

Taxi Licensing Policy

2025

Private hire and hackney carriage vehicles, drivers and operators

Licensing Services

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Introduction

New Forest District Council ('the Licensing Authority') is responsible for the regulation of the hackney carriage and private hire trade, which is administered through a series of licensing processes.

In exercising its responsibilities, the Licensing Authority recognises both the needs of residents and the public to have access to safe, convenient and effective taxi services and the importance of this provision to the taxi trade and local economy.

There are significant distinctions in law on how Hackney Carriage and a Private Hire vehicle (with both types often referred to as taxis) are allowed to operate.

The purpose of this policy, and its related procedures, is to guide the Licensing Authority in the way it carries out its functions. The policy explains how regulation is achieved and decisions taken. Separate sections within the policy deal with regulation of drivers, vehicles and operators.

In developing this policy, New Forest District Council, as the Licensing Authority, has consulted the public at large and the trade, and has had regard to Statutory Guidance and Best Practice documents. The list is provided as **Appendix Q** in the Policy.

The Policy sets out application requirements and standards that must be met. In exercising its regulatory functions, the Licensing Authority will have regard to this policy document, however each application or enforcement action will be considered on its own merits. Where it has been necessary to depart from the policy, clear and compelling reasons will be provided.

The Licensing Authority will formally review the policy statement every five years and informally re-evaluate it from time to time.

Licensing Aims and Objectives

The Licensing Authority will adopt and carry out its hackney carriage and private hire licensing functions with a view to promoting 5 key licensing objectives.

In promoting these licensing objectives, the Licensing Authority will expect to see licence holders and applicants continuously demonstrating that they meet or exceed the requirements set out in the five licensing objectives below.

These objectives will be taken into account by the Licensing Authority when making decisions. It is recognised that the licensing function is only one means of securing the delivery of the above objectives and the Licensing Authority will also continue to work in partnership with the trade, neighbouring authorities, the police and other agencies, in addition to local businesses and residents. These objectives are;

1. The safety and health of drivers and the public

- Consideration of the history of convictions and cautions
- Driver training, qualification and performance
- Knowledge of the New Forest district and the specific nature of driving conditions
- Health and fitness to fulfil the role of a licensed driver
- Vehicle specifications
- Regular proactive compliance inspections

2. Vehicle safety, comfort and access.

- Standards of vehicle comfort and appearance
- Space standards for vehicles
- Provision of disabled facilities
- Number of vehicles available
- Provision for the elderly and young

3. The prevention of crime and disorder and the protection of consumers.

- Operating rules, conditions and disciplinary processes
- Vetting, qualifications, training and monitoring licensees
- Measures to prevent noise and light nuisance from taxi activities
- Commitment to work with the police and other licensing authorities

4. Encouraging environmental sustainability.

Working with Central Government, council services, neighbouring local authorities and stakeholders in the trade, to find methods of reducing vehicle emissions.

5. Promoting the corporate objectives of New Forest District Council.

Promoting the Council's vision, values, priorities and commitments as set out in the corporate plan.

Legislation

In undertaking its licensing function, the Licensing Authority will have regard for a number of statutory guidance documents and legislation, as provided in **Appendix Q**.

Policies

The Licensing Authority will have regard to other strategies, policies and guidance in its decision making.

The Licensing Authority will also have regard to wider considerations affecting visitors, employers and the residential population of the New Forest. This includes the availability of transport, public nuisance, pollution, crime etc. The Licensing Authority will follow the principles laid out in the Regulatory Compliance Code.

Delegated Authority

In accordance with the Licensing Authority's constitution, the General Purposes and Licensing Committee (GP&L) are responsible for all matters relating to hackney carriages and private hire vehicles.

However, delegated authority is given to the Strategic Director - Housing and Communities, Service Manager and Licensing Manager to make decisions, where there is a need to respond quickly based on safety or statutory needs. These decisions will be made following consultation with the chairman or vice chairman of the General Purposes and Licensing Committee.

1 Drivers

1.1 Application Process (Appendix A)

This section applies to drivers of private hire and hackney carriages. Drivers must satisfy the Licensing Authority that they are fit and proper people to be licensed drivers and must remain so throughout the course of the licence.

The Licensing Authority aims to ensure that private hire and hackney carriage services delivered within the Forest are of a good standard. The application procedure is designed to ensure these standards are maintained and continually monitored for improvement.

To assess whether the applicant is a fit and proper person, the Licensing Authority will consider:

- criminality (whether the applicant has any criminal convictions or cautions)
- driving licence – length of time held, and penalty points endorsed.
- the Right to Work in the UK
- medical fitness
- general conduct/standards of behaviour
- conduct of the applicant during the application process
- previous licensing history
- knowledge of the New Forest District, the Highway Code and taxi law
- ability to communicate and understand English language
- the age of the applicant (21 or over)
- awareness of safeguarding issues
- intelligence from other agencies such as the police and the National Anti-Fraud Network (NAFN).

1.2 Disclosure and Barring Service (DBS)

New driver applicants are required to present an enhanced DBS certificate and all drivers/applicants must register for the DBS update service. Every licensed driver will be subject to six monthly DBS checks in line with Department for Transport guidance. The result of each disclosure will be used to assist the Licensing Authority in deciding the fitness and propriety of the applicant/driver.

