewed following motoring convictions, or other evidence of poor driving standards, may be required by officers or the Subcommittee to pass the driving assessment again prior to being permitted to
continue driving.

32 Vocational qualifications for the taxi and PHV trades, which cover customer care, including how best to meet the needs of people with disabilities, are considered desirable and all prospective new drivers will be encouraged to undertake an NVQ Level 2 Certificate in 'Road Passenger vehicle driving', within the first year of gaining their licence.

33 Drivers of Wheelchair Accessible Vehicles may be required to undertake an additional assessment if requested by an officer.

Consideration of Criminal History

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

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

35 Existing holders of drivers’ licences are required to notify the licensing authority in writing within seven days of being arrested, receiving a driving licence endorsement, fixed penalty notice or criminal conviction (including cautions).

36 Applicants can discuss further what effect a caution/conviction may have on any application by contacting a licensing officer via 01903 737755 in confidence for advice.

37 The licensing authority abides by the Disclosure and Barring Service (DBS) Policy on the secure storage, handling, use, retention and disposal of disclosure information, which is available on request.

38 In order that the licensing authority receives relevant information as quickly as possible in order to take appropriate and proportionate action to protect public safety, it is the licensing authority’s policy to require applicants to register for the DBS’s update service and to nominate the licensing authority to receive updates. Registration lasts for 1 year. Licensees are expected to provide evidence of
continuous registration and nomination throughout the duration of their licence.

39 More information about the DBS can be found at https://www.gov.uk/government/organisations/disclosure-and-barring-service.

40 The licensing authority is also entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the licensing authority or other licensing authorities, and information disclosed by the police.

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

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

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

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

**Criminal convictions**

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

- Remain free of conviction for an appropriate period; and
- Show adequate evidence that he or she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence).

Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.

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

47 A criminal record check on a driver is an important safety measure and allows the
licensing authority to assess whether the applicant is “fit and proper” to hold a licence. On first application an applicant will be required to have an enhanced disclosure check from the national Disclosure and Barring Service (DBS), before a licence is granted. The result of the check must not be more than 28 days old. A further enhanced check will be required every three years from date of the original application. Drivers are required to sign up to the DBS update service for the duration of the time that they are licensed by the authority.

48 The original enhanced disclosure must be seen by a licensing officer. The information is treated with confidence and will only be taken into account in relation to the application. Offences disclosed will be dealt with in accordance with this policy.

49 The Rehabilitation of Offenders Act 1974 as amended by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 sets out the period after which a criminal conviction is regarded as ‘spent’; however hackney carriage drivers and private hire drivers are excluded from the Acts provisions. This means an applicant for a licence must provide details of any convictions, cautions or warnings whether spent or not. The authority takes the matter of failing to declare convictions very seriously. Officers have delegated authority to refuse to grant and revoke licences if information comes to light that a person has failed to declare a conviction.

50 Drivers are required to report all new cautions, convictions and endorsements to the Council as they occur. Breaches of relevant legislation which come to light following complaints, enforcement action or investigations will be dealt with following the general principals set out in this policy.

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

52 Applicants should also be aware of the serious risk posed by driving whilst using a mobile phone. There is a substantial body of research (see for instance http://www.rospa.com/rospaweb/docs/advice-services/road-safety/drivers/mobile-phone-report.pdf) which shows that drivers who use a mobile phone suffer physical and cognitive distraction which means they:
  • are much less aware of what's happening on the road around them
  • fail to see road signs
  • fail to maintain proper lane position and steady speed
  • are more likely to "tailgate" the vehicle in front
  • react more slowly, take longer to brake and longer to stop
  • are more likely to enter unsafe gaps in traffic
• feel more stressed and frustrated.

53 There is evidence to show that drivers who use a mobile phone have slower reaction times than those who have consumed up to the legal alcohol limit. In light of this, an equally serious view should be taken of convictions for driving whilst using a mobile phone as for driving under the influence of drink or drugs.

54 A licence will not normally be granted if an applicant has more than one conviction for an offence of driving under the influence of drink or drugs or whilst using a mobile phone.

Serious offences involving violence

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

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

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

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

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

- Arson
- Malicious wounding or grievous bodily harm which is racially aggravated
- Actual bodily harm which is racially aggravated
- Grievous bodily harm with intent
- Robbery
- Possession of firearm
- Riot
- Assault Police
- Common assault with racially aggravated
- Violent disorder
- Resisting arrest
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above
59 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the below offences and the conviction is less than 5 years prior to the date of application:
- Racially-aggravated criminal damage
- Racially-aggravated offence
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

60 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the below offences and the conviction is less than 3 years prior to the date of application:
- Common assault
- Assault occasioning actual bodily harm
- Affray
- S5 Public Order Act 1986 offence (harassment, alarm or distress)
- S.4 Public Order Act 1986 offence (fear of provocation of violence)
- S4A Public Order Act 1986 offence (intentional harassment, alarm or distress)
- Obstruction
- Criminal damage
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

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

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

**Possession of a weapon**

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

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

**Sex and indecency offences**

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

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

- Rape
- Assault by penetration
- Offences involving children or vulnerable adults
- Sexual assault
- Indecent assault
- Exploitation of prostitution
- Trafficking for sexual exploitation
- Possession of indecent photographs, child pornography etc.
- Or any sex or indecency offence that was committed in the course of employment as a taxi or PHV driver
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

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

- Indecent exposure
- Soliciting (kerb crawling)
- Or any similar offences (including attempted or conspiracy to commit).

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

Dishonesty

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

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

- Theft
- Burglary
• Fraud
• Benefit fraud
• Handling or receiving stolen goods
• Forgery
• Conspiracy to defraud
• Obtaining money or property by deception
• Other deception
• Taking a vehicle without consent
• Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

71 A licence will not normally be granted if an applicant has more than one conviction for a dishonesty offence.

Drugs

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

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

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

75 An applicant who has an isolated conviction for an offence related to the possession of drugs (other than for supply) within the last 3-5 years may be granted a licence, but consideration should be given to the nature and quantity of the drugs.

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

77 A licence will not normally be granted if an applicant has more than one conviction for a drugs related offence.

Driving offences involving loss of life

78 A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life.

Unless there are exceptional circumstances a licence will not normally be
granted where the applicant has a conviction for an offence such as:
- Causing death by dangerous driving
- Causing death by careless driving whilst under the influence of drink or drugs
- Causing death by driving: unlicensed, disqualified or uninsured drivers
- Or any similar offences

**Licensing Offences**

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

80 A licence will not normally be granted if an applicant has more than one conviction for a licensing related offence.

**Insurance Offences**

81 A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted, provided the applicant has been free of conviction for 3 years; however a strict warning will be given as to future behaviour.

82 A licence will not normally be granted if an applicant has more than one conviction for an insurance related offence.

83 An operator found guilty of aiding and abetting the driving of passengers for hire and reward whilst without insurance will normally have his operators’ licence revoked immediately and be prevented from holding a licence for at least three years.

**Outstanding charges or summonses**

84 If the individual is the subject of an outstanding charge or summons their application can continue to be processed, but the application will need to be reviewed at the conclusion of proceedings.

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

**Non-conviction information**

86 If an applicant has, on more than one occasion, been arrested or charged, but not convicted, for a serious offence which suggests the applicant could be a danger to the public, consideration should be given to refusing the
In assessing the action to take, the safety of the travelling public must be the paramount concern.

**Conduct and Duties**

A high standard of conduct is expected from licensed drivers who should be prompt, polite and helpful in their dealings with the public. Instances of improper conduct will be viewed very seriously and a record will be maintained of complaints relating to individual drivers. Consideration may be given to enforcement action or other sanctions in view of a driver’s record.

Every driver must co-operate with any authorised officer of the council or a police constable and in that regard must obey all reasonable requirements and provide all assistance and information requested of them (Local Government (Miscellaneous Provisions) Act 1976, S73).

Drivers need to take extra care when transporting children and vulnerable adults. Care must be taken not to appear to be over familiar in conversation or any other form of communication.

Drivers must not misuse passenger contact details e.g. unsolicited text messaging or other forms of communication.

Drivers should ensure that they look smart and clean at all times. Drivers must not dress in a manner likely to cause embarrassment or offence to passengers. Clothing must cover the shoulders and torso and above the knee.

**Smoking in vehicles**

No smoking is permitted in any Arun licensed vehicles at any time. Drivers are not permitted to smoke e-cigarettes whilst driving for reasons of safety. This being for the safety and comfort of passengers as well as compliance with relevant laws.

**Assistance Dogs**

Under the Equality Act 2010, licensed drivers of taxis and private hire vehicles are under a duty to carry passengers with guide, hearing and other assistance dogs without additional charge. When carrying such passengers, drivers have a duty to:

a) Convey the disabled passenger’s dog and allow it to remain under the physical control of the owner; and
b) Not to make any additional charge for doing so.

It is best practice to ask the passenger where they want themselves and
their dog to sit in the vehicle.

Under the Equality Act 2010, it is an offence for any operator or driver to refuse to carry assistance dogs or to charge more for the fare or booking. On conviction for such an offence, drivers can be fined up to £1,000 and have their licence considered.

To ensure that the Equality Act 2010 is upheld, the Licensing Authority:

- Will have a zero tolerance policy to access refusals - investigating all reported violations of the Act with a view to pursuing enforcement action.
- May undertake periodic test purchasing with assistance dog owners on licensed vehicles to ensure that licensing requirements are being complied with.
- May include within the knowledge test the subject of disability equality training including carriage of assistance dogs.

Drivers who have a certifiable medical condition which is aggravated by exposure to dogs may apply to the Council for exemption from the duty on medical grounds. If no exemption has been applied for and subsequently granted, then drivers are still required to carry assistance dogs.

The Licensing Authority will:

- Make it a condition to the licence that the notice of exemption must be exhibited in the vehicle by fixing it in an easily accessible place, for example on the windscreen or in a prominent position on the dashboard.
- Only issue an exemption certificate when it is authorised by the driver’s GP and is accompanied by medical evidence, for example a blood test, a skin prick test or clinical history.
Part C  

VEHICLES  

97 Local authorities have a wide range of discretion over the types of vehicle that they can licence as taxis or private hire vehicles (PHVs). Where certain requirements are specified, or made the subject of conditions, this is on the basis of protecting public safety, satisfying environmental requirements or best practice, or ensuring a taxi and private hire fleet reflects the district’s needs.  

Wheelchair Accessible Vehicles (WAV’s)  

98 The Council has not made a policy relating to the number of disabled accessible vehicles as part of the licensed hackney carriage or private hire fleet. It is considered that hackney carriage companies and private hire operators know the extent to which a disabled accessible vehicle would be useful to their business. The Council recognise that existing proprietors of saloon type hackney carriages or private hire vehicles may wish to replace their vehicles with a disabled accessible vehicle and conditions are in place to ensure the safety and comfort of the passengers should a proprietor wish to licence a WAV.  

Age of standard vehicles  

99 The desire to ensure public safety, reduce environmental impacts, and sustain a high quality Hackney Carriage and Private Hire fleet, means that the age of vehicles joining the fleet is considered to be a policy matter which is subject to regular review. **Currently there are no restrictions in relation to the age of a vehicle.**  

100 The Council currently considers the age at which a vehicle should be replaced is a matter for the owner/ operator, provided public safety considerations are met, since it depends upon the care and maintenance afforded to the vehicle coupled with the amount of wear and tear experienced as a result of its use. The Council will ensure older vehicles do not compromise public safety considerations by operating a system of frequent safety testing through the Vehicle Fitness Test and the MOT.  

101 All vehicles will be subject to a MOT and a garage test annually. There must be 6 months between each test. Vehicles may also be called in for inspection by licensing officers before a licence is renewed and at any other time.  

Hackney Carriages  

102 Hackney Carriages are defined in the Town Police Clauses Act 1847. Section 37 of the Act specifies that a vehicle licence is required for a hackney carriage. A Hackney Carriage may stand or ply for hire in the street if it has been licensed by the Council and if it displays a plate internally and
A hackney carriage is defined as a taxi. It may not have any more than eight passenger seats. Vehicles with more than eight passenger seats are defined as public service vehicles and are regulated by the Vehicle and Operator Services Agency (VOSA).

103 A Hackney Carriage may be lawfully booked:
- When situated on an appointed rank in the Arun District,
- When proceeding at a reasonable speed to one of the appointed ranks and being hailed by a prospective hirer, or
- When pre-booked.

104 Hackney Carriages are licensed to ply for hire within the Arun District area. They may not ply for hire outside the boundary of the District. A passenger beginning their journey within the District may be transported into another area. A passenger may be collected from outside of the district on a pre-booked basis, although plying for hire is strictly prohibited.

105 There is general agreement between licensing authorities and hackney carriage operators that top signs should not be illuminated outside of the district for which they are licensed as this could be misconstrued as plying for hire. Illuminating a sign bearing the words ‘for hire’ outside of the district is an offence and may result in prosecution.

**Guidance for vehicle proprietors of Hackney Carriages**

**Things you (the proprietor) MUST NOT do**

106 You **must not** drive a licensed vehicle unless you are licensed by the Council to drive hackney carriages.

107 You **must not** use your vehicle if the vehicle plate is damaged, missing, expired or the details altered in any way. The vehicle plate displayed on the vehicle **MUST** be that which is issued by the Council.

108 You **must not** attach signs or advertising to your vehicle unless it has been approved by the Council.

109 You **must not** modify the specification, design, condition or appearance of your vehicle unless it complies with the licence conditions and the insurance company are aware of any changes. Any changes must be notified to the licensing authority.

110 If you convert your vehicle to run on LPG or any other non-standard fuel during the licence period, you must provide a certificate confirming satisfactory installation by a competent body. The vehicle **must not** be used until the certificate has been produced.
Things you (the proprietor) MUST do

111 You and other drivers of the vehicle must comply with all the conditions of the licences and not commit any offences under the Local Government (Miscellaneous Provisions) Act 1976, Town and Police Clauses Act 1847, Equality Act 2010 and General Road Traffic Laws and Construction and Use Regulations.

112 You must have a valid policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1972 which covers the period of the vehicle licence and permits use for public hire.

113 You must ensure all drivers of your vehicle are properly licenced and insured before they drive your vehicle.

114 The insurance certificate must be made available for inspection immediately if requested by an authorised officer of the council or a police officer.

115 You must display the internal Identity Card in the vehicle so that the drivers ID card is plainly visible to all passengers. The card holder must be kept in good condition at all times.

116 You must comply with the signage requirements detailed in the appendices to this policy at all times your vehicle is licensed.

117 You must display a roof sign on the vehicle bearing the word ‘TAXI’ and illuminate it from inside the vehicle only when the vehicle is plying for hire.

118 You must display a current table of fares card in the vehicle so that the information on the card is clearly visible to the passengers.

Maintaining your vehicle

119 The vehicle must be kept in a roadworthy condition and comply with the licence conditions at all times.

120 You must keep the inside and outside of your vehicle in a clean, safe and presentable condition.

121 You must keep the vehicle free from dents and rust, paintwork must match that applied by the manufacturer. Any accident damage must be repaired as soon as practicable.