As the DBS check is of an enhanced standard, all new applicants **must** declare all convictions, cautions or fixed penalty notices they have ever received. Should an applicant fail to disclose this information on the application, this may result in rejection of the application on the grounds of fitness and propriety of the applicant. All licence holders **must** notify the Licensing Authority of any conviction, caution, fixed penalty notice, or motoring offence received during their licence period. Failure to comply with this requirement may result in suspension or revocation of the driver licence.

Until all renewal applicants are signed up to the update service, drivers must apply in a timely manner to obtain a DBS certificate, as in some cases the DBS may take several weeks to issue a certificate. The Licensing Authority cannot assist with the progress of a DBS enquiry and a licence will not be issued unless the DBS information has been received.

Subscription to the update service (and continued annual payment) will ensure that there is no delay in the Licensing Authority accessing DBS information.

Licences will not be issued (either full or temporary) without receipt of a DBS certificate or information from the update service.

1.3 Residency periods outside the UK

The UK Disclosure and Barring Service (DBS) can only provide background information on UK based criminality. If an applicant, has spent six continuous months or more living outside of the United Kingdom during the previous 5 years, they must provide evidence by way of a Certificate of Good Character/Conduct from the relevant country, or countries covering the period the applicant was overseas.

1.4 Right to work in the UK

All new applicants for a licence must provide documentary evidence to confirm that they may legally work in the UK. This is a requirement under The Immigration Act 2016. Please refer to **Appendix A** for full details.

A licence will not be issued for longer than the period that the applicant has permission to undertake paid employment in the UK.

On renewal, drivers may also be asked to present original identity documents to ensure they have a continued right to work in the UK.

1.5 Policy to determine the relevance of criminal convictions

The Licensing Authority has guidance in **Appendix B** which relates to the relevance of convictions, to determine if an applicant is a suitable person to hold a hackney or private hire driver's licence.

Licences for drivers of hackney carriages and private hire vehicles will only be granted where the Licensing Authority is satisfied that the applicant is a "fit and proper" person to hold such a licence.

The guidelines will also be taken into account when dealing with an application for renewal of an existing driver's licence when considering whether to renew, suspend or revoke a licence.

When submitting an application for a hackney carriage or private hire drivers licence, applicants must declare all previous convictions (traffic and criminal) that they may have, including convictions classed as spent under the Rehabilitation of Offenders Act 1974.

Spent convictions will only be taken into consideration if they are relevant to the application.

Applicants are also required to declare any formal police cautions and all endorsable fixed penalty notices. An applicant must also provide details of any pending or criminal matters in which they are currently the subject of an investigation or prosecution.

Any applicant who is refused a driver's licence on the grounds that they are not a fit and proper person has a right of appeal to the Magistrates Court.

1.6 National Anti-Fraud Network (NAFN) NR3S database

Details for all drivers that have been refused a licence or had a driver licence revoked or suspended will be held on the National Register of Revocations, Refusals and Suspensions (NR3S database). This information is shared, to protect the public and ensure that authorities have all the information required to make a decision on the fitness and propriety of a driver/applicant. It also prevents unsuitable drivers from obtaining licences with other authorities and withholding information.

Licensing authorities will retain the reasons for any refusal or revocation and provide those to other authorities as appropriate, under the terms and conditions of the database.

1.7 Knowledge test (stage 1)

The Licensing Authority issues dual licences which allow licence holders to drive private hire or hackney carriage vehicles. All new driver applicants must undertake and pass the Licensing Authority's driver knowledge test prior to being licensed.

The test involves a series of questions to ensure that the applicant has the required knowledge to undertake the role of a licensed driver.

Areas covered in the test are:

- the English language,
- the Highway Code,
- taxi and private hire law,
- geographic knowledge of the New Forest District.

Details of the knowledge test are set out in **Appendix C**.

1.8 Medical Fitness

Once the applicant has passed the knowledge test, they can progress to stage 2 of the application process, which includes the requirement to be medically fit to drive.

Licensed drivers are required to meet more stringent medical standards as they are professional drivers and are required to:

- transport members of the public safely,
- spend significant periods of time driving,
- assist disabled passengers and handle luggage.

The Licensing Authority requires applicants and drivers to meet the Group 2 Standard of Medical Fitness as applied by the DVSA to the licensing of lorry and bus drivers.

A driver's licence will not be granted until medical clearance has been established. This applies to new and renewal applicants.

Medical examinations must be carried out by the applicant's own general practitioner (GP). The medical examination will ensure that the applicant satisfies all the requirements to the DVLA Group 2 standard.

If applicants are unable to obtain a medical examination with their own GP, they should contact the Licensing Authority for further advice. All doctors who carry out a medical examination must have access to patient records.

All licence holders are required to inform the Licensing Authority of any illness or condition that affects their ability to drive, within seven days of the illness/incident.

In the case of a major medical event, the licence will be suspended.

Suspended drivers must undertake a Group 2 medical with their own GP before the licence can be reinstated. In addition, they must obtain a letter from his/her consultant to confirm fitness to drive.

Further details are contained in **Appendix D**, together with the policy for diabetic drivers/applicants.

1.9 Duration of a Licence

The Licensing Authority issues combined dual driver licences for up to three years, which permits the holder to drive a hackney carriage or a private hire vehicle. However, the Licensing Authority does have discretion to issue licences for a shorter duration, dependant on the individual circumstances.

1.10 Conditions

The Licensing Authority may attach conditions to the dual driver's licence as are considered necessary. These are set out in **Appendix G**. Failure to comply with conditions may result in disciplinary action.

1.11 Code of Conduct

As required by legislation, all drivers must wear their identifying driver badge on their person where it can be clearly seen by passengers at all times when driving a licensed vehicle. This does not apply to drivers of vehicles granted an exemption to display the licence plate (executive vehicles).

The purpose of the driver code of conduct is to seek a standard of service and appearance which promotes a professional and positive image of the New Forest District and to ensure that public and driver safety is not compromised.

The code also addresses acceptable behaviour with passengers and safeguarding for those passengers that are vulnerable.

The code of conduct and dress code is set out in **Appendix E**.

1.12 Driver duties for disabled passengers

The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 amends the applicable provisions in the Equality Act 2010.

Under this legislation drivers and operators of taxis and private hire vehicles have a duty to assist disabled passengers.

The amendments to the Equality Act 2010 intend to promote a positive impact on all disabled people, ensuring they are better informed about the accessibility of designated taxis and private hire vehicles in their area, and are confident of receiving the assistance they need to travel safely in vehicles that are recognised as wheelchair accessible in addition to those that are not designated as such.

There are certain duties required which are outlined below. Drivers may only be exempted from mobility assistance on medical grounds, but any exemption request is required to be accompanied by letter or report from a GP outlining and evidencing why the driver cannot carry out duties under the Act. Please refer to **Appendix D** for further details on exemptions.

Licensed drivers are under a legal duty to carry guide, hearing and other prescribed assistance dogs in their vehicle without additional charge, unless exempt. They must also allow the dog to remain with the passenger.

If a driver has been granted an exemption from these duties, only the exempted driver can display the notice when driving the vehicle. If a vehicle is used by multiple drivers, the driver who holds the exemption should remove the exemption notice from the windscreen when they are not driving the vehicle.

Requirements

Drivers should ask passengers if they need assistance and respond to any requests positively.

A driver may also be asked to provide assistance to the passenger to identify and locate their vehicle at no extra charge. This may include giving audio directions for a visually impaired passenger, pointing out the colour and style of the vehicle or providing visual directions for a hearing-impaired passenger. Information may also need to be repeated for some passengers.

Drivers must accept the carriage of any disabled person, provide them with reasonable mobility assistance and carry their mobility aids and/or wheelchair (in the boot of the vehicle) at no additional charge. The driver must assist with placing the wheelchair in the boot and open the door for the passenger.

Drivers should not carry any unessential items in the boot of the vehicle which could prevent a wheelchair or mobility aid from being stowed there.

Vehicles

The meter must not be engaged until the vehicle is ready to move and a meter should not be activated before, or left running, whilst the driver performs duties required by the Act.

Operators

Are required to accept a booking, for or on behalf of a disabled person, if they have a suitable vehicle available, with no additional charge for such a booking. When accepting the booking the operator should ask if there is any additional assistance required and if so, this information should be relayed to the driver.

No extra charges are permitted for the carriage of assistance dogs and the operator cannot refuse to take a booking where an assistance dog will accompany the owner.

1.13 Safeguarding

In order to protect the public and safeguard children and vulnerable adults whilst being transported within the district, there is a requirement that all new and renewal applicants undertake and pass an external safeguarding training course. By raising awareness with operators and drivers, provides knowledge on how to identify issues and therefore report any suspicion or concerns. Failure to report a safeguarding suspicion or concern may lead to action against a licence holder.

1.14 Renewal applications

The Licensing Authority will issue renewal documents approximately six weeks prior to expiry of the licence and drivers must provide all documentation as requested in the renewal pack.

Drivers **must** declare all convictions and cautions including motoring convictions, although they may be historical. Failure to declare relevant information may affect the progress of the application. However, for minor omissions, should the application be granted, a warning letter will be issued and held on the driver's file.

Any driver whose licence has expired will be treated as a new driver and must present all documents, in addition to undertaking a medical examination and passing the driver knowledge test and safeguarding assessment. An application must be received before the expiry date if the driver wishes to renew.

1.15 Revoked drivers or applicants that have been refused a licence

Where the Licensing Authority has refused to grant a driver licence to an applicant, or a driver has had a licence revoked or it has expired during a period of suspension; no new application will be considered for a minimum period of three years from the date of refusal, revocation or expiry.

Any application subsequently received, will be determined by Members of a Licensing Sub-Committee and all the applicant's history and background considered. Where the application is refused, medical and associated fees will not be refunded.

The NAFN NR3S register will be notified of any revocation, refusal or suspension.

1.16 Linked Private Hire Operators

If a licensed driver begins working for another operator, the driver must notify the Licensing Authority (in writing) within seven days of the change. It is essential that the Licensing Authority have all current details for the driver, should a complaint be received, or the driver be contacted for other reasons. If a driver works for more than one company, the Licensing Authority must be provided with the details for each operator.