122 You must keep the inside of the vehicle free of stains, splits, and tears to the upholstery, trim panels, carpets and head-linings.
The taximeter

123 The taximeter must be:

- Calibrated so that it does not display a fare more than that agreed by the Council.

- Located where it is clearly visible to all passengers.

- Sealed so that it is not practicable to tamper with the meter or its fittings except by breaking, damaging or permanently displacing the seals.

- Illuminated when the meter is in operation.

124 If your taximeter has a flag or other device fitted, bearing the words ‘FOR HIRE’ then the flag or other device must:

- plainly and distinctly display the words ‘FOR HIRE’ on each side in plain letters at least one and a half inches in height only when the taximeter is not in active use

- be capable of being locked in a position that no fare shall be displayed on the meter

125 If your taximeter does not have a flag or other device bearing the words ‘FOR HIRE’

- it must be fitted with a key or other device which, when turned shall lock into position, start the meter and cause the word ‘HIRED’ to appear on the face of the taximeter

- you must provide a sign bearing the words ‘FOR HIRE’ in plain letters at least one and a half inches in height which can be safely operated by the driver to indicate clearly and conveniently to persons outside the carriage whether or not the carriage is for hire

126 You must ensure that when your taximeter is in action that the chargeable fare is plainly and distinctly legible and that the word ‘FARE’ is printed on the face of the taximeter in plain letters and cannot easily be confused with any other figures or letters displayed on the meter.

127 Any person driving the vehicle for hire purposes must know how to properly use the meter.

128 You will repair any damage to the meter and any seal as soon as possible after any damage has been caused.
**Private Hire Vehicles**

129 Section 48 of The Local Government (Miscellaneous Provisions) Act 1976 specifies that every Private Hire vehicle shall be licensed subject to conditions. A Private Hire vehicle may not ply for hire from a stand (rank) or in the street. A Private Hire vehicle is a motor vehicle constructed or adapted to seat fewer than nine passengers, other than a hackney carriage or public service vehicle, and is provided with the services of a driver for the purpose of carrying passengers.

130 A Private Hire vehicle may be lawfully booked only when it is pre-booked with the operator’s base and entered in the operator’s records before the journey has commenced. A Private Hire vehicle may not be hired by accepting an offer of an immediate booking by a potential customer.

131 Where a Private Hire vehicle and driver are licensed by another district that vehicle may be used for private hire in the Arun District or vice versa. The vehicle, driver and operator must all be licensed by the same district.

132 The private hire licence plate provided by the Council must be displayed on the outside offside of the vehicle. The plate must be clean and legible at all times.

133 Plates must be returned to the Council within 72 hours upon expiry, suspension or revocation or surrender. An authorised council officer or constable may remove a plate when the licence has been expired, revoked, suspended or surrendered.

134 All plates and signs must be maintained in a sound and clean condition and be unobstructed so that the information can be easily read.

135 Any internal signage provided by the Council must be clearly displayed inside the vehicle where all passengers can see it.

136 Lost and stolen plates must be reported to the Council and Police within 72 hours and a crime number must be provided to the Council.

137 The proprietor shall ensure that any person employed by him/her or permitted by him/her to use the vehicle as a private hire vehicle is fully conversant with the conditions of his/her driver’s licence.

138 The proprietor must ensure that the vehicle is capable of satisfying the Council’s mechanical and structural inspection at any time during the period in which the licence is in force.

139 Any authorised officer of the council or any police officer shall have the power at all reasonable time to inspect and test any private hire vehicle. If not satisfied as to its fitness, the officer may require the vehicle to be further inspected at the testing station approved by the Council. If the vehicle fails to meet the necessary requirements the licence will be suspended until such time as the requirements are
met. If the officer is not so satisfied before the expiration of a two month period the licence shall be deemed to be revoked.

140 The proprietor or driver shall not carry or permit to be carried in the vehicle any greater number of persons that specified on the licence.

141 The proprietor shall not tout or solicit on a road or public place any person to hire or be carried for hire in any private hire vehicle. The proprietor shall not cause or procure any other person to tout or solicit on a road or public place any person to hire or be carried for hire in any private hire vehicle.

142 The driver will not park a private hire vehicle on the highway in company with other licensed private hire vehicles unless it is engaged in collecting or delivering pre booked passengers.

143 The driver will not park a private hire vehicle near to or be in sight of a hackney carriage rank, a railway station or a bus station unless engaged in the collection or delivery of a pre booked passenger.

144 Private hire vehicles may not display a roof sign.

145 A copy of the current insurance certificate or cover note must be carried in the vehicle at all times. The certificate or cover note must state the names of all drivers that are entitled to drive the vehicle. Should proof of insurance cover not be available or the driver is not shown on the insurance document then the vehicle licence will be immediately suspended.

146 The letters and figures on the taximeter face must be suitably illuminated during any period of the hiring.

147 When the meter is operating there shall be displayed on the face of the meter in clearly legible figures a fare not exceeding the maximum fare that may be charged for a journey.

**Guidance for Vehicle Proprietors of Private Hire vehicles**

**Things you (the proprietor) MUST NOT do**

148 You **must not** drive your vehicle unless you are licensed by the Council to drive private hire vehicles.

149 You **must not** use your vehicle if the vehicle plate is damaged, missing, expired or the details altered in any way. The vehicle plate displayed on the vehicle **MUST** be that which is issued by the Council.

150 You must not attach signs or advertising to your vehicle unless it has been approved by the Council.

151 You **must not** modify the specification, design, condition or appearance of your
vehicle unless it complies with the licence conditions and the insurance company are aware of any changes. Any changes must be notified to the licencing authority.

152 If you convert your vehicle to run on LPG or any other non-standard fuel during the licence period, you must provide a certificate confirming satisfactory installation by a competent body. The vehicle must not be used until the certificate has been produced.

Things you (the proprietor) MUST do

153 You must ensure that your vehicle comply with all the requirements of their licences and are not in such condition as to commit any offences under the Local Government (Miscellaneous Provisions) Act 1976, Town Police Clauses Act 1847, Equality Act 2010, Construction and Use Regulations and General Road Traffic Laws.

154 You must have a valid policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1972 which covers the period of the vehicle licence and permits use for private hire but not public hire.

155 The insurance certificate must be made available for inspection immediately if requested by an authorised officer of the council or a police officer.

156 You must ensure that any person who drives the vehicle is properly licensed and has adequate insurance.

157 You must display the internal Identity Card in the vehicle so that the drivers ID card is plainly visible to all passengers. The card holder must be kept in good condition at all times.

158 You must comply with the signage requirements detailed in the handbook at all times your vehicle is licensed.

159 If you install a taximeter in the vehicle you must ensure it complies with the same conditions as those for hackney carriages.

160 If a taximeter is installed in the vehicle a current table of fares must be displayed.

Maintaining your vehicle

161 The vehicle must be kept in a roadworthy condition and comply with the licence conditions at all times.

162 You must keep the inside and outside of your vehicle in a clean, safe and presentable condition.

163 You must the vehicle free from dents and rust with even paintwork matching that applied by the manufacturer. Any accident damage must be repaired as soon as practicable.
You must keep the inside of the vehicle free from stains, splits and tears to the upholstery, trim panels carpets and head-linings.

Identification of Vehicles

It is essential that Hackney Carriages and Private Hire vehicles are clearly distinguishable from each other. The Council may specify the design and appearance of a hackney carriage so that it may be identified. The Council may also specify the design and appearance of a Private Hire vehicle so as not to lead any person to believe it is a Hackney Carriage.

With these requirements in mind the Council requires that:

- Hackney Carriages are to be fitted with an illuminated roof sign and a white licence plate
- Private Hire vehicles are to be fitted with a yellow licence plate and may be marked subject to approval of the Council, on doors to indicate that the vehicle is a Private Hire vehicle. Roof signs shall not be used.

Section 64 of The Transport Act 1980 restricts the use of roof signs on vehicles other than Hackney Carriages.

Limousines, Wedding Cars and Funeral Cars

Limousines may be licensed for private hire work providing they carry no more than eight passengers, and meet the requirements of the Local Government (Miscellaneous Provisions) Act 1976. In particular Limousines must be:

- suitable in type, size and design for use as a private hire vehicle;
- not of such design and appearance as to appear to be a hackney carriage;
- in a suitable mechanical condition, safe and comfortable.

Anyone wishing to operate a Limousine service is advised to contact the licensing authority prior to making an application as there are a number of conditions which the vehicle must satisfy before a licence will be granted.

Wedding cars and funeral cars do not need to be licensed as a hackney carriage or private hire vehicle while they are being used in connection with a wedding or funeral, or are being wholly or mainly used by a person carrying on the business of a Funeral Director for the purpose of funerals.
Courtesey Cars provided with a driver

169 Courtesy vehicles provided with the services of a driver, the supplying company, and their drivers must be licensed for private hire where the company seeks to obtain a benefit from the operation of the service.

Colour of vehicles, livery and advertising

170 Currently there is no colour code for hackney carriages or private hire vehicles, which allows them to be clearly identified from private vehicles. If there are any changes to the colour of vehicles so as to easily identify them as hackney carriages or private hire vehicles will first be consulted upon with the trade.

171 Advertising is permitted on hackney carriages and private hire vehicles. Conditions relating to what can be advertised and the position of the advert on the vehicle are contained in APPENDIX F.

Signage

172 The operator must have approval from the licensing authority in writing for any signs displayed on any licensed vehicle proposed to be operated under the licence.

CCTV in vehicles

173 The Council does not consider that CCTV inside vehicles should be compulsory in the Arun District at this time. If CCTV is installed in a vehicle, licence conditions will apply.

174 If CCTV is considered desirable, the proprietor of the vehicle must notify the authority prior to installation. Details must be provided of what equipment is being used and how long data will be stored and how. It is the responsibility of the proprietor of the vehicle to ensure storage and use of the data complies with legislative requirements. Conditions applicable to CCTV are in the appendices of this policy.
Part D

GENERAL PRIVATE HIRE OPERATOR (PHO) REQUIREMENTS

175 An operator licensed by Arun District Council must ensure that they use only vehicles and drivers licensed by Arun District Council.

Address from which an Operator may operate

176 Upon grant of an operator’s licence, the Council will specify the address from which the operator may operate. The operator must notify the Council in writing of any change of address, (whether this is a home address or the business address) during the period of the licence, within 7 days of such change taking place.

177 No person shall operate any vehicle within the Arun District without having a current Operator’s licence. This acts in addition to the requirement for a driver and vehicle licence.

178 The applicant will be required to provide information concerning previous business activities, history of previous Operator licences held and any convictions recorded against them. A criminal record check will also be required.

Bases outside the Arun district

179 From 31st May 2017 the Council will not grant an operator’s licence for an operator with an operating base that is outside the Arun district. Existing licences will not be renewed after this time. This is to ensure that proper regulation and enforcement measures may be taken by the Council and is in no way intended to be a restraint of trade.

Records

180 Accurate records of any booking must be kept by the PHO. These must include the date and time booking was made, the name and address of the hirer, time and pick-up point hirer to be collected, the destination, number of passengers, the name of the driver and the number of the vehicle and any remarks regarding disability of the passengers. Where Booking Records are kept electronically the operator must ensure that the system clock is set accurately to either GMT or BST whichever is appropriate. Records must be kept for a minimum of one year. All records must be made available upon request by an authorised licensing authority officer or police constable.

 Licence Duration

181 Operators’ licences will be granted for five years. An option remains to apply for a one year to be used for those starting up business, for example.
Applicants for new or renewal of a Private Hire Operator’s licence are required to provide an enhanced Disclosure and Barring Services certificate from the Disclosure and Barring Services. The certificate must not be older than 28 days after the application of the licence.

**Operator Offices**

183 If the public are allowed entry to offices to make a booking the operator should ensure that the space has adequate seating, is well lit, clean and complies with the relevant health and safety legislation.

184 Operators must ensure that adequate public liability insurance is held. Proof of cover will be required.

185 An operator should hold and produce proof to the licensing authority of public liability insurance for the premises from which the business is conducted.
Part E

REGULATION AND ENFORCEMENT

Offences

186 Offences in relation to private hire and hackney carriages are derived from the following sources:

- Town Police Clauses Act 1847 (Hackney only)
- Transport Act 1980 (Private Hire Only)

Licence holders are expected to know and understand the requirements imposed upon them by these Acts and by their licence conditions which are set out in this policy and its appendices.

Delegated Powers

Full Licensing Committee and Licensing Subcommittee

187 The Full Licensing Committee is responsible for the Council’s statutory powers and duties regarding hackney carriages and private hire vehicles, hackney carriage and private hire drivers and private hire operators. This includes setting, reviewing and adopting policy for this area, setting and reviewing fare rates and licence fees, and any other matters considered to require the attention of the full committee.

A Subcommittee will deal with any contested matters referred to it and have responsibility for determining the fitness and propriety of a driver when matters are referred by officers for consideration. This process may be triggered as the result of an accumulation of penalty points imposed on the licence. Details of the Penalty Points system can be found at appendix J. The Subcommittee have options available to them including:

- Grant or renew a licence
- Grant or renew a licence with additional conditions
- Grant or renew a licence for a reduced period
- Refuse to grant a licence
- Suspend a licence
- Suspend a licence pending the holder satisfying additional conditions
- Revoke a licence
- Awarding of penalty points

188 The licence holder or applicant for a licence is permitted to speak at a hearing regarding their licence or application that has been referred to the Subcommittee.

189 Matters are heard by a panel consisting of three elected members. They are
supported by a clerk and a legal advisor. Decisions are made in private by members. They may consult with the legal advisor but the advisor will not participate any the making of the decision.

190 A decision made by the Subcommittee may be appealed to the Magistrate’s court.

**Enforcement Review Panel (ERP)**

191 The ERP (consisting of officers of management level and a legal advisor) reviews cases in circumstances where information has come to light that officers consider the licence holder has not complied with the licence conditions or has committed an offence. The Panel will assess the evidence and determine if further action should be taken. This includes decisions to pursue prosecutions or to administer cautions. The ERP may also refer matters to the Licensing Subcommittee if it feels this is appropriate.

**Officers**

192 Officers have delegated authority to make the licensing decisions prescribed in the Council’s Constitution. These include the ability to approve applications, and the ability to revoke and suspend licences in prescribed circumstances. Officer’s decisions made under delegated authority are subject to management oversight. Officers have delegated authority to refuse the grant of a licence where the applicant has a relevant conviction and this policy dictates the authority will not normally grant a licence and the applicant fails to submit any mitigation to the authority in the requested time.

193 **Officers may immediately suspend:**

- A vehicle licence if we are informed that the vehicle has been stolen.
- A vehicle licence if we become aware the vehicle insurance certificate is invalid.
- A vehicle licence if a breach of conditions is not rectified within a time period specified by us.
- An operator’s licence if the operator no longer has an interest in the business.

194 **Officers may revoke:**

- Any licence where the holder fails to provide information to us (this includes failing to provide details of convictions and cautions).
- A driver’s licence if we believe an action brings into question public safety.
- A driver’s licence if we are told you have no right to work in the UK.
- A driver’s licence if an action brings into question the fit and proper status of the driver.

A referral may then be made to a Subcommittee for consideration if the holder of the licence would like the matter considered in respect of future licensing.

195 Officers may revoke a licence if the authority becomes aware that a driver has been disqualified from holding a DVLA driving licence. A referral will then be made to a
Subcommittee for consideration if the holder of the licence would like the matter considered.

196 Officers may immediately revoke a licence where we have been informed that a licence holder has been charged or convicted of an indictable offence. A referral will then be made to a Subcommittee for consideration if the holder of the licence would like the matter considered.

197 If an officer determines that prosecution is appropriate for a breach of legislation they will recommend this course of action to the Enforcement Review Panel who may pursue a prosecution subject to advice from the Council's Legal Services.

Conditions of a Licence

198 The Council may attach conditions to the licences it issues. The conditions a council may attach are considered necessary and appropriate to ensure the safety and wellbeing of the public and passengers. In addition the Council considers that a professional driver should be a ‘fit and proper’ person to hold a licence. The appropriate conditions are put in place to ensure this is the case.

199 Breaches of conditions attached to driver, operator and vehicle licences which come to light following complaints, enforcement action or investigations will be dealt with following the principals set out in this policy.

Changes to Licence Conditions or Pre-licensing Requirements

200 The licensing authority may change the conditions of licences, as they think necessary, so as to satisfy themselves that the conditions reflect the change in technology or legislation. However the overriding factor of any imposed condition is to ensure the safety and wellbeing of passengers and public and to satisfy themselves that a licence holder is ‘fit and proper’.

Enforcement policy and practice

201 In pursuance of its licensing objectives the Council will operate in accordance with the Environmental Health Enforcement Policy which can be found at www.arun.gov.uk.

202 In the interests of public safety the Council will liaise with the police, DVSA and other relevant agencies and will undertake roadside spot-checks of vehicles and drivers. Actions that may be taken by officers during such checks will include the issuing of Stop Notices and Defect Notices.

203 If a licence holder’s conduct is such that, were they to be applying for a new licence their application would normally be refused, they should expect consideration to be given as to the suspension or revocation of their licence. This may be with immediate effect if officers believe the safety of members of the public or other drivers could be compromised.

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

205 A suspension or revocation of the licence of an operator takes effect at the end of the period of 21 days beginning with the day on which notice is given to the operator.

206 Officers will monitor compliance with legal requirements and licence conditions by conducting surveillance, considering information given with licence applications, carrying out inspections, and investigating complaints.

207 The information revealed by officers enquiries and investigations will be assessed in line with our enforcement policy including consideration of:

- the intent of the offender
- the scale of the offence
- the consequences of the offence
- any risk to safety or health caused by the offence
- any financial loss caused by the offence
- the previous record of the offender
- any previous advice or warnings given
- the likelihood of the offence being repeated

208 In all cases the alleged offence will be brought to the attention of the licence holder or applicant, and they will be given the opportunity to make comments and identify any mitigating factors before a decision is made where circumstances make this possible.

209 Where an officer decides that giving a licence holder advice is the appropriate outcome this will be recorded and may be used in the consideration of any future offences or breaches of conditions.

210 Where the ERP decides that giving a licence holder a written warning is the appropriate outcome this will be sent to them by normal post or email, normally within 10 days of the decision being made.

211 Written warnings are given for a maximum of one year. If a licence holder is issued with another warning or commit an offence within the year then they will be referred to the Licensing Subcommittee for a review of their licence.

**Scope of powers**

212 The licensing authority may take any of the measures outlined below if it believes an offence or breach of conditions has been committed or if it does not find a driver to be ‘fit and proper’:

- Prosecution
• Revocation of licence
• Suspension
• Addition of conditions
• Issuing warnings or cautions

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

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

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

Licence Suspensions

216 Vehicles - Hackney carriages and private hire vehicles must be kept at all times in an efficient, safe, tidy and clean condition. Compliance with these standards will be enforced by periodic, random vehicle inspections. Failure to achieve these standards may result in the vehicle licence being suspended until the defect(s) have been rectified and the vehicle has been presented for further inspection.

217 Drivers – a Subcommittee may impose a suspension on a driver for a specified period as a punitive measure.

Licence Revocation

218 The Council may exercise its discretion to refuse to grant a licence where the licence holder has been referred to a Licensing Subcommittee following officer revocation due to a conviction for a serious criminal offence, or where the committee are not satisfied as to the continuing suitability of the licence holder for any reason.

219 Where issues have been identified that call into question a drivers ‘fit and proper’ status, their drivers licence may be immediately revoked pending a review by the Licensing Subcommittee if the driver wishes to continue.

220 Operators - Where issues have been identified that call into question private hire operators fitness, the safety of their vehicles, or the manner in which their business
is being operated, the private hire licence may be revoked by the Licensing Subcommittee.

Refusal to Renew

221 The Licensing Subcommittee may decide that the appropriate action, where the licence is shortly to expire, is to decide that the licence shall not be renewed.

Issuing of Warnings and Cautions

222 As a method of dealing with less serious matters, a Subcommittee may issue strict warnings as are appropriate to the circumstances.

223 Admission of guilt is required before a caution can be issued. Every case will be considered on its own merits including the details and nature of the offence. The decision to issue a simple caution will normally be taken by the ERP.

Prosecution

224 In considering prosecutions, consideration will be given to the Council’s relevant enforcement policy.

Appeals Against Decisions

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

226 An appeal against a decision means that the decision does not take effect until the appeal is determined or withdrawn by the licence holder, unless the licence is suspended with immediate effect in the interest of public safety.

Penalty Points Scheme

227 Should drivers, vehicle proprietors or operators commit an offence or breach conditions or rules set in statute or by the Council, the persons involved may be asked to attend council offices for an interview. When officers have completed investigations, a letter will be sent to relevant parties detailing the results of the investigation. This letter will be held on file as a permanent record. Further action which may result from an investigation includes penalty points being awarded, a formal warning, or a referral to the Licensing Subcommittee and/or prosecution.

228 The primary objective of the scheme is to improve levels of compliance, set a ‘level playing field’ for the licensed trade and to improve standards and safety for the travelling public.

229 The penalty points scheme operates to work in conjunction with other
enforcement options. It will record misdemeanours and act as a record of a driver’s behaviour, competence and conduct. It does not override the Council’s ability to pursue other actions.

230 Penalty points remain on record for 12 months from the date of issue. Points issued to either the proprietor of a vehicle or driver will be confirmed in writing normally within 10 working days from the discovery of the contravention. This time is likely to be extended where matters need to be considered by ERP or the Subcommittee. The licensee will be notified in writing if this is the case.

231 Complaints from the public concerning significant breaches of conduct will be subject to investigation by Officers and may be reported to the Licensing Subcommittee for the issuing of discretionary points.

232 Where a licensee accumulates 12 or more penalty points in any 12 month period, the matter will be referred to the Licensing Subcommittee for consideration of the licensee’s status as a fit and proper person. The Subcommittee may then suspend or revoke a licence, or issue a warning to the licensee. Periods of suspension of a licence will be dependent on the nature of the breaches. The compliance history of the individual will be taken into account.

233 Any disputes regarding the issuing of penalty points by officers will be referred to the Licensing Subcommittee who have the discretion to award a greater number of points than displayed on the tariff, if the complaint is upheld. Licensees must appeal the issuing of penalty points in writing to the Licensing Subcommittee within 21 days of issuing of the points. There is no right of appeal to penalty points awarded by the Subcommittee.

234 Up to 6 points can be issued by officers, greater awards of points may be made by the ERP and discretionary points will be referred for consideration by the Subcommittee.

235 Officers may refer any mandatory award of points to Members where they believe there are relevant aggravating factors to any case.
Part F

FARES AND FEES

Hackney Carriage Fares

236 The local authority will set the maximum fare for Hackney Carriage. The fare can be negotiated downwards by the hirer, but the meter must be turned on at the start of the journey. A table of authorised fares must be displayed in each hackney carriage vehicle and placed in a position so that it is easily visible to all passengers.

237 If a journey ends outside the district and a fare has not been negotiated or agreed prior to the commencement of the journey then the taximeter, if fitted, must be turned on and a fare not greater than that on the taximeter may be charged.

238 If a journey ends outside the district and a fare has not been negotiated or agreed prior to the commencement of the journey and no taximeter is fitted in the vehicle then a fare not greater than that which is set by the current table of fares may be charged.

Negotiated Fares

239 Hackney carriages – where a journey ends outside the district the fare can be negotiated and agreed prior to the commencement of the journey. However the taximeter must be turned on at the commencement of the journey. The negotiated fare cannot be more than that which is on the taximeter.

240 Private hire vehicles – the fare for any journey in a private hire vehicle should be negotiated and agreed prior to the commencement of the journey.

Fare Reviews

241 Fares for hackney carriages will be reviewed upon request from drivers, preferably by November so the change can come into effect the following April. The request should be made in writing and be accompanied by justifiable reasons for the change.

240 All meters would require updating within one week of the changes coming into effect.

241 Any proprietor who fails to have their meter changed in the specified timescale by an approved garage is liable to have their vehicle licence suspended until such a time as the meter is acceptably altered.

Receipts

242 A hackney carriage and private hire driver will, on request, provide the customer with a written receipt for the fare paid, with adequate details to identify the journey, vehicle and driver.
Licence Fees

243 Fees payable for licences must be paid to the Council, when the application is granted. A licence and associated documents and badges and equipment will not be issued until the full fee has been received. Any fees due other than fees for the grant of the licence (i.e. fees due for knowledge tests) must be paid in advance.

244 Any refunds will be subject to consideration and authorisation by the department manager. Any costs incurred by the Council to the date of a refund request will be deducted from the amount paid.

245 Charges of theft may be brought in respect of any dishonest payment.

246 Fees are set once a year based on a full cost recovery basis.
APPLYING FOR A VEHICLE LICENCE

1. All documents required must be produced in original form by the applicant, and verified by an officer.

**DOCUMENTS MUST BE THE ORIGINAL NOT A PHOTO COPY.**

2. The documents you provide to us will be copied, with the copies retained on our office records for future reference for as long as they are required for that purpose.

3. Fees are payable upon grant of a licence. A licence will not be issued until the fee has been paid.

4. **IT IS YOUR RESPONSIBILITY TO APPLY FOR A NEW LICENCE BEFORE YOUR CURRENT ONE EXPIRES.**

   Your application does not become our priority because you have not re-applied in time.

   You are advised to allow a minimum of 14 days for the processing of an application.

5. New licence applications may be made up to one month before any existing one expires to ensure you can continue to trade.

6. Passing the vehicle test does not mean your vehicle can be used as a hackney carriage or private hire vehicle. This right only occurs when your licence application has been completed and you are issued with a plate, licence and the relevant vehicle signs are displayed on your vehicle.

7. The authority will grant a licence only when all the evidence required by the steps set out below is provided.
WHAT NEEDS TO BE DONE

STEP 1
Check your vehicle meets our standards regarding:

- SPECIFICATION
- EQUIPMENT
- CONDITION

STEP 2
Book the vehicle in to one of the approved test garages*. The vehicle will be tested under a specific criteria for:

- Safety
- Reliability
- Emissions
- Suitability

If the vehicle fails the test a retest may attract an additional fee. Please refer to our website for details [www.arun.gov.uk/licensing](http://www.arun.gov.uk/licensing)

STEP 3
Complete and submit the application form, relevant documents and fee.

On first application for a vehicle licence we must have the following documents before we process an application.

THINGS TO NOTE

Appendix B & C contains information on vehicle design and equipment.

Appendix D & E contains information on vehicle conditions.

*The vehicle may be booked in for a test before the application is made.

The Council’s approved testing stations are:

i) Bognor Motor Vehicle services, 3 Christie Place, Durban Road, Bognor Regis
   Tel: 01243 865515

ii) Discount Motor Services, Unit 2, Brittens Lane, Fontwell
    Tel: 01243 545544

iii) M J Vehicle Services, Unit 13, Brookside Business Park, Brookside Avenue, Rustington
    Tel: 01903 786111

iv) Chichester DC Contract Services, Stane Street, Westhampnett, Chichester
    Tel: 01243 782747

v) Worthing BC Transport Workshop, Commerce Way, Lancing
   Tel: 01903 263149

You can take the documents to Bognor Regis Town Hall or the Civic Centre, Littlehampton.

*These documents can be provided after the application has been made but
• Application form signed by you
• The log book/V5C in your name; or a bill of sale in your name
• A valid insurance certificate or cover note
• A valid MOT certificate*
• Test certificate from one of the approved testing stations.*
• A valid LPG certificate (if applicable)
• A valid passenger lift certificate (if applicable)

On renewal application for a vehicle licence we must have the following documents before we process an application.

• Application form signed by you
• V5 registration certificate (log book)
• A valid Insurance Certificate or cover note
• A valid MOT certificate*
• Test certificate from one of the approved testing stations**
• A valid LPG certificate (if applicable)
• A valid passenger lift certificate (if applicable)
• Previous vehicle signs/plates if you are re-licensing the vehicle

You must obtain a receipt for any documents, vehicle plate or fee you provide to the Council.

before the licence is issued.

** The fee must be paid before any licences, other associated documentation or badges and plates are issued.

*These documents can be handed in at any time after the application has been made. The licence will not be granted until all the documents have been received.

**The licence will not start until the date on the garage test certificate. The certificate can be handed in on exchange for the new licence.

*** The fee must be paid before any licences other associated documentation or badges and plates are issued.

Application forms are available at Bognor Regis Town Hall Civic Centre, Littlehampton or www.arun.gov.uk/licensing

For current fees see www.arun.gov.uk/licensing
APPENDIX B

DRIVERS LICENCE APPLICATIONS

IMPORTANT THINGS TO NOTE

1. The steps to getting a licence are set out below. Each step requires the ones before to have been carried out by you for your application to progress.

2. The Enhanced Disclosure report from the National Disclosure and Barring Service will only be accepted if it is presented to an officer within 28 days from date of issue.

   You must produce the disclosure form within this time period otherwise your application will be halted.

3. Officers have no authority to allow you to miss or jump a step. Any request from you to an officer to do this will result in the application process being stopped pending a review by the licensing manager.

4. All documents required by us must be originals. They will be checked by us for the application to progress. Copies will be taken for our records.

   DOCUMENTS MUST BE THE ORIGINAL NOT A PHOTO COPY.

5. The fee must be paid with the application. The fee for any part of the process which does not involve direct action by us must be paid directly to the person carrying out the action at the time it is undertaken.

6. You may apply for a new licence up to two months before your old one expires. IT IS YOUR RESPONSIBILITY TO DO THIS. Your application does not become our priority because you have not re-applied in time.

   An application made and approved ‘early’ will mean your new licence comes into force on the expiry date of the old one.