1.17 Failure to declare all matters

Failure to declare all relevant information will cause the fitness of the applicant to be called into question. The declaration must be signed to confirm that the applicant has completed the form honestly. If reliable information is subsequently received to the contrary, this is likely to indicate that the applicant cannot be regarded as fit and proper and may lead to the application being refused.

Licence holders must also ensure that **all** convictions, cautions, pending actions/investigations and motoring convictions are declared including those that are historical.

1.18 Police investigation

Licensed drivers must report (in writing) any police investigations to the Licensing Authority within 48 hours of police contact and provide updates if required. This is to ensure that the driver remains fit and proper and suitable to continue to hold a NFDC driver licence whilst the investigation is on-going.

1.19 Notification of a change of address

Licensed drivers must report any change of their home address to the Licensing Authority, in writing, within seven days of the change.

2 Private Hire and Hackney Carriage Vehicles

The following provisions apply to both private hire and hackney carriage vehicles.

There are additional issues which relate only to private hire vehicles set out in 2.13 and for hackney carriages set out in 2.14.

2.1 Application process

The Licensing Authority will consider all applications for vehicle licences on their own merits.

The procedure for dealing with applications for private hire and hackney carriage vehicles is set out in **Appendix A**.

The applicant must satisfy the licensing authority on the following points:

- Completed vehicle application form,
- payment of the appropriate fee,
- original vehicle registration document (V5),
- successful valid vehicle inspection report from the authority's testing facility,
- valid policy of insurance,
- vehicle inspection report from the authority's inspection garage,
- valid MOT,
- basic DBS certificate (within last 3 months) if the proprietor is not a NFDC licensed driver.

2.2 Grant and renewal of licences

Private hire vehicle licences and hackney carriage vehicle licences will be issued for up to 12 months following production of all the necessary documents.

Vehicle licences will only be issued on the condition that the vehicle is not licensed by another licensing authority as either a hackney carriage or private hire vehicle.

If a vehicle has a licence with another authority, it must be surrendered before this Licensing Authority issues a vehicle licence. Proof of surrender from the previous authority will be required.

2.3 Vehicle age and exhaust emissions

The Licensing Authority aims to ensure that taxi and private hire vehicles are, and remain, of a good standard. It recognises that the high mileage and general wear and tear sustained by vehicles will have an impact on their continued serviceability over a period of time.

In the interests of public safety and comfort and in support of climate change action, the Licensing Authority (at the adoption of this policy) will introduce age restrictions for hackney carriages and private hire vehicles as part of the licensing process. These restrictions raise the standard of new vehicles to the fleet, ensuring that those licensed by the New Forest are of a consistent standard to neighbouring authorities.

The qualifying criterion are as follows:

All vehicles must meet Euro 6 emission standards, from the date of first registration, **at the time of initial licensing**.

Wheelchair Accessible Vehicles (WAVs) are not subject to any emission or age criteria.

All vehicles currently licensed by the Licensing Authority are not subject to upper age limits or emission standards. However, any replacement vehicle for one already licensed will become subject to the Euro 6 emission standard. This will be kept under annual review.

Euro 6 is the sixth and latest directive to help reduce the level of harmful pollutants produced by new vehicles.

The Euro 6 standard sets out the acceptable limits for these exhaust emissions and since September 2015, all new cars sold have had to comply with the Euro 6 standard.

Twice yearly testing will be required for vehicles that are eight (8) years and older.

2.4 Insurance

A valid certificate of insurance or cover note must be produced for the vehicle. It must provide the correct category of cover for the licensed use for the vehicle. A cover note will be accepted, and the licence issued, on the understanding that the proprietor will keep the vehicle insured throughout the licensed period.

2.5 Vehicle specification

The Licensing Authority publishes a series of specifications that a vehicle needs to comply with, prior to it being accepted as a licensed vehicle. The specification is set down in **Appendix F** and further information on the testing criteria is provided as **Appendix P**.

Where an officer does not consider a vehicle suitable to be licensed as a hackney carriage or private hire vehicle, the matter may be determined by a Licensing Sub-Committee.

2.6 Conditions

The Licensing Authority may attach such conditions as it considers reasonably necessary in relation to the grant of a hackney carriage or private hire vehicle licence.

The Licensing Authority has set standard conditions, and these are in **Appendix H** for private hire vehicles and **Appendix I** for hackney carriages. Where considered necessary (taking into account the licensing objectives) additional conditions may be imposed.

2.7 Identification of vehicles as private hire or hackney carriage

The Licensing Authority requires all hackney carriages and private hire vehicles to clearly indicate to the public that they are licensed vehicles. They must, therefore, be distinguishable from other vehicles and each other.

External licence plates

The external licence plate must be securely fixed to the outside of the rear of a licensed vehicle using the approved bracket. The printed plate must not be reproduced or altered in any way. Plates **MUST NOT** be attached to vehicles by the use of magnets, sticky tape or velcro. As a licensed vehicle it remains licensed at all times, the plate **MUST** not be removed under any circumstances, unless by an officer of the Council, for mechanical reasons.

Failure to attach a licence plate in the approved manner may result in a suspension of the vehicle, to allow the proprietor time to correctly fix the issue.

Internal licence plates

The internal plate **MUST** be fixed to the inside of the front windscreen using the clear pouch provided. The internal plate must be placed in the bottom left corner of the windscreen where it can be easily read by passengers and those outside the vehicle.

Failure to attach a licence plate in the approved manner may result in a suspension of the vehicle, to allow the proprietor time to correctly fix the issue.

Taxi roof signs

All hackney carriage vehicles must have securely fitted roof mounted taxi signs. The sign must be linked to the meter and illuminate when the taxi is available for hire.

Private hire vehicles are not permitted to carry any roof-mounted signs of any kind or any references to the word "taxi", "for hire", or "hackney".

Private hire vehicles-door stickers

Unless an individual exemption has been granted to the operator, for the vehicle (executive vehicles only working solely on contracts with specific conditions attached to the licence), self-adhesive identification signage must be attached to each of the rear passenger door panels of the vehicle. Only signage approved and supplied by the Licensing Authority may be used, as they identify the Licensing Authority and the legal requirement for all journeys undertaken in the vehicle to be pre-booked.

These must be displayed at all times and NOT altered in any way or removed at any time whilst the vehicle is licensed. These signs must not be fixed using magnets, Velcro or adhesive tape.

Failure to display the Licensing Authority door stickers in the approved manner will result in suspension of the vehicle until the matter is rectified.

Signage is detailed in **Appendix F**.

2.8 Advertising on licensed vehicles

Self and third-party advertising is permitted on hackney carriage and private hire vehicles, subject to the approval of the Licensing Manager. A proof of the proposed advertising must be provided for approval.

There is no restriction on the positioning of advertisements, providing that safety is not compromised.

2.9 Accidents

The driver of a licensed vehicle must report any accident involving their licensed vehicle to the Licensing Authority as soon as possible and no later than 72 hours after any incident which causes any of the following:

- damage materially affecting the safety, performance or appearance of the vehicle,
- damage affecting the comfort or convenience of persons using the vehicle,
- damage rendering the vehicle in contravention of the licensed vehicle conditions.

The vehicle must pass a mechanical vehicle inspection at the Council's garage, following repair, to ensure it is fit to be used as a licensed vehicle.

2.10 High visibility clothing

A high visibility vest or jacket must be kept in the passenger compartment of the vehicle at all times to assist in case of break down or emergency. Large sections of the New Forest district are unlit and night -time breakdowns pose a high risk in such areas. There are also high-speed roads and a motorway which pose a risk to any vehicle that is stopped on the verge, hard shoulder or inside lane.

In addition, high visibility vests or jackets must be worn by all visitors to the Council's Lymington garage facility.

Failure to wear a high visibility vest/jacket when attending the garage facility at Lymington for a vehicle test will result in a failed test and a re-test must be booked which will incur a further fee. There is no requirement to wear high-visibility clothing at the Hardley depot.

2.11 Vehicle examination and testing requirements

All vehicles aged under 8 years old are subject to an annual inspection at the Council's testing facility. All vehicles aged 8 years old and over are subject to a 6 monthly inspection at the Council testing facility.

This inspection is not a Certificate of Compliance and vehicle proprietors must also obtain a separate MOT certificate where required. All vehicles must have current road tax.

Vehicles that are eight years and older from the date of first registration must undertake an additional test, six months after the licence grant date.

Should the vehicle fail the six-monthly test, the Council's vehicle examiner may issue a notice to suspend the licence until the fault(s) has been rectified and the vehicle re-tested successfully.

Details on the vehicle assessment are in **Appendix F and Appendix P**.

Interim inspections

If a vehicle fails to meet the required standards, the licence may be suspended or revoked. If a vehicle is suspended and the reason for failure is not rectified within two months, this will result in automatic revocation of licence.

2.12 Card payments

It is advisable for all licensed vehicles to carry a device that is capable of accepting a payment for a journey by a credit or debit card. This assists all customers who may not carry cash on their person.

2.13 Additional provisions for private hire vehicles only

The Licensing Authority has no power to limit or otherwise restrict the number of private hire vehicles.

Private hire vehicles may set their own fare structure.

Ranking

Drivers of Private Hire Vehicles shall not stop on or near an appointed hackney carriage rank at any time in circumstances which could give the impression that the vehicle is being used to ply for hire.

Wheelchair accessibility

In addition to all other licensing conditions, any applicants seeking the grant of a private hire vehicle to carry passengers who are seated in a wheelchair must present a vehicle which has:

- M1 classification and comply in all respects to EC Whole Vehicle Type Approval,
- proper fittings for the securing of the wheelchair and any passengers seated in them,
- access and egress via side doors,
- a purpose designed tail lift, manufactured and installed in accordance with European standard (CE) PRENT 1756.

Limousines

Please refer to **Appendix J**.

Executive hire exemptions

Please refer to **Appendix K**.

2.14 Additional provisions for hackney carriages only

Since 2006, the Licensing Authority will only issue new hackney carriage licences to those vehicles that are fully wheelchair accessible (WAVs).

These wheelchair accessible vehicles **must** be accessible for the carriage of passengers in their **wheelchairs at all times**. The vehicle must be able to transport a passenger in a wheelchair immediately, upon request, whilst the vehicle is plying for hire or waiting at a rank and must carry the appropriate equipment to safely convey the person.