7. You will have up to 14 days after the expiry of the licence to make a new application. If you fail to make an application within the 14 days after expiry of the licence it will be removed from our records and any application after that time will mean you will be treated as a first time applicant.

   As a result you may be required to retake and pass the Knowledge test, medical, driving assessment and DBS check, before a licence will be granted.

8. Frequency of medical assessment for over 65’s.

   Applications from applicants over 65 years of age will require a new medical certificate each year, but a new Enhanced Disclosure report will only be required every three years, unless we request one to be carried out earlier.
APPLYING FOR A FIRST TIME DRIVER LICENCE

What you should do

Step 1 • Read the requirements and information provided within the ADC Taxi Licensing Policy.

• Complete the application form and make an appointment to see an officer stating that you would like to apply for a licence. You will need to bring the documentation listed in step 2 to your appointment.

• Arrange an appointment to meet with an officer to have your ID verified and hand in your completed application form (see www.arun.gov.uk/licensing for details) and bring in your ID and application.

To make an appointment email taxis@arun.gov.uk or call 01903 737755.

Whilst you attend your appointment an officer will book you an appointment to take your knowledge test (see Step 3).

What you must provide

Step 2 • Fully completed application form.

• A full DVLA driving licence held for at least three years.

• One colour passport sized photograph of yourself showing a full face picture.

• A fully completed Disclosure and Barring Service (DBS) form*.

• Group 2 medical certificate**

• A certificate to show you have undertaken and passed a driving assessment**

• Details of any residency outside the UK.

• A certificate of good conduct from an embassy or consulate (if applicable)**.

• Documents to show you are legally entitled to work in the UK. Please refer to the list of documentation you must provide available at www.arun.gov.uk/licensing

• The fee for the application can be paid upon grant of the licence.

You must not have any points on the DVLA driver licence within the twelve months prior to your application.

*The fee for the DBS check must be paid at the time of application

**You may provide the medical certificate, driving assessment and certificate of good conduct (if applicable) after you have passed the knowledge test.

If you have any convictions or cautions please refer to the convictions information with the policy.

If you make a false declaration on the application form the application will be rejected.
Step 3  **Knowledge Test**

- An officer will make an appointment for you to take the knowledge test.
- Details of what is included in the knowledge test can be found at [www.arun.gov.uk/licensing](http://www.arun.gov.uk/licensing)

You will have three chances to pass all the papers. If you fail any paper on the third attempt or withdraw your application you will not be permitted to make another application for six months.

If you fail to show up for a test, it will be counted as a failure. Second and subsequent tests are charged.

Step 4  **After a licence has been issued**

- You will be encouraged to undertake and pass the NVQ level 2 in Road Passenger Vehicle Driving, within the first year of the licence being issued. Details can be found on the Council’s website.

- You must notify us if you change address, become medically unfit to drive a vehicle, disqualified from driving a vehicle or receive a conviction or caution for any reason.

See [www.arun.gov.uk/licensing](http://www.arun.gov.uk/licensing) for details.
RENEWAL OF A DRIVERS LICENCE

Before the licence expires

Step 1
- Two months before the current licence is due to expire we will send you an application form and any other documentation you require for renewal of the licence.

Information and forms will be sent by email as a preference where possible.

If documentation is sent by post we will send it to the address that has been provided. If you move address and do not notify us you may lose your chance to renew the licence.

What you must do

Step 2
- The application form and all relevant documentation must be received by the Council giving at least fourteen working days’ notice.

You will be allowed up to fourteen days after expiry of the licence to submit a full renewal application.

You must not drive a licensed vehicle during the fourteen day period. The vehicle insurance will be invalid if you are involved in an accident if you drive a licensed vehicle without a current driver licence.

The relevant documentation is:
- Fully completed application form;
- A full DVLA photo driving licence;
- One colour passport sized photograph of yourself showing a full face picture, if your features have changed from last year;
- A fully completed Disclosure and Barring Service (DBS) form (if applicable)*;
- Group 2 medical certificate (if applicable)*;
- It is your responsibility to ensure the application form and relevant documentation is received.
- The application will not be processed until all the relevant documents have been received.

*If the DBS certificate and medical certificate have not been received by the time the licence is due to be issued the licence may be issued but will be subject to the results of the DBS and the medical test.

The licence may be revoked if the DBS and medical test show you are not fit and proper.

The application fee is due on grant of the licence.
What we will do

Step 3

- The application form and documentation will be checked by a licensing officer to confirm there have not been any convictions or cautions during the previous licence periods, of which we have not been notified or any other relevant changes to circumstances.

If you have received a conviction or caution during the last licence period or the DBS check shows you have had a conviction or caution during the previous three years, of which you have not notified us the application will be referred to the licensing Subcommittee.

When the licence is processed

Step 4

- When the licence has been granted it will be sent to either the Littlehampton Civic Centre reception or Bognor Regis Town Hall reception so you can collect it.

- Nothing will be issued until the full fee has been received.

- You will be contacted by us by email to let you know when the licence is available for collection.

- You must exchange the expiring licence for the renewed licence. You will not be issued with your new licence until the current one has been returned.

You will not be allowed to collect the new licence until the working day prior to the start of the new licence.

The full fee must be paid before you may collect the licence or any associated papers or equipment.
Appendix C

GUIDANCE FOR THE VEHICLE FITNESS TEST (in addition to the MOT standard) AND VEHICLE SPECIFICATIONS

Hackney Carriages and Private Hire vehicles are required to undertake a vehicle inspection which is equivalent to the MOT standard but which also considers requirements in addition to the standard test.

All vehicles are required to be fitness tested twice a year, six months apart. One test must include the MOT.

If in the testers’ opinion any of the requirements are not met or vehicle defects affect the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein, the items or item should be noted on the inspection schedule and the vehicle failed. Should it be considered by the tester that the vehicle is unsafe to be used to carry members of the public the tester is requested to inform the Council’s licensing team immediately on 01903 737755.

The test will consider if the vehicle meets the specifications set out for vehicles and roof signs in addition to the criteria laid out below.

Proprietors are reminded that:
They should arrange for their vehicles to be inspected as soon as possible prior to the current fitness certificate expiry date. However in line with MOT tests the fitness test can be carried out not more than one month before the old certificate expires, the expiry date on the new certificate can be entered as 12 months from the expiry date on the old certificate. To take advantage of this extension to the expiry date, you must show your current certificate to the tester before he/she issues the new one.

The Contractor will be carrying out inspection work only. Under no circumstances will any repair work be undertaken. The Contractor’s inspection will not only cover the mechanical condition of the vehicle but also its interior and exterior condition and appearance. All vehicles must obtain a vehicle fitness test inspection sheet indicating that the vehicle has passed the test. The sheet will be issued from the testing garage upon vehicles being passed as fit to be licensed.

The inspection fee must be paid when the vehicle is presented for inspection. A receipt will be given.

No application for either a hackney carriage or private hire vehicle licence will be considered without a successful completion of the vehicle fitness test. The test will be valid for a year from date on the form. Two tests are required within one year, at six monthly intervals.

Vehicle Inspection

The compliance test shall be carried out in line with the VOSA standard for MOT’s and the following items which are in addition to the normal inspection criteria.
Reversing lamps, fog lamps

1. Reversing lamps fitted to a vehicle shall be fully functional and operate only when reverse gear has been engaged. The lamps shall extinguish when neutral or a forward gear is engaged.

2. Lenses of reversing and fog lamps shall be in good condition and secured correctly to the lamp housing.

3. Front fog lamps fitted to a vehicle shall be fully functional and operate on dipped or full beam.

4. The lamps shall emit white or yellow diffused light only.

5. The fog lamp shall be properly secured and operate correctly.

Battery

6. The battery shall be in good condition and securely fastened in position.

7. The battery carrier shall be in good condition and able to safely and securely hold the battery in place.

8. Cables should be of the appropriate type, in good condition and securely attached to the battery. The cable must not be secured to any fuel line or in a position that will render the insulation ineffective.

Steering controls

9. The steering wheel and its components must be in good condition and properly secured to the steering column.

10. Any modifications to the steering wheel shall be to manufacturers’ specification.

Tyres

11. The depth of tread on each tyre must not be less than 2mm throughout a continuous band comprising:
   - The central three quarter of the breadth of tread
   - Around the entire circumference of the tyre

Vehicle structure, body and general items

Bumpers

12. The bumper bars and mountings shall be in good condition and securely fixed to the vehicle. They shall not be secured with anything other than the correct fixing.
Bumpers shall be of original construction. Tape or other material which is not part of the manufacturers’ specification is not permitted.

**Exterior Bodywork**

14 All bodywork shall be in good condition. All panels shall be properly secure and paintwork should not detract from the overall appearance.

15 Missing or insecure trim must be repaired within fourteen days.

16 Excessive damage which causes sharp edges or projections, stone chips, dents or corrosion must be repaired within fourteen days. Tape or other material is not acceptable to cover damaged areas.

**Interior Bodywork**

17 The interior of the vehicle, including the boot/luggage area shall be kept in a clean and tidy condition.

18 All interior trim shall be kept in good condition and replaced if damaged or missing or insecure.

19 All fitted switches, lights and controls must function properly.

**Doors**

20 The vehicle must have a minimum of 4 side-opening doors (unless previously agreed with the Council). All doors, including the tailgate/door(s) on MPV type vehicles, shall be capable of being opened from inside and outside the vehicle.

21 MPV’s with tailgate/door(s) must be marked with an “Emergency Exit” sign.

22 Doors on wheelchair accessible vehicles must open wide enough for the wheelchair to pass through. The doors must be capable of being held open with a suitable mechanism while the wheelchair is being loaded.

23 All doors must close and secure correctly.

**Load security**

24 All vehicles shall have a minimum luggage space of fourteen cubic feet (unless previously agreed by the Council).

25 There shall be provided a means of safely securing the luggage without causing injury to passengers or driver. The luggage must not obstruct or restrict the drivers view or hinder the operation of the vehicle.
Spare wheel and carrier

26 The spare wheel and tyre shall comply with the conditions found in this document.

27 The spare wheel carrier shall be capable of being secured properly and of correct design to accommodate the spare wheel.

28 If the vehicle is designed not to have a spare wheel there shall be kept in the vehicle a suitable means for inflating the tyres.

Tricycles and Quadcycles (see appendices for additional requirements for Tuk Tuks)

Gauges and other controls

29 Any switch, gauge or other unit fitted in the vehicle must function to manufacturers specifications.

30 Air conditioning or climate control must work properly if the switch is fitted in the vehicle. If the air conditioning or climate control does not work the switch must be removed and a blanking plate placed in the gap so as to make it safe.

31 Only those lights that are permitted to show on the dashboard should be illuminated. Any light which controls or regulates any part of the engine management system, and illuminates when there is a fault must be investigated and rectified before the vehicle can be used.

Gears and transmission

32 The gears and transmission must operate correctly and without undue noise.

33 There shall be no excessive oil leaks from the unit.

34 All mounting brackets and bolts are fitted correctly and the unit is secure.

Additional items checked

35 Reversing lamps and front fog lamps

Standard expected

All lamps must be secure, emit the correct colour light and operate correctly when activated

36 Wiring and battery

The battery must be held securely and the carrier not so corroded as to be unsafe. The wiring and cables must be properly secured and safe from chaffing and away from heat sources.

37 Steering controls

There should be no damage to the steering wheel, hub or spokes that will hamper proper control of the vehicle or likely to injure drivers
38 Tyres

The tyres must be of the correct type for the wheel rim and suitable standard for the vehicle. The tread shall not be less than 2mm throughout a continuous band comprising the central three quarters of the breadth of tread and round the entire circumference of the tyre.

39 The spare wheel to see that one is present together with a road worthy tyre (unless an inflation device is provided instead).

A spare wheel and road worthy tyre should be provided, or a fully charged inflation kit.

40 The front and rear bumpers to see that they are undamaged and securely fixed to the vehicle.

Front and rear bumpers and their mounting brackets must be securely fitted to the vehicle and undamaged.

41 The exterior of the bodywork, the underside of the vehicle and the engine compartment.

Must be in a clean condition to allow for proper inspection of these areas.

42 The external body panels and trim for evidence of corrosion, damage, loose fitting or unsatisfactory repairs.

No corrosion, damage or loose panels, or missing or damaged trim to the vehicle body which adversely affects the appearance and/or safety of the vehicle. Tape or other material shall not be used to cover damaged areas.

43 The external paintwork for damage or poor repairs which adversely affect the appearance of the vehicle.

No uneven, damaged, discoloured, or non-matching paintwork to the vehicle.

44 All seats to ensure that they are properly secured to the vehicle, that they match, and that all seat cushions and back rests are clean and in good condition.

Seats must match, be clean, securely fitted, in good condition and provide proper support to passengers. Any seat covers must be well fitting, tailored to the shape of the seat, clean and in good condition.

45 The floor carpets or lining, floor mats, upholstery and head linings must be clean, and in good condition

Internal finishes and linings must be in good condition, clean and free from stains.

46 The operation and fitting of all external doors and the boot lid/hatch to ensure they are aligned and can be securely closed, easily

Doors should fit flush with the bodywork, all handles and catches should operate easily and keep the door closed when it is shut. The doors/boot lid should operate as per
opened and held in place when fully opened. manufacturer's instructions.

47 Adequate room for luggage and appropriate means of securing the luggage The vehicle must have a minimum of 14 cubic feet of luggage space. There must be a means of securing the luggage if it is carried in the passenger compartment

48 The boot and boot floor covering to ensure that it is clean, free from articles that would restrict luggage space or stain any luggage coming into contact with it. Clean and adequate boot space to accommodate a reasonable amount of luggage without any risk of soiling or damaging it.

49 If a vehicle has wheelchair access there shall be sufficient room inside the vehicle to safely manoeuvre the wheelchair and have appropriate number of restraint points. The internal layout should not hinder a wheelchair passenger or compromise their safety if they travel in the wheelchair. There shall be sufficient anchorage points in the vehicle to allow the wheelchair to secure during the journey and the wheelchair user shall have an appropriate type of belt.

50 Access ramps for wheelchair uses must be available and of appropriate material and construction. Ramps shall be of suitable construction to bear the weight of the wheelchair and user. The ramps shall be stowed in the vehicle so as not to compromise the safety of passengers.

51 The front and rear number plates to see that they are in good condition and clearly legible. Front and rear number plates bright and in good condition.

52 The wheels trims or alloy wheels, to ensure they all match and are in good condition. All wheel trims should match and be undamaged. No corrosion or damage should be present to alloy wheels.