If a WAV is not carrying suitable equipment to allow the carriage of a wheelchair passenger, use of the vehicle may be suspended until the correct equipment is reinstated.

Existing hackney carriage vehicles licensed with a licence number of 1 to 88 (inclusive) were granted an exemption for the requirement to be wheelchair compliant.

Hackney carriage licences numbered 1-88, with grandfather rights, **MUST** remain licensed at all times. If a licence expires, the plate must be returned, the licence will lapse and may no longer be allocated to a vehicle.

Meters

All hackney carriages must be fitted with an approved taximeter. Meters must be installed and calibrated by a competent person approved by the taximeter company. The meter must be calibrated to the Licensing Authority's current table of tariffs.

Meters must be positioned in order that the fare must be clearly displayed to the passenger throughout the journey.

The Licensing Authority does not consider GPS devices as suitable replacements for taxi meters for use in Hackney Carriages.

Fares

The Licensing Authority sets the maximum rates that may be charged by hackney carriage vehicles (table of tariffs). Private hire vehicles may set their own fare structure.

The table of tariffs must be displayed in the vehicle where it may be seen by customers. Where the meter is set to a tariff lower than the Licensing Authority's maximum, a clear notice should be displayed in the vehicle.

The table of fares (taxi tariff) will be reviewed following a request for a review if it is supported by at least 70% of hackney carriage proprietors. Any review is subject to public consultation and will take into account feedback received.

Any review of fares will be subject to a 14-day consultation period, as required by the relevant legislation and approval by the Council's General Purposes and Licensing Committee.

The review of fares will take into account feedback from the public, trade and other bodies, review of motoring costs such as fuel prices, licensing fees, and a comparison with fares set by other local authorities.

3 Operators

3.1 Requirement for a licence

In order to ensure the safety of the public, any person who operates a private hire service must apply to the Licensing Authority for a Private Hire Operator's Licence.

The licence permits the operator to make provision for the invitation or acceptance of bookings for a private hire vehicle. The operator must ensure that every private hire vehicle working under their operator licence has a vehicle licence, insurance cover and is driven by a person who holds a driver's licence. All three licences must be issued by the same local authority.

All applicants for the grant or renewal of a private hire operator's licence must satisfy the Licensing Authority that they are a fit and proper person.

The applicant must submit a five-year business plan outlining the customer base, how they intend to operate, number of staff employed, likely number of vehicles that will operate under the licence and how the business will be carried out.

In addition, if the business intends to operate from an office where members of the public visit to book a journey or wait for a vehicle, the operator must provide evidence of their public liability insurance.

The planning authority will be consulted when an application is received and copies of all application documents will be forwarded, where they will consider the suitability of the premises that the operator intends to use as the operating base.

All new private hire operator applicants are required to provide relevant background information as outlined on the application form. Contact details for two referees must be provided, who can vouch for the applicant in a business capacity, have known the applicant for at least two years and can support the application.

During the one-month consultation period where background checks will be made, the applicant will also be required to attend Appletree Court for an interview with the Licensing Compliance Officer to discuss their application.

An operator's licence will normally be granted for a period of five years but may be issued for a lesser period. In such cases, full reasons will be given for departing from the standard policy award and standard rights of appeal will apply.

A renewal application must be received and processed before the expiry of the current licence.

3.2 Fitness and propriety

The Licensing Authority will have regard to the following to assess whether the applicant is a fit and proper person:

- criminal records including convictions, cautions, warnings and reprimands,
- demeanour, general character, non-criminal behaviour, honesty and integrity,
- previous conduct,
- business practices demonstrated by the applicant (record keeping, compliance with other regulatory requirements, financial practices).

Any applicant who is not a driver licenced by the Licensing Authority will be required to produce a Basic Disclosure from the DBS and undertake the Licensing Authority's approved Safeguarding Awareness Training.

3.3 Operating base

The Licensing Authority will not grant an operator's licence for an operator with an operating base outside of the New Forest District Council's area. This is to ensure that proper regulation and enforcement measures may be taken by the Licensing Authority and is in no way intended to be a restraint on trade.

Applicants must ensure that the property they intend to operate from has the correct planning permission.

If the operator moves their base to another location within the district, a new application must be submitted. The new application will be subject to a pro-rata fee and consultation with the planning authority, to ensure permission has been granted and the premises are suitable.

The operator must consider the location of their base and the nature of the operation, together with the number of vehicles that are likely to visit the premises. If this is a domestic premises this may cause nuisance to neighbours and therefore vehicle movements and the times vehicles visit the premises should be limited. Records should be produced at the location stated as the business address on the licence.

To meet the requirements of the Licensing Authority, the business address provided on the application form (which will subsequently form the licence address) must have recognised office facilities, a regular postal service and be widely acknowledged as a site that provides office space. The site must also be suitable for compliance inspections and meetings with officers. **A PO Box address is not acceptable.**

3.4 Operator conditions

The Licensing Authority can impose such conditions on an operator's licence, as it considers necessary to uphold the licensing objectives. Standard conditions are set out in **Appendix M**.

3.5 Insurance

If the public has access to the operator's premises, the applicant must produce evidence that they have appropriate public liability insurance prior to granting of a licence.

3.6 Transfer of a licence

The operator's licence is not transferrable to another person, nor does it authorise the licence holder(s) to operate from any address other than that specified on the licence. See 3.3 above for change of address.

3.7 Operator fleet

Licensed operators must ensure that all vehicles linked to the business are maintained and road-worthy at all times. It is expected that vehicles presented for tests have been given a visual check by the driver or operator prior to the test, to prevent test failures. Customers have a right to be carried in vehicles which are clean and well maintained and the operator responsible for the booking and despatch of the vehicle must bear a level of responsibility for this.

Operators are expected to ensure that drivers who fulfil journeys booked through them are always courteous and professional when carrying passengers. In addition, professional behaviour is always expected whilst communicating with authorised officers (Licensing, Police or Council mechanics).

3.8 Business name restrictions

The Licensing Authority will not licence a private hire operator with the same or similar name as another existing operator. This could cause confusion for the public and may have a safety impact. It also creates identity problems for each business.

Prior to submitting an application, please check the online public register for current operators and ask officers for advice.

In addition, you cannot use the same name that has previously been used in this area by an operator and has been registered with Companies House.

Unless your fleet has at least one NFDC licensed hackney carriage, the business cannot have the word 'taxi', 'cab' or any word of a similar meaning or appearance in the licensed name of the business.

Email addresses used by customers and this Licensing Authority must reflect the name of the New Forest operator to prevent confusion.

If the operator also holds an operator licence with another authority, all bookings, customers information and communications should be kept separate and easily identifiable.

3.9 Operator checks on employees.

Operators, those Directors named on a licence, employees that have access to customer records and those that despatch vehicles under the terms of the operator licence are privy to a significant amount of personal information including contact information for customers and holiday dates when properties are empty. It is important for employers to ensure that their staff are suitable to be in receipt of this information.

Operators should require their employees to obtain a basic DBS disclosure prior to employing them and consider the background of the proposed employee.

In addition, operators must keep records of all their drivers. Operators should be aware of the expiry date of each NFDC driver licence and check their DVLA status using the online check facility before employment and periodically throughout. This will ensure that the driver is properly licensed by the Licensing Authority and the DVLA. The operator should also provide a list of all employees when requested to do so.

The Licensing Authority requires that the operator holds a record of such checks.

3.10 Operator records

The conditions attached to the operator licence provided at **Appendix M**, outline the records that need to be kept and produced to an officer at any time.

If journeys are sub-contracted, these must only be forwarded to licensed operators, or drivers with their own operator licence. These journeys must be reflected on the operator booking records, together with details of who the sub-contracted journey has been allocated to. The passenger must also be informed.

3.11 Responsibilities for disabled passengers

Under the **Equalities Act 2010, as amended by the** Taxis and Private Hire Vehicles (Disabled Persons) Act 2022, drivers and operators of taxis and private hire vehicles have a duty to assist disabled passengers.

Operators are required to accept a booking, for or on behalf of, a disabled person if they have a suitable vehicle available with no additional charge for such a booking. When accepting the booking the operator should ask if there is any additional assistance required and if so, this information should be relayed to the driver.

The same criteria is required for the carriage of assistance dogs. No extra charges are permitted, and the operator cannot refuse to take a booking where an assistance dog will accompany the owner.

4 Fees

The Council will set fees for licences at a level that will recover the costs incurred by the Council for issue, administration, and compliance of each type of licence.

4.1 Review of fees

Fees are reviewed annually for implementation in April however the Council reserves the right to review fees at any time.

Current applicable fees can be found at [Taxi driver licence - New Forest District Council](#)

5 Compliance and Enforcement

5.1 Principles

The principal purpose of hackney carriage and private hire licensing is to protect the public and promote public safety. To achieve this, the Licensing Authority will provide an efficient, targeted and proportionate regulatory service to those it regulates.

The Licensing Authority will comply with the Regulator's Code which came into force in 2014. This sets out the following principles to enable the Licensing Authority to:

- carry out their activities in a way that supports those they regulate to comply and grow,
- provide simple and straightforward ways to engage with those they regulate and hear their views,
- base their regulatory activities on risk,
- share information about compliance and risk,
- ensure clear information guidance and advice is available to help those they regulate meet their responsibilities to comply,
- ensure that their approach to their regulatory activities is transparent.

Where appropriate, referrals will be made to other agencies including the Police, HM Customs and Excise, DVLA and the Children's and Adult Safeguarding teams.

The Licensing Authority will respond to complaints made by the public and referrals from other agencies and bodies. In addition, officers will undertake proactive inspections as part of programmed operations.

5.2 Warnings

Warnings may be issued for minor or first-time infringements. A warning letter will remain on file for a period of three years and will be referred to in the event that the licence holder is brought before the Sub-Committee for any other reason.

If a subsequent and similar incident/complaint is received, the driver will be invited to attend a Licensing Sub-Committee hearing to explain their actions and pattern of behaviour. Members will consider if they can be considered fit and proper and may continue to hold a driver licence.

5.3 Further training

Drivers may be required to undertake further training should their behaviour or driving skills be called into question, following a single or multiple complaints. A suitable course and timescale will be identified by the Licensing Authority which will be taken at the driver's own expense.