Appeal procedure for vehicles failing the Council’s fitness test

53 Where a vehicle fails the fitness test the vehicle proprietor has a right of appeal. The proprietor must inform the Licensing Officer in writing within seven days of the original test, that an appeal test is required. The appeal test will be conditional that the vehicle shall have covered no more than 250 miles and that no repairs or adjustments are made to the item(s) or system(s) which are subject of the appeal. An Inspector independent of the testing garage will be appointed by the Council and will conduct the appeal test at the Council’s current vehicle testing station. The vehicle proprietor along with his/her engineer, the tester who failed the vehicle and the owner or a representative of the testing station will be given the opportunity to attend the appeal test. The adjudication of the Appeal Inspector will be final.
Proprietors are reminded that a fee will be charged if an appointment is broken or cancelled with less than 48 hours’ notice. In your own interests please ensure that your vehicle is in a clean and roadworthy condition before making the appointment for a test.

STANDARD VEHICLE SPECIFICATION – HACKNEY CARRIAGES

All vehicles must comply with the Road Vehicles (Construction and Use) Regulations 1986.

The specifications for the vehicle are agreed by the licensing authority and are in addition to the Road Vehicles (Construction and Use) Regulations 1986.

Vehicles used as hackney carriages may be of any make, model or colour but must comply with the vehicle licence conditions found in these appendices.

The size of seats in the vehicle shall be in accordance with the Road Vehicle (Registration and Licensing) Regulations 2002.

All seats shall be fitted with suitable and appropriate seat belts.

All vehicles shall have four road wheels, unless agreed by the Council.

Vehicles converted from vans will not be licensed.

The vehicle design must allow passengers to speak directly and easily with the driver.

There shall be a minimum of four passenger doors unless previously agreed with the Council.

There shall be a minimum of fourteen cubic feet of luggage space within the vehicle.

The vehicle shall be right hand drive only, unless previously agreed with the Council.

All hackney carriages shall be fitted with an approved taximeter.

All hackney carriages shall have fitted an approved roof sign.

Novelty vehicles may be licensed as hackney carriages only with the approval of the Council.
69 Vintage, classic or antique vehicles may be licensed as hackney carriages only with the approval of the Council.

Seating

70 All seats in the vehicle shall be properly cushioned and covered. The seats shall be firmly and securely fixed to the vehicle structure.

71 All seats shall have an appropriate type of seat belt. The seat belts shall be in working order and good condition. The belts shall be securely fixed to the vehicle structure.

72 In a vehicle with more than four passenger seats the seats shall be arranged so that passengers can exit the vehicle without having to tilt or lift any seat and shall only pass one person to get to the access route or doors.

73 Where a vehicle has more than four passenger seats there shall be an access route between seats or seats and the vehicle sides of not less than 11” in width.

Fixtures and fittings

74 All fixtures and fittings shall be kept in a clean condition, well maintained and in every way fit for public use.

75 Any fixtures or fittings that are damaged or do not work must be repaired at the earliest possible date. If any fixtures or fittings are found damaged or not working, during an inspection of the vehicle, it may render the vehicle unfit for public use until such time as the item has been repaired.

74 The floor shall be covered with a proper carpet, mat or other suitable covering. This shall be kept clean and in good condition.

75 The interior trim of the vehicle shall be to the manufacturers’ standard and kept in good condition.

Doors and windows

76 Each side door shall have a window that can be properly opened and closed from the inside of the vehicle.

77 Each door shall be capable of being properly opened and closed from the inside and outside of the vehicle.

78 An MPV type vehicle shall have a tailgate or door(s) that must be capable of being opened from the inside and outside.

79 The tailgate or rear door(s) of an MPV must be marked as “Emergency Exit”
Windows may be of tinted glass but must comply with the standards in the Road Vehicle (Construction and Use) (as amended) Regulations 1986

Wheelchair Accessible Vehicles

A wheelchair accessible hackney carriage shall be loaded from the side only. **Rear door loading is not permitted.**

a) Hackney carriages that have wheelchair access must have sufficient space inside the vehicle to accommodate, safely and securely, the number of wheelchairs, which the proprietor designates.

b) All wheelchairs when placed inside a wheelchair accessible vehicle must be fixed securely to the appropriate fixing points within the vehicle.

c) There shall be suitable and sufficient passenger harnesses for those passengers who remain in the wheelchair during the journey.

d) There shall be sufficient number of fixing points in the vehicle for the wheelchair(s) to be secured correctly. The fixing points must be kept in condition.

e) Wheelchair(s) must only face forward or rearward when the vehicle is in motion.

f) A full set of restraints shall be available in the vehicle for each wheelchair capable of being carried as permitted by the vehicle licence. Each restraint shall be kept in good condition and be of sufficient strength to hold the wheelchair in place in any event.

g) If ramps are used for access and egress there shall be suitable means of attaching them to the vehicle when in use.

h) The ramps shall be of sufficient strength to support the wheelchair and its user.

i) Ramps shall have an anti-slip covering which is kept in good condition.

j) When ramps are not in use there shall be a suitable means of securing them safely in the vehicle without causing damage or injury.

k) If a passenger lift is used for access and egress it shall be of appropriate type to ensure the safe access and egress of the wheelchair and user.

l) Each lift shall be inspected under the Lifting Operations and Lifting Equipment Regulations (LOLER) 1998 and shall be certified as safe to use.

m) A sign may be affixed to the outside of the vehicle indicating that it is able to convey passengers in wheelchairs provided that the vehicle has been manufactured or properly adapted for that purpose.
STANDARD VEHICLE SPECIFICATION – PRIVATE HIRE VEHICLES

82 All vehicles must comply with the Road Vehicles (Construction and Use) Regulations 1986.

83 The conditions for the vehicle are agreed by the licensing authority and are in addition to the Road Vehicles (Construction and Use) Regulations 1986.

84 Vehicles used as private hire vehicles may be of any make, model or colour but must comply with the vehicle licence conditions found in the appendices.

85 The size of seats in the vehicle shall be in accordance with the Road Vehicle (Registration and Licensing) Regulations 2002.

86 All seats shall be fitted with suitable and appropriate seat belts.

87 All vehicles shall have four road wheels, unless previously agreed with the Council.

88 London style cabs or similar purpose built vehicles will not be licensed as a private hire vehicle.

89 Vehicles converted from vans will not be licensed.

90 The vehicle design must allow passengers to speak directly and easily with the driver.

91 There shall be a minimum of four passenger doors unless previously agreed with the Council.

92 There shall be a minimum of fourteen cubic feet of luggage space within the vehicle.

93 The vehicle shall be right hand drive only, unless previously agreed with the Council.

94 Novelty vehicles may be licensed as private hire vehicles only with the approval of the Council.

95 Vintage vehicles may be licensed as private hire vehicles only with the approval of the Council.

96 A wheelchair accessible private hire vehicle may have side or rear loading access.

97 Private hire vehicles that have wheelchair access must have sufficient space inside the vehicle to accommodate, safely and securely, the number of wheelchairs, which the proprietor designates.

98 All wheelchairs when placed inside a wheelchair accessible vehicle must be fixed
securely to the appropriate fixing points within the vehicle. The fixing points must be kept in good and safe condition.

99 There shall be suitable and sufficient passenger harnesses for those passengers who remain in the wheelchair during the journey.

100 A full set of restraints shall be available in the vehicle for each wheelchair capable of being carried, as permitted by the vehicle licence. Each restraint shall be kept in good condition and be of sufficient strength to hold the wheelchair in place in any event.

101 If ramps are used for access and egress there shall be suitable means of attaching them to the vehicle when in use.

102 The ramps shall be of sufficient strength to support the wheelchair and its user.

103 Ramps shall have an anti-slip covering which is kept in good condition.

104 When ramps are not in use there shall be a suitable means of securing them safely in the vehicle without causing damage or injury.

105 If a passenger lift is used for access and egress it shall be of appropriate type to ensure the safe access and egress of the wheelchair and user.

106 Each lift shall be inspected under the Lifting Operations and Lifting Equipment Regulations (LOLER) 1998 and shall be certified as safe to use.

107 Wheelchair(s) must only face forward or rearward when the vehicle is in motion.

108 A sign may be affixed to the outside of the vehicle indicating that it is able to convey passengers in wheelchairs provided that the vehicle has been manufactured or properly adapted for that purpose.

109 Any seats or seating over and above the number for which this vehicle is licensed shall be removed before the vehicle is used to carry passengers for hire or reward.

110 Vehicles must carry signage on the side of the vehicle to a design agreed with the Council to indicate that they must be pre booked.

111 The words taxi, cab or hire (the words private hire may be used) must not appear even if it forms part of the company name.

112 The company or trading name and telephone number may be displayed in the external surface of the two front doors. The words ‘advance booking only’ must be included in lettering no less than 5cms and a maximum of 16 cms in height in close proximity to other wording.
When advertisements other than those mentioned above are displayed on the vehicle then:

a) The advertisements shall be approved by a licensing officer prior to display
b) The advertisements shall be of a permanent nature and
c) There shall be displayed the words 'private hire vehicle' on the surface of the vehicle in letters no less than five centimetres in height and not exceeding 16cm in height.

No other advertisements save for the approved by the Council may be displayed on the vehicle.

The vehicle and all its fittings and equipment must at all times when the vehicle is in use or available for hire be kept in a safe, tidy and clean condition, maintained in satisfactory mechanical order, body condition and overall appearance and must comply with all relevant statutory requirements. In particular the exterior of the vehicle must:

a) Be free from dents and damage to body parts and trim;
b) Be free of areas of rust and/or damaged paintwork;
c) Have all factory fitted bumpers and body mouldings in place and be in good order and repair;
and the interior of the vehicle must:

d) Be free from stains, tears, cuts and/or cigarette burns;
e) Have all door and window mechanisms in good working order and the boot and luggage space must be kept clear for use by the passengers with certain exemptions f(e.g. spare wheel and jack).

All new vehicles and vehicles with up to 10,000 miles on the odometer will be presented for inspection at one of the appointed testing stations. All vehicles with more than 10,000 on the odometer and which are up to three years of age from the date of first registration will be subject to an annual fitness test. All vehicles aged from three years will be subject to two fitness tests a year (at six monthly intervals). The test must take place at one of the testing stations appointed by the Council. These requirements are in addition to an MOT which the Council requires for all licensed vehicles over 12 months old.

Where a taxi meter is fitted to the vehicle the taximeter and all the fittings shall be fitted to the vehicle with seals or similar so that it is not practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances. The meter shall be sealed and calibrated. The meter must be of a type approved by the Council.

**Seating**

All seats in the vehicle shall be properly cushioned and covered. The seats shall be firmly and securely fixed to the vehicle structure

All seats shall have an appropriate type of seat belt. The seat belts shall be in working order and good condition. The belts shall be securely fixed to the vehicle structure
In a vehicle with more than four passenger seats the seats shall be arranged so that passengers accessing or exiting the vehicle shall not tilt, lift or remove any seat and shall only pass one person to get to the access route or doors.

Where a vehicle has more than four passenger seats there shall be an access route between seats or seats and the vehicle sides of not less than 11” in width.

**Fixtures and fittings**

All fixtures and fittings shall be kept in a clean condition, well maintained and in every way fit for public use.

Any fixtures or fittings that are damaged or do not work must be repaired at the earliest possible date. If any fixtures or fittings are found damaged or not working, during an inspection of the vehicle, it may render the vehicle unfit for public use until such time as the item has been repaired.

The floor shall be covered with a proper carpet, mat or other suitable covering. This shall be kept clean and in good condition.

The interior trim of the vehicle shall be to the manufacturers’ standard and kept in good condition.

**Doors and windows**

Each side door shall have a window that can be properly opened and closed from the inside of the vehicle.

Each door shall be capable of being properly opened and closed from the inside and outside of the vehicle.

An MPV type vehicle shall have a tailgate or rear door(s) that must be capable of being opened from the inside and outside.

The tailgate or rear door(s) of an MPV must be marked as “Emergency Exit”

Windows may be of tinted glass but must comply with the standards in the Road Vehicle (Construction and Use) Regulations.

**Taxi radio** (there is no requirement to fit a taxi radio but if one is fitted it shall comply with the following conditions)

If a radio is fitted it shall be securely mounted to the structure of the vehicle.

The radio and any of its components shall be placed so as not to cause obstruction to the driver or passengers view and not interfere with the drivers’ controls.
133 All electrical wiring and cables shall be secured so as not to cause interference to passengers, driver or vehicle controls

**Fire extinguisher**

134 A suitable and efficient 1KG fire extinguisher shall be carried and readily available.

135 The fire extinguisher shall be properly secured in the vehicle so as not to cause damage or injury

136 The fire extinguisher shall have a means of identifying whether it is properly charged for use.

**First Aid Kit**

137 If a first aid kit is carried in the vehicle it must comply with the First Aid at Work Regulations for travelling first aid kits.

138 The first aid kit shall be accessible for use in an emergency.

139 The contents of the first aid kit must be in date, properly sealed and clean.
APPENDIX D

VEHICLE CONDITIONS – HACKNEY CARRIAGES

1. Taximeters
An approved taximeter must be fitted in such position as to be plainly visible to any person being conveyed in the vehicle. The letters and figures on the taximeter face must be suitably illuminated during any period of the hiring. The meter must be calibrated in accordance with the fare tariff approved by the Council.

The taximeter must be fitted with seals or similar so that it shall not be practicable for any person to tamper with the meter except by breaking, damaging or permanently displacing the seals or other appliances.

When the meter is operating there shall be recorded on the face of the meter in clearly legible figures a fare not exceeding the maximum fare that may be charged for a journey. When the meter is operating there shall be recorded on the face of the meter in clearly legible figures a fare not exceeding the maximum fare that may be charged for a journey.

2. Roof Signs
The proprietor shall ensure an illuminated roof sign is affixed to the vehicle and maintained in a style and pattern as specified by the Council.

3. Advertising
Any livery (advertising promoting either the licensee’s business, or other businesses and products on behalf of a third party) placed on the vehicle must comply with conditions laid out in appendices of the policy.

4. Identification Plate
Pursuant to Sections 51 and 52 of The Town Police Clauses Act 1847, the vehicle must exhibit a plate identifying the vehicle as a Hackney Carriage.

The hackney carriage vehicle identification plate which has been issued by the licensing authority shall be the only plate displayed on the vehicle. The hackney carriage vehicle identification plate must be securely fixed to the outside offside rear of the vehicle in a position that it is clearly visible and where it can be easily removed by an authorised officer of the council or a police constable. The details on the hackney carriage vehicle identification plate shall be the same as that of the vehicle on which it is displayed. The details on the plate must not be altered for any reason.
5. **Internal Signs**
A complaint card shall be kept in the vehicle at all times and prominently displayed in a position so it may be viewed by passengers. The complaint card shall have the same licence number as the vehicle in which it is displayed.

6. **Fare card**
A copy of the Council’s current fare card must be clearly displayed in the vehicle so as to be plainly visible to passengers carried therein. The fare card displayed in the vehicle shall be that which is issued by the Council for the period 1st April to 31st March of each year.

7. **Maintenance**
The vehicle and all its fitting and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements fully complied with.

8. **Alteration of Vehicle**
No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force.

9. **Safety Equipment**
There shall be provided in the vehicle at all times when it is in use or available for hire:
- A suitable and efficient 1KG fire extinguisher shall be carried and readily available. The fire extinguisher shall be properly secured in the vehicle so as not to cause damage or injury. The fire extinguisher shall have a means of identifying whether it is properly charged for use.
- A first aid kit in the vehicle that must comply with the First Aid at Work Regulations for travelling first aid kits. The first aid kit shall be accessible for use in an emergency. The contents of the first aid kit must be in date, properly sealed and clean.

10. **Change of name and/or address**
The proprietor shall notify the Council in writing of any change of name and/or address during the period of the licence within seven days of such a change taking place.

11. **Deposit of driver licence**
If the proprietor permits or employs any other person to drive the vehicle as a hackney carriage, then before that person commences to drive the vehicle they shall deliver their dual driver licence for retention until such a time as that driver ceases to be permitted or employed to drive the vehicle.

12. **Insurance**
A copy of the current insurance certificate or cover note relating to the
licensed vehicle must be kept in the vehicle at all times and produced immediately for inspection by an authorised council officer or a police constable. Any changes to the insurance of the vehicle must be notified to the Council in writing within 7 days of such a change taking place. This includes changes to named drivers, purposes for which the vehicle is insured and a change to registration number.

13. **Vehicle Compliance Test (VCT)**
A VCT pass sheet will be required every six months during the period for which a vehicle is licensed. A vehicle licence will not be renewed without a VCT pass which must have been undertaken not more than four weeks prior to the renewal date.

14. **Convictions**
The proprietor shall within seven days disclose to the Council in writing details of any conviction or caution (including a local authority caution) imposed on him/her (or if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.

15. **CCTV**
See appendix T which details conditions drivers must adhere to if they have CCTV in vehicles.

16. **Wheelchair Accessibility**
Hackney carriages may be provided to accommodate wheelchair using passengers. The vehicle must comply with the specifications relating to wheelchair accessible vehicles.

17. **Taxi radio**
(there is no requirement to fit a taxi radio but if one is fitted it shall comply with the following conditions)

   a) If a radio is fitted it shall be securely mounted to the structure of the vehicle.
   b) The radio and any of its components shall be placed so as not to cause obstruction to the driver or passengers view and not interfere with the drivers' controls.
   c) All electrical wiring and cables shall be secured so as not to cause interference to passengers, driver or vehicle controls.

18. **Accidents/Damage to vehicle**
Any accident to a licensed vehicle causing damage affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons using the vehicle must be notified to the Council as soon as possible in writing, in any case within 72 hours.
Appendix E

Conditions relating to Private Hire Vehicle Licences

These conditions are to be read in conjunction with The Local Government (Miscellaneous Provisions) Act 1976 and any other relevant legislation.

1. **Taximeters**

An approved taximeter must be fitted in such position as to be plainly visible to any person being conveyed in the vehicle. The letters and figures on the taximeter face must be suitably illuminated during any period of the hiring. The meter must be calibrated in accordance with the fare tariff approved by the Council.

The taximeter must be fitted with seals or similar so that it shall not be practicable for any person to tamper with the meter except by breaking, damaging or permanently displacing the seals or other appliances.

When the meter is operating there shall be recorded on the face of the meter in clearly legible figures a fare not exceeding the maximum fare that may be charged for a journey. When the meter is operating there shall be recorded on the face of the meter in clearly legible figures a fare not exceeding the maximum fare that may be charged for a journey.

2. **Fare Cards**

If a taximeter is fitted in a private hire vehicle the following conditions will apply

a) A copy of the Council’s current fare card must be clearly displayed in the vehicle so as to be plainly visible to passengers carried therein.

b) The fare card displayed in the vehicle shall be that which is issued by the Council for the period 1st April to 31st March of each year

3. **Advertising**

Any livery (advertising promoting either the licensee’s business, or other businesses and products on behalf of a third party) placed on the vehicle must comply with conditions laid out in appendix F of the policy.

4. **Identification Plate**

Pursuant to Section 48(6) of The Local Government (Miscellaneous Provisions) Act 1976, the vehicle must exhibit a plate identifying the vehicle as a Private Hire vehicle.

The identification plate which has been issued by the licensing authority shall be the only plate displayed on the vehicle. The Private Hire vehicle identification plate must be securely fixed to the outside offside rear of the vehicle in a position that it is clearly visible and where it can be easily
removed by an authorised officer of the council or a police constable. The
details on the hackney carriage vehicle identification plate shall be the
same as that of the vehicle on which it is displayed. The details on the
plate must not be altered for any reason.

This requirement shall not apply where an ‘exemption certificate’ has
been issued in respect of the external plate for that vehicle, if the
conditions of the exemption are being complied with.

5. **Internal Signs**
The proprietor shall cause to be affixed and maintained in the vehicle in a
conspicuous position in accordance with the directions of the Council any
signs or notices which the Council may from time to time require to be
displayed.

6. **External Signs**
Private Hire vehicles will be required to display Council approved door
signs on the upper panel of both front doors of the vehicle. *This condition
effective from 1st January 2018 onwards.*

7. **Maintenance**
The vehicle and all its fitting and equipment shall at all times when the
vehicle is in use or available for hire be kept in an efficient, safe, tidy and
clean condition and all relevant statutory requirements fully complying
with.

8. **Alteration of Vehicle**
No material alteration or change in the specification, design, condition or
appearance of the vehicle shall be made without the approval of the
Council at any time while the licence is in force.

9. **Safety Equipment**
There shall be provided in the vehicle at all times when it is in use or
available for hire:
   - A suitable and efficient 1KG fire extinguisher shall be carried and
     readily available. The fire extinguisher shall be properly secured in
     the vehicle so as not to cause damage or injury. The fire
     extinguisher shall have a means of identifying whether it is
     properly charged for use.
   - A first aid kit in the vehicle that must comply with the First Aid at
     Work Regulations for travelling first aid kits. The first aid kit shall
     be accessible for use in an emergency. The contents of the first
     aid kit must be in date, properly sealed and clean.

10. **Change of name address**
The proprietor shall notify the Council in writing of any change of address
during the period of the licence within seven days of such a change
taking place.
11. **Deposit of driver licence**
If the proprietor permits or employs any other person to drive the vehicle as a Private Hire vehicle, then before that person commences to drive the vehicle they shall deliver their dual driver licence for retention until such a time as that driver ceases to be permitted or employed to drive the vehicle.

12. **Insurance**
A copy of the current insurance certificate or cover note relating to the licensed vehicle must be kept in the vehicle at all times and produced immediately for inspection by an authorised council officer or a police constable. Any changes to the insurance of the vehicle must be notified to the Council in writing within 7 days of such a change taking place. This includes changes to named drivers, purposes for which the vehicle is insured and a change to registration number.

13. **Vehicle Compliance Test (VCT)**
A VCT pass sheet will be required every six months during the period for which a vehicle is licensed. A vehicle licence will not be renewed without a VCT pass which must have been undertaken not more than four weeks prior to the renewal date.

14. **Convictions**
The proprietor shall within seven days disclose to the Council in writing details of any conviction or caution (including a local authority caution) imposed on him/her (or if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.

15. **CCTV**
See appendix T which details conditions drivers must adhere to if they have CCTV in vehicles.

16. **Wheelchair Accessibility**
Private Hire vehicles may be provided to accommodate wheelchair using passengers. The vehicle must comply with the specifications relating to wheelchair accessible vehicles.

17. **Taxi radio** (there is no requirement to fit a taxi radio but if one is fitted it shall comply with the following conditions)
   a) If a radio is fitted it shall be securely mounted to the structure of the vehicle
   b) The radio and any of its components shall be placed so as not to cause obstruction to the driver or passengers view and not interfere with the drivers’ controls.
   c) All electrical wiring and cables shall be secured so as not to cause interference to passengers, driver or vehicle controls

18. **Accidents/Damage to vehicle**
Any accident to a licensed vehicle causing damage affecting the safety, performance or appearance of the vehicle or the comfort or convenience
of persons using the vehicle must be notified to the Council as soon as possible in writing, in any case within 72 hours.
Advertising on vehicles

Livery (means advertising promoting either the licensee’s business, or other businesses and products on behalf of a third party)

1 The conditions stated below are not exhaustive and may be altered or others may be added at the discretion of the licensing authority. You are advised to contact the licensing officer to discuss any advert, sign, notice etc. you wish to place on the outside or inside of the vehicle.

2 Before an advert, sign, notice etc. is placed on the outside or inside of a vehicle, a completed application form together with a copy of the design of the advert, sign, notice etc. MUST be lodged with the licensing officer, so it may be agreed that the content is not contentious. An application form is available from the licensing officer.

3 Any advertisement, sign notice etc. must be approved by the licensing officer for (a) quality of artwork and design; (b) standard of content; (c) position for display on or in the vehicle; before it is placed on the outside or inside of the vehicle.

4 Your application for advertising will be assessed against the following criteria:-

(a) Legitimate business, product and service advertisements can be placed on hackney carriages;

(b) Legitimate business, product and service advertisements can be placed on private hire vehicles;

(c) Any advert MUST NOT detract from the easy recognition of vehicles as hackney carriages or private hire vehicles;

(d) Any advert placed on the outside or inside of a vehicle MUST NOT cause widespread public offence;

(e) Any advert placed on the outside or inside of a vehicle MUST NOT breach anti-discrimination, human rights or similar legislation or principles;

(f) Any advert placed on the outside or inside of a vehicle MUST NOT offend any other relevant statute;

(g) Any advert placed on the outside or inside of a vehicle MUST NOT give rise to offence of the Advertising Standards Agency expectations or requirements;

(h) Any advert placed on the outside or inside of a vehicle MUST NOT interfere with driver or passenger visibility;

(i) Any advert placed on the inside of the vehicle MUST NOT obscure or detract from the prominence of the driver’s badge, complaint card, meter or table of fares;
(j) Adverts may be allowed to be placed on the rear view window of the vehicle (not side windows). The advert must not restrict the visibility of the driver through the rear window.

5 The position that adverts may be placed on a vehicle is limited to:

(a) The lower door panels (below window level)
(b) Wings
(c) Bonnet
(d) Rear view window (not side windows). Any advert placed on the rear view window must not obscure the view of the driver from inside the vehicle.

6 Advertisements, signs, notices etc. shall not be unsuitable or inappropriate for children to view. No advert will be allowed if it depicts:

(i) Tobacco or e-cigarettes;
(ii) Alcohol;
(iii) Nude or semi-nude characters;
(iv) Sex related acts or anything considered of a sexual nature;

7 All adverts MUST be durable and of a high standard of design and artwork.

8 Any advert considered controversial by the licensing officer will be presented to the Licensing Subcommittee for their consideration.

9 Signs which indicate membership of the AA, RAC or similar motoring organisation are acceptable;

10 Signs requesting passengers “not to smoke” do not require officer approval
Conditions relating to Private Hire Operators Licences

The premises relating to this licence must be situated within the boundaries of the Arun District and must have a dedicated land line telephone number(s) that is specific to that address.

Where an operator is also licensed with another authority and has private hire vehicles working in the Arun District Council area then the operator shall ensure that those vehicles comply with condition 7 of this licence.

1 The holder of this licence will keep a clearly legible record of the particulars of any private hire vehicle operated by him/her under the licence, pursuant to Section 56(3) of The Local Government (Miscellaneous Provisions) Act 1976, and contain the following particulars, namely:
   a) Make and type of vehicle
   b) Registration number
   c) Owner
   d) PHV licence number

2 The holder of this licence will keep a clearly legible record of every booking of a private hire vehicle invited or accepted, pursuant to Section 56(2) of The Local Government (Miscellaneous Provisions) Act 1976 and contain the following particulars:
   a) Date and time of hiring
   b) Date and time of booking
   c) Name of person taking booking
   d) Name of hirer
   e) Name of driver/vehicle or plate and badge numbers
   f) Location of pick up and destination

When requested you must provide the customer with an approximate fare for the journey at the time of the booking being made.

3 All records kept by the operator must be retained for at least 12 months and be readily available for inspection by any authorised officer of the council or constable at any time.

4 Manual records of bookings must be kept in a bound book, with consecutively numbered pages.

5 Computerised records must show the date and time an entry was made and has security systems in place to prevent alterations being made to any data that has been entered and stored on the program.

6 The computer clock must always be set to GMT or BST whichever is applicable at that point in the year. The clock must not be advanced beyond the correct time for any reason.

7 A private hire operator will not permit vehicles operating by him/her to be stationed on the highway together unless they are at that moment in use for the purpose of carrying passengers for which a hire has been agreed. If it is necessary for a single private hire vehicle to wait on a road (other than awaiting a pre-booked passenger) it may not stand near or within sight of a hackney carriage rank, a railway station or a bus or coach station.
8 The operator may not operate more vehicles than the number for which this licence has been issued.

9 This licence authorises the holder to operate private hire vehicles only.

10 This licence must be returned to the Council on suspension, revocation or expiry.

11 The holder of this licence is responsible for ensuring that all vehicles operated by him/her are licensed by the Council under Section 48 if the 1976 Act.

12 The holder of this licence is responsible for ensuring that all drivers employed by him/her or operating vehicles operated by him/her are licensed by the Council under Section 51 of the 1976 Act.

13 The holder of this licence is responsible for ensuring that there is in relation to all vehicles operated by him/her an insurance policy which complies with the relevant requirement in UK law. A copy of all valid insurance certificates must be held by the operator and be made available for inspection to authorised Council officers immediately upon request.

14 This licence must be produced immediately for inspection if requested by an authorised council officer or constable.

15 The holder of this licence must notify the Council of any convictions recorded against him/her. If the licensee is a company then any of the partners or directors must notify the Council of any convictions recorded against him/her.

16 The holder of this licence must immediately notify the Council of any changes relating to the licence including:
   a) Company name
   b) Ownership
   c) Contact telephone numbers
   d) Premises

17 When the operator accepts a booking he/she will unless prevented by some reasonable cause ensure that a licensed private hire vehicle attends at the appointed time and place. The vehicle and driver shall both be licensed by Arun District Council. When the operator accepts a booking he/she shall immediately prior to the commencement of the journey enter all the details of the hiring in the form prescribed at condition 2 above.

18 The operator will retain a copy of the private hire vehicle and private hire operator licences issued by the Council at all the time they are controlled or employed by the operator. The operator will notify the Council of any changes as and when they occur.

19 The operator will notify the Council of any vehicle and driver which is taken out of his/her employ as and when they occur.

20 The operator will not:
   a) Tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle; or
   b) Cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle.
21 A deputy must be nominated and present in charge of the base at all times the licence holder is not there. The deputy manager must have means of contacting the licence holder when they are not at the base.

22 All staff must receive full training and be aware of the conditions of this licence.

23 A record must be kept of all complaints received. This will include the identity of the driver and vehicle involved, the date and time and any other relevant details. The record must be kept for 12 months from the date of the event and be available to an authorised officer of the council or a police constable.

24 A record must be kept of all property found in vehicles with details of the driver who found it and when it was found. Any items found in the vehicle must be returned to the owners within 24 hours or taken to a police station or left in the custody of a police officer.

25 The base must be clean and kept clean, well lit, heated and ventilated, with adequate seating for employees and drivers between bookings.

26 If the public have access to the base there must be:
   • Public liability insurance
   • The operator’s licence displayed in any public waiting area
   • ‘No Smoking’ signage required by the Health Act 2006.

27 Only drivers licensed as private hire drivers using private hire vehicles by Arun District Council are permitted to work under the terms of this licence.

28 The holder of this licence must notify the Council, when requested, of any suspension, revocation or refusal to issue a licence by any other council.

   Information provided must include date of decision, the name of the council, the licence number(s) of the licences suspended or revoked, and provide us with a copy of the decision notice issued by the other council giving the grounds for their action.
## SIGNS AND SIGNAGE

### General

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The licensing authority will provide those signs appropriate to the licence of the vehicle. The Council will not provide roof signs.</td>
</tr>
<tr>
<td>2</td>
<td>All signage issued by the Council remains the property of Arun District Council. All signage must be returned to the Council when no longer required, within 7 days.</td>
</tr>
<tr>
<td>3</td>
<td>The vehicle plate appropriate to the licence for the vehicle must be securely fixed on the outside offside of the vehicle.</td>
</tr>
<tr>
<td>4</td>
<td>The signs inside your vehicle sit in adhesive pockets and must be permanently displayed in your vehicle.</td>
</tr>
<tr>
<td>5</td>
<td>The vehicle plate and signs must be maintained in a sound and clean condition and unobstructed, such that the sign information can be easily read by passengers.</td>
</tr>
<tr>
<td>6</td>
<td>If a plate is lost or stolen, it must be reported by the driver to the Council and the police within 72 hours and a crime reference number obtained for such a loss.</td>
</tr>
<tr>
<td>7</td>
<td>Where any plate, sign or fixing is lost, damaged or stolen then a replacement must be obtained and fitted at the proprietors own expense without delay.</td>
</tr>
<tr>
<td>8</td>
<td>If the vehicle licence expires, is revoked or suspended, the proprietor shall return the vehicle plate to the Council within seven days of notice being served on him/her.</td>
</tr>
<tr>
<td>9</td>
<td>An authorised officer of the council or a police constable may immediately remove and retain the vehicle plate where the licence has been revoked or suspended.</td>
</tr>
<tr>
<td>10</td>
<td>Where a licence renewal application is being made the old plate must be returned upon expiry. A new plate will not be issued if an expired plate is not returned.</td>
</tr>
</tbody>
</table>
### EXAMPLES OF SIGNAGE THAT MUST BE DISPLAYED

#### Hackney Carriages

<table>
<thead>
<tr>
<th>Number</th>
<th>Signage</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>Vehicle Identification Plate</td>
</tr>
<tr>
<td>12</td>
<td>Internal Complaint Card</td>
</tr>
<tr>
<td>13</td>
<td>No Smoking Sign</td>
</tr>
<tr>
<td>14</td>
<td>No Money, No Ride</td>
</tr>
<tr>
<td>No</td>
<td>Description</td>
</tr>
<tr>
<td>----</td>
<td>----------------------</td>
</tr>
<tr>
<td>15</td>
<td>Vehicle Identification Plate</td>
</tr>
<tr>
<td>16</td>
<td>Internal Complaint Card</td>
</tr>
<tr>
<td>17</td>
<td>No Smoking Sign</td>
</tr>
<tr>
<td>18</td>
<td>No Money, No Ride</td>
</tr>
</tbody>
</table>
STYLE AND SIZE OF THE ARUN LOGO TO BE DISPLAYED ON HACKNEY CARRIAGE ROOF SIGNS

19 The Arun logo must be of the design shown below and placed on the front nearside of the hackney carriage roof sign.

20 The hackney carriage roof sign must be of the dimensions stated below

21 The roof sign shall show either red, yellow or amber to the rear when it is illuminated

22 The colour of the roof sign shall be at the discretion of owner

23 The owner may display their telephone number and business name on the front of the sign but above the word ‘TAXI’

24 The rear of the sign may have the company or owners name and telephone number
Roof signs

25 The vehicle must be fitted with an illuminated external roof sign which:

- Must have the word “Taxi” in black or white lettering;

- The Arun logo shall be displayed on the near side (passenger side) front face of the sign. The logo shall display the same number as the hackney carriage licence on which it is displayed;

- The remainder of the space on the front and rear of the roof sign may be used to display the name and/or telephone number of the company or proprietor of the vehicle;

- The sign may be of any colour the proprietor wishes, but must not resemble any sign displayed by an emergency vehicle;

- The sign shall be a minimum of 18” wide and may be of slope or upright style.

- The rear of the roof sign must display either red, yellow or amber when lit

The conditions relating to the roof sign do not apply to a sign which is in-built into the roof of a vehicle e.g. London style vehicle
APPENDIX I

SEATING ARRANGEMENTS

1. Vehicles where the number of passenger seats is not less than five and not more than eight are required to have access and egress from all seats without having to tilt, remove or lift any seat. Passengers shall pass only one person to get to the access rout or doors.

2. Example of seating arrangements from inside the vehicle (see next page)
Examples of seating arrangements viewed from inside the vehicle looking from the front to the rear of the vehicle

FAIL
Gap between seats is less than 11\(^\circ\)
(280mm)

FAIL
Gap between side of vehicle and passenger seat is less than 11\(^\circ\)
(280mm)

PASS
Gap between seats is a minimum of 11\(^\circ\)
(280mm)
Examples of seating arrangements viewed from above (see next page)
Examples of seating arrangements viewed from above the vehicle

FAIL
- Access to the doors is blocked by the middle row of seats

FAIL
- Access to the doors is blocked by the middle row of seats and the gap between the seats is less than 11" (280mm)

PASS
- Space between middle row and rear row is 11" (280mm) or more with clear access to the passenger doors

PASS
- Space between middle row of seats and side of vehicle is 11" (280mm) or more

PASS
- Space between seats in the middle row is 11" (280mm) or more
Appendix J

Penalty Points System

Penalty points will be given to licence holders for certain misconduct and breaches of Byelaws. These may be applied as the result of the investigation and upholding of a complaint or issues identified by an officer during an inspection. Matters or less serious complaints resulting in the issuing of up to and including 6 points may be issued by an Officer. For more serious matters which would be considered for award of more than 6 points will be dealt with by referral to the Enforcement Review Panel for consideration and if an alternative or further sanction is appropriate. The Licensing Subcommittee will be asked to consider a drivers circumstances if any person acquires 12 or more points during any 12 month rolling period and for the award of discretionary points.

Please note: This list may be subject to amendment.

*Discretionary points are awarded by the Subcommittee

<table>
<thead>
<tr>
<th>Type of Misconduct</th>
<th>Points Applicable</th>
<th>Driver</th>
<th>Vehicle Owner or Operator</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Failure to notify a change of name or address within 7 calendar days</td>
<td>3</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>2 Providing false or misleading information on licence application form / failing to provide relevant information or pay the relevant fee (including dishonoured cheques)</td>
<td>6</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>3 Unclean interior/exterior of vehicle</td>
<td>3</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>4 Unapproved advertising or inappropriate advertising</td>
<td>3</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>5 Failure to afford reasonable assistance with luggage into or out of the vehicle</td>
<td>3</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>6 Conveying animals belonging to the proprietor or driver of the vehicle</td>
<td>3</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>7 Improper/unauthorised vehicle signage including failure to use authorised roof light</td>
<td>4</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>8 Failure to display table of fares or other approved notices</td>
<td>4</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>9 Failure to display the vehicle licence plate in the appropriate position on the vehicle</td>
<td>4</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>10 Failure to maintain adequate private hire records and provide to authorised officers</td>
<td>4</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Violation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---------------------------------------------------------------------------</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>11</td>
<td>Failure to notify where the vehicle is kept or notify a transfer</td>
<td>4</td>
<td>✓</td>
</tr>
<tr>
<td>12</td>
<td>Failure to produce DVLA licence when requested</td>
<td>4</td>
<td>✓</td>
</tr>
<tr>
<td>13</td>
<td>Failure to return a vehicle licence upon expiry</td>
<td>4</td>
<td>✓</td>
</tr>
<tr>
<td>14</td>
<td>Failure to wear or produce driver ID badge</td>
<td>4</td>
<td>✓</td>
</tr>
<tr>
<td>15</td>
<td>Defacing or concealing the vehicle licence plate</td>
<td>5</td>
<td>✓</td>
</tr>
<tr>
<td>16</td>
<td>Failure to properly furnish the vehicle</td>
<td>5</td>
<td>✓</td>
</tr>
<tr>
<td>17</td>
<td>Failure to provide when requested a valid certificate or motor insurance</td>
<td>5</td>
<td>✓</td>
</tr>
<tr>
<td>18</td>
<td>Using an unlicensed vehicle or using a licensed vehicle without valid insurance or valid garage test</td>
<td>12</td>
<td>✓</td>
</tr>
<tr>
<td>19</td>
<td>Failure to undergo 6 monthly MOT on time</td>
<td>6</td>
<td>✓</td>
</tr>
<tr>
<td>20</td>
<td>Failure to produce HC/PH driver’s licence</td>
<td>5</td>
<td>✓</td>
</tr>
<tr>
<td>21</td>
<td>Failure to produce a fitness to drive group 2 medical certificate or medical assessment</td>
<td>5</td>
<td>✓</td>
</tr>
<tr>
<td>22</td>
<td>Failure to notify in writing a change in medical circumstances</td>
<td>6</td>
<td>✓</td>
</tr>
<tr>
<td>23</td>
<td>Failure to take precautions to ensure safety of passengers entering/exiting or travelling in the vehicle</td>
<td>5</td>
<td>✓</td>
</tr>
<tr>
<td>24</td>
<td>Use of rude or offensive language or behaviour</td>
<td>5</td>
<td>✓</td>
</tr>
<tr>
<td>25</td>
<td>Inappropriate behaviour at a taxi rank</td>
<td>*3-12</td>
<td>✓</td>
</tr>
<tr>
<td>26</td>
<td>Failure to observe rank discipline</td>
<td>3</td>
<td>✓</td>
</tr>
<tr>
<td>27</td>
<td>Obstruction of Officers</td>
<td>6</td>
<td>✓</td>
</tr>
<tr>
<td>28</td>
<td>Using a vehicle subject to a suspension order issued by an authorised officer or police officer</td>
<td>12</td>
<td>✓</td>
</tr>
<tr>
<td>29</td>
<td>Using a vehicle for which the licence has been suspended or revoked</td>
<td>12</td>
<td>✓</td>
</tr>
<tr>
<td>30</td>
<td>Refusal to drive any person without reasonable cause</td>
<td>6</td>
<td>✓</td>
</tr>
<tr>
<td>31</td>
<td>Unreasonable prolongation of journeys or any misconduct relating to charging of fares</td>
<td>6</td>
<td>✓</td>
</tr>
<tr>
<td>32</td>
<td>Allowing children below 12 years of age in the front of the vehicle</td>
<td>6</td>
<td>✓</td>
</tr>
<tr>
<td>33</td>
<td>Allowing others to be carried without the consent of the hirer</td>
<td>6</td>
<td>✓</td>
</tr>
<tr>
<td>34</td>
<td>Failure to comply with a 14 day Notice or advisory Notice for repair of a vehicle</td>
<td>6</td>
<td>✓</td>
</tr>
<tr>
<td>35</td>
<td>Failure to notify an accident to the authority within 72 hours or damage to a vehicle</td>
<td>6</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Points</td>
<td>Action</td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------------------------------------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>36</td>
<td>Inappropriate conversation, gestures, dress or attire, unsatisfactory appear or turnout of driver</td>
<td>6</td>
<td>✓</td>
</tr>
<tr>
<td>37</td>
<td><strong>Poor or dangerous driving</strong></td>
<td>*6-12</td>
<td>✓</td>
</tr>
<tr>
<td>38</td>
<td>Evidence of smoking in a vehicle (including e-cigarettes)</td>
<td>3</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>39</td>
<td>Plying for hire by private hire drivers</td>
<td>9</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>40</td>
<td>Private hire vehicle parking or waiting on a rank</td>
<td>9</td>
<td>✓</td>
</tr>
<tr>
<td>41</td>
<td>Failure to attend punctually at appointed time and place without sufficient cause</td>
<td>3</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>42</td>
<td>Using a mobile phone or PDA whilst driving</td>
<td>6</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>43</td>
<td>Allowing another person to drive without consent of the proprietor</td>
<td>7</td>
<td>✓</td>
</tr>
<tr>
<td>44</td>
<td>Overcharging</td>
<td>7</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>45</td>
<td>Meter tampering</td>
<td>8</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>46</td>
<td>Failure to use approved and calibrated meter</td>
<td>8</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>47</td>
<td>Failure to issue a receipt on request</td>
<td>6</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>48</td>
<td>Knowingly using a defective vehicle</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>A licensed vehicle with a bald, dangerous or defective tyre</td>
<td>4 per tyre</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>50</td>
<td>Failure to present vehicle when requested for inspection by an officer</td>
<td>10</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>51</td>
<td>Exceeds number of passengers that vehicle is licensed to carry</td>
<td>12</td>
<td>✓</td>
</tr>
<tr>
<td>52</td>
<td>Failure to disclose previous convictions or cautions when renewing a licence</td>
<td>12</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>53</td>
<td>In possession of drugs while in charge of a licensed vehicle</td>
<td>12</td>
<td>✓</td>
</tr>
<tr>
<td>54</td>
<td>Under influence of drink and/or drugs while in charge of a licensed vehicle</td>
<td>12</td>
<td>✓</td>
</tr>
<tr>
<td>55</td>
<td>Carrying an offensive weapon in the vehicle</td>
<td>12</td>
<td>✓</td>
</tr>
<tr>
<td>56</td>
<td>Failure to carry a fire extinguisher</td>
<td>4</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>57</td>
<td>Failure to carry a first aid kit</td>
<td>3</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>58</td>
<td>Failure to carry an assistance dog without the required exemption certificate</td>
<td>12</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>59</td>
<td>Failure to notify the Council in writing, of any motoring or criminal convictions within 21 days of conviction or cautions during period of current licence</td>
<td>6</td>
<td>✓ ✓</td>
</tr>
<tr>
<td>60</td>
<td>Waiting or stopping on double yellow lines or bus stop or private land unless requested by a paying customer present in the vehicle</td>
<td>3</td>
<td>✓</td>
</tr>
<tr>
<td>61</td>
<td>Appeal of points by way of Subcommittee</td>
<td>*4-12</td>
<td>✓ ✓</td>
</tr>
</tbody>
</table>
**1. Definition of poor driving behaviour:
   a) Careless driving – if the driver is not exercising the degree of care and attention that a reasonable and prudent driver would exercise in those circumstances
   b) Driving without reasonable consideration – deliberate act of behaviour is considered irresponsible and inconsiderate to others e.g. deliberately driving through a puddle to splash pedestrians

2. Definition of dangerous driving:
   a) The way that a person drives falls far below what would be expected of a competent and careful driver; and
   b) It would be obvious to a competent and careful driver that driving in that way would be dangerous.

The tick boxes act as a guide as to whom points could be applicable, but points may be applied to any licensee regardless of the indication on the list if the circumstances are appropriate.
Licensing Subcommittee Taxi Hearing Procedure

1. The Chairman will open the hearing and will introduce the members of the Subcommittee and officers present.

2. The Chairman will then ask the Applicant/Driver/Operator and/or his /her representative to introduce himself/herself/themselves.

3. The Chairman shall then explain the procedure which will be followed at the hearing.

4. The Licensing Officer will present his/her report to the Subcommittee and call any witnesses he/she may have. The Chairman will invite members of the Subcommittee and Applicant/Driver/Representative to ask questions of the officer and any witnesses.

5. The Chairman shall invite the Applicant/ Driver/Operator/Representative to present their case and to call any witnesses on behalf of the Applicant/Driver/Operator.

6. The Chairman will invite members of the Subcommittee to put questions to the Applicant/Driver/Operator and/or witnesses

7. The Chairman shall invite the parties to respond to any points of clarification they require and give further information.

8. The Chairman will invite the Applicant/Driver/Operator and/or his/her Representative to sum up and confirm they have said all they wish to.

9. After hearing the representations the Chairman will require all parties to withdraw from the room in order to make its determination.

10. Once the hearing is reconvened the Chairman shall inform the parties of the Subcommittee's decision and where possible to give the reasons as to their decision. If reasons are not given on the day they will follow in writing. The Chairman will then inform the Applicant that they will receive the decision in writing from the Authority within 10 days and which will include details of the person’s right of appeal to the Magistrates Court.
Trailers - requirements

1. Every trailer licensed by the Council and used with a private hire vehicle or hackney carriage shall be manufactured by a recognised commercial manufacturer of trailers.

2. The owner of the trailer shall be responsible for ensuring the trailer fully complies with the requirements, all the relevant legislation and standards adopted by the Council.

3. The use of a trailer is restricted to specific journeys as requested by the hirer.

4. The trailer will only be used with regard to prior bookings and will not be used or attached to a hackney carriage when it is plying for trade or on a taxi rank.

5. The trailer must fully comply with and be operated within all weights and limits of the manufacturers specifications.

6. The trailer must comply with and be operated within the requirements of the Road Traffic Acts as amended and applicable to the use of trailers.

7. The trailer must be maintained in a fit and roadworthy condition at all times and must be tested annually before a licence is granted.

8. All trailers must be tested and inspected by an Arun District Council Licensing Officer. In addition the Council can require the owner to take the trailer for an interim inspection, at an approved test station, at any time during the year.

9. At all times, every trailer irrespective of weight shall carry, properly and safely secured to the trailer at least one spare wheel and properly and securely stowed the correct tools for changing the wheels.

10. Every trailer shall be fitted with a securely fastened cover which can be hardtop or soft-top, but must be weatherproof to protect the luggage and goods contained within the trailer.

11. If the luggage and goods to be conveyed are above the carrying capacity of the licensed vehicle and a trailer is considered necessary, the trailer operator must inform the customer at the time of booking that a trailer will be used for the carriage of their luggage and goods.

12. The trailer operator must advise the customer if they are being charged for the use of the trailer.

13. The trailer must be suitably insured. Signs must be prominently displayed on the trailer and inside the hire vehicle that items of luggage are at owner’s risk. This requirement should be made clear to anybody making a hiring which will involve the use of the trailer as part the hiring.
Only trailers which have been submitted to tests and properly plated by the licensing authority can be used with a licensed hackney carriage or private hire vehicle. No substitute trailer can be used and the trailer plate must not be transferred to any other trailer.

The trailer licence plate issued by the licensing authority must be securely attached to the rear of the trailer for which it is issued, so as to be visible at all times.

The details on the trailer plate must not be obscured or altered in any way.

The registration number of the towing vehicle must be displayed on the rear of the trailer when it is in use. The number plate must be properly illuminated when the lights are switched on.

Every trailer must be licensed with the same licensing authority as the private hire vehicle or hackney carriage which is used for towing the trailer.

Portable light boards must not be used on any licensed trailer. All lights and indicators must be integral to the trailer and be maintained in a working condition.
LIMOUSINES - requirements

1. Limousine means a luxury vehicle of high quality generally driven by a chauffeur and with a partition between the driver and passenger compartment.

2. A stretched limousine shall be purpose built by a manufacturer and be a vehicle of high quality generally driven by a chauffeur and with a partition between the driver and passenger compartment. The chassis must not have been lengthened or altered after manufacture.

3. The log book must indicate that the vehicle was originally built as a stretched vehicle.

4. A stretched limousine shall be licensed as a private hire vehicle only and shall comply with the private hire vehicle conditions in addition to these conditions.

5. Depending on the age and type of vehicle there shall be either:-
   - A UK Single Vehicle Approval Certificate/Individual Vehicle Approval (SVA/IVA) or if the vehicle is manufactured after more than 3 months prior to 29th October 2010 a Certificate of Initial Fitness (COIF);
   - A European Whole Vehicle Approval certificate (EWVA);
   - UK Low Volume Type approval certificate (LVTA).

6. There shall be a suitable courtesy panel between the driver and passenger compartment.

7. There shall be sufficient seating capacity to carry not more than eight passengers.

8. No passenger shall be permitted to travel in the front seat(s) next to the driver.

9. No intoxicating liquor shall be supplied from the within the vehicle unless the premises where the booking is taken has an appropriate licence under the Licensing Act 2003, permitting the sale of alcohol. (Under the Licensing Act 2003 it is an offence to sell alcohol inside a moving vehicle (i.e. operate a bar).

10. The person selling the alcohol must be authorised by a person who holds a personal licence under the Licensing Act 2003.

11. The driver of the vehicle shall not permit to be played any video, DVD or other recorded image that is unsuitable having regard to the age of the passengers being conveyed. In deciding what is suitable, regard shall be had to the classification of the video, DVD or recorded image by the British Board of Film Classification.

12. The proprietor of the vehicle shall hold a Performing Rights Society licence, where appropriate.

13. The following activities are prohibited within the vehicle:-
a) Striptease;
b) Lap dancing;
c) Pole dancing;
d) Showing of “R” rated films or films of a sexual nature; or
e) Any activity or performance of a like kind.
APPENDIX N

Tuk Tuks and Quadcycles - requirements

1. Tuk Tuks may be licensed as either hackney carriages or private hire vehicles. The vehicle must comply with the conditions for hackney carriages and private hire vehicles as appropriate and the following conditions.

2. The vehicle may have three road wheels.

3. The style of vehicle to be fixed and limited to 200cc LPG/Petrol engines.

4. The number of passengers per trip to be restricted to (i) two adults; or (ii) one adult with two children under 12 years of age; or (iii) two adults with one child under 12 years of age.

5. There shall be no requirement for luggage space.

6. Doors to be fitted to the sides of the passenger compartment of the vehicle. The doors are to be of solid construction and close securely.

7. The doors shall be capable of being opened from the inside and the outside.

8. The roof covering to be weather tight and of suitable construction to hold the weight of an appropriate roof sign if the vehicle is licenced as a hackney carriage.

9. The passenger compartment shall have suitable protection from the weather.

10. All seats shall be forward facing and properly secured to the vehicle structure.

11. The seats shall be of suitable construction and properly cushioned and covered.

12. All seats must be fitted with an appropriate and approved seat belt which is in working order.

13. The driver to be subject to additional specialist testing e.g. for motor cycles.

14. The vehicle shall be tested at a garage properly registered by VOSA for motorbike MOT’s with qualified staff able to inspect motorbikes.

15. The test shall be carried out in accordance with the appropriate section in the MOT manual.

16. The test for the hackney carriage or private hire conditions shall be carried out by the licensing officer.
APPENDIX O

ANTIQUE, VINTAGE, CLASSIC OR SIMILAR VEHICLES - requirements

1. A vintage, classic or antique car is, in the most general sense, an old vehicle, and in the narrower senses of car enthusiasts and collectors. Such enthusiasts have categorisation schemes for ages of cars that enforce distinctions between antique cars, vintage cars, classic cars, and so on. The classification criteria vary, but consensus within any country is often maintained by major car clubs.

2. These vehicles are unlikely to meet the conditions for hackney carriages and private hire vehicles; however this does not mean they cannot be licensed. They will only be licensed as a private hire vehicle following consideration of public safety and passenger comfort. The vehicle will still be required to comply with high vehicle standards regarding mechanical inspection.

3. A proprietor of these types of vehicles should contact a licensing officer to discuss the matter. Any proposal to license these types of vehicles may be referred to the Full Licensing Committee for their consideration.
SINGLE SEAT VEHICLES – Requirements

1. The vehicle shall be required to comply with appropriate conditions found within this document and which relate to the appropriate licence.

2. There shall be four road wheels (unless otherwise agreed with the Council).

3. There shall be a minimum of three doors (offside; nearside and a “boot” door) unless otherwise agreed by the Council.

4. There shall be sufficient capacity to carry one passenger and a guide/help dog together. The dog must not be separated from the handler. (minimum sized dog is an adult Labrador)

5. All seats shall be forward facing. All seats must be fitted with an appropriate and approved seat belt which is in working order.

6. The size of the seats shall be in accordance with The Road Vehicle (Registration and Licensing) Regulations 2002 (as amended).

7. There shall be a minimum secured luggage capacity of not less than twelve (12) cubic feet. The luggage must be safely secured so as not to obstruct, restrict, or cause injury to the occupants of the vehicle.

8. The luggage compartment must be of sufficient size to carry a wheelchair, when the boot lid/tailgate is closed and secured.

9. The vehicle shall be right hand drive only or a central driver position if it is a three wheeled vehicle.

10. No commercially styled vehicles shall be permitted e.g. vans.
TAXI RANKS

11.1 The licensing authority may appoint taxi ranks for the whole or part of any day in any highway in the district and on any land with the permission of the land owner and may vary the number of hackney carriages permitted at each stand.

11.2 No taxi rank shall be appointed so as:

   a) To be unreasonable to allow access to any premises;

   b) To impede the use of any points authorised to be used in connection with a road service licence as points for picking up or setting down passengers, or in such position to interfere unreasonably with access to any station or depot of any road transport operator;

   c) On any highway except with the consent of the highway authority.

11.3 It is an offence for any person to cause or permit any vehicle other than a hackney carriage to wait on any stand for hackney carriages. Drivers of hackney carriages may only wait on a stand whilst plying for hire or waiting for a fare; drivers who park on a stand and leave their vehicle unattended are committing an offence.
Hackney Carriage Byelaws

See www.arun.gov.uk
APPENDIX S

Private Hire Driver Licence conditions

1 **Conduct of driver**
The driver shall:
   a) Afford all reasonable assistance with passengers’ luggage
   b) At all times be presented respectfully and be of clean appearance
   c) At all times behave in a civil and orderly manner
   d) Take all reasonable steps to ensure the safety of passengers at all times
   e) Not eat or drink whilst conveying passengers in the vehicle
   f) Behave in a way which causes a nuisance to passengers or any other person
   g) At all times he is acting as a private hire driver comply with obligations and guidance detailed in the Arun District Council Taxi and Private Hire Policy

2 **Passengers**
The driver shall not convey in the vehicle a number of passengers greater than the vehicle is licensed to carry.

   The driver shall not without the consent of the hirer permit any other person to be conveyed in that vehicle.

   The driver shall comply with all relevant legislation relating to the wearing of seatbelts and use of child restraints.

3 **Lost property**
The driver shall immediately check the vehicle for left/lost property after the termination of each hiring.

   If the driver is unable to immediately able to return the property to the passenger he/she shall hand the property in at a convenient police station and obtain a receipt for it.

4 **Receipts**
The driver shall if requested by the hirer of a Private Hire vehicle provide a written receipt for the fare paid.

5 **Animals**
The driver shall not convey any animal belonging to or in the custody of the driver in the vehicle. The driver shall ensure that animals belonging to passengers are conveyed in the rear of the vehicle.

6 **Prompt attendance**
The driver shall if aware that the vehicle has been hired through an operator to be in attendance at an appointed time and place, shall punctually attend at that time and place unless delayed or prevent by sufficient cause.
7 **Deposit of driver licence**
Before commencing driving a private hire vehicle, the driver must lodge a copy of his/her driver’s licence with the proprietor and operator of the vehicle. A copy of the licence must be lodged as required until the driver ceases to be permitted or employed to drive the vehicle.

8 **Taximeter**
If the vehicle is fitted with a taximeter, the driver shall ensure the meter is clearly displaying the fare until the hirer has had a reasonable opportunity to examine it and has paid the fare.

9 **Fare to be demanded**
The driver shall not demand from any hirer of a Private Hire vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator. If the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, it shall not exceed that on the face of the taximeter.

10 **Change of name or address**
The driver shall notify the Council in writing of any change of name or address during the period of the licence within seven days of such a change taking place.

11 **Convictions**
The driver shall within seven days disclose to the Council in writing details of any conviction or caution imposed on him/her during the period of the licence.

12 **Return of badge**
The driver shall upon expiry, revocation or suspension of this licence return the badge issued with this licence to the Council within seven days.

13 **E-cigarettes**
The driver will not smoke e-cigarettes whilst the vehicle is being used for the purposes of conveying passengers.

14 **Renewal**
The driver will undertake any training or assessments deemed appropriate by the licensing authority for reasons of public safety during the life of the current licence and before the licence requires renewal.
APPENDIX T

Conditions relating to CCTV in vehicles

a) Approval in writing must be obtained from the Council before CCTV equipment is installed and used in the vehicle.

b) The CCTV shall be of a type approved by the Council.

c) The equipment shall be installed, operated and maintained in a manner to the satisfaction of the Council.

d) Any material recorded shall only be used as evidence in court proceedings or to aid the investigation of a crime or to confirm or refute allegations made against a driver or in relation to motor insurance matters.

e) No recordings shall be used for any other purposes other than those stated at d). Recordings will not be kept for more than 31 days if not required under d) but not stored for less than 7 days.

f) Access to recorded material shall be limited to the police and authorised officers of the Council. Access to recordings must be made available to these persons.

g) Notices indicating that CCTV is operating within the vehicle must be clearly displayed on passenger windows so they are visible from inside and outside the vehicle.

h) The provisions of the Data Protection Act 1998 must be fully complied with by the vehicle proprietor and registration documents must be made available to the Council. The person who is required to register is the data controller. This may not be you if the system provider accesses and provides recordings for you. Notification will require the purposes of the system to be explained. Usually to deter crime against drivers is acceptable. You need to ensure that you understand what you need to do to comply with requirements with the guidelines for use of CCTV. It is you that is responsible for any breaches of requirements.

i) Any breach of privacy rules or of the data protection principles or any human rights violations will be detrimental to a person’s standing as a fit and proper person to hold a licence issued by Arun District Council.

j) CCTV footage can be presented to the Licensing Subcommittee.