5.4 Suspension of a licence

Authorised officers are permitted to temporarily suspend the licence of a driver, vehicle or operator should they have reason to believe that the safety of the public warrants such action.

Where a licence holder is in breach of a licence condition, the licence may be suspended for a specified period of time, to rectify the issue, allow for the holder to undertake training or for any other reason.

5.5 Revocation of a licence

A driver licence can be suspended or revoked immediately in the interests of public safety under the provisions of section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.

In the most serious cases, officers and decision makers have delegated powers to immediately revoke a driver licence. This is only considered where the safety of the public is at risk. However, the Licensing Authority will carefully consider all the facts before such a decision is made and the driver contacted in the first instance to establish if there is any other information that may be relevant, to be considered before any decision is made.

Vehicle, driver and operator licences may be revoked by the Licensing Sub-Committee.

If the seriousness of the case merits revocation, this course of action will be available to the Sub-Committee even if it is the first enforcement action taken against the licence holder.

The Licensing Authority is aware of the judgement in Singh v Cardiff City Council and will not suspend a licence and subsequently revoke it on the grounds of fitness and propriety. Where there are concerns regarding a person's fitness and propriety the Licensing Authority will generally revoke the licence. Should information subsequently come to light which alters the Licensing Authority's view, a new licence application may be submitted and dependant on the circumstances the fee may be waived by the Authority.

5.6 Hearing and Appeals

If the case does not compromise the immediate safety of the public, the fitness and propriety of the driver will be considered at a formal hearing of a Licensing Sub-Committee, where the licence holder (and any witnesses) will be given the opportunity to hear the evidence and present their case.

Licence holders may be referred to a Licensing Sub-Committee for a number of reasons including committing offences, failure to comply with any part of this policy, or for any other conduct which impacts on their fitness to be a licence holder.

The Sub-Committee will consider the impact of the offending/conduct on the individual's fitness to hold a licence and take such action as is appropriate in the circumstances.

This may include:

- A warning letter to be issued and held on file,
- Suspension of a driver licence for a specified period of time ,
- Revocation of the driver licence which may have immediate effect, or
- Other conditions or stipulations attached to the decision as Members see fit.

6 APPENDICES

Appendix A – Application Process

1.0 Drivers

The Licensing Authority has a responsibility to ensure that licensed drivers can be considered as fit and proper and suitable to hold such licences, given the circumstances of their employment. In order to assist in making these decisions, a variety of checks are made on the applicant as below.

1.1 Disclosure and Barring Service (DBS) check

All applicants/licensees are required to obtain an enhanced DBS certificate to include a check on the barred lists. If an applicant has signed up to the update service with a certificate not previously issued by this Authority, we will need to see the certificate, prior to completing a check with the DBS Update Service. Full information on how to apply is available from Licensing Services or on the Council's website at [Taxi driver licence - New Forest District Council](#).

Drivers and applicants are required to sign up to the DBS update service. This is an annual subscription service that allows drivers to provide licensing officers with access to DBS records at any time.

Applicants must sign up to the update service within 28 days of their DBS certificate being issued. <https://www.gov.uk/dbs-update-service>.

All new applicants must subscribe to the DBS online update service before a licence is issued. Existing drivers must sign up to the update service when next required to produce a DBS certificate, in line with this policy.

Signing up to the update service will be required by condition on the driver licence. Licensees must also give consent to the Licensing Authority to check the status of their certificate online should we consider it necessary to do so, and routinely every six months, in line with statutory guidance.

The Licensing Authority will use the Update Service to monitor the criminal record of licence holders. The Update Service can be used when a licence is renewed, if there are no changes recorded on the DBS certificate. If there are changes, officers will need to see the full certificate before a licence is renewed.

All new applicants must subscribe and maintain a subscription to the DBS Update Service before the licence can be issued. Licensing officers will need to see the applicant's first DBS certificate prior to them joining the update service.

Existing drivers must sign up to the DBS Update Service when next required to produce an enhanced DBS certificate (i.e. their next licence renewal) **and this must be confirmed before the renewal application can be granted.**

A licence will not be granted in the absence of a current enhanced DBS certificate or renewed without either the same or a check completed via the Update Service. A licence will be suspended if a mid-term check cannot be completed when the Licensing Authority submits a request to the Update Service.

Applicants and licensees are responsible for the costs of obtaining the enhanced DBS certificate and any costs associated with maintaining the DBS Update Service subscription. The annual payment must be paid to enable continuation of access to the Update Service. It is important that the method of payment for the subscription is maintained to allow the DBS to take the annual payment when required.

This, however, does not negate the need for licensed drivers to inform the Licensing Authority of any new arrests, convictions cautions etc.

The Licensing Service does not take any responsibility for incorrectly completed DBS requests that incur an additional charge and a duplicate application.

In the interests of public safety, the Licensing Authority will not issue a licence to any individual that appears on the children and/or adult barred lists.

1.2 Overseas background check

The DBS cannot access criminal records held overseas; only foreign convictions that are held on the Police National Computer may be disclosed. Therefore, an enhanced DBS certificate may not provide a full picture of an individual's criminal record where there have been periods spent living or working overseas.

If a new applicant has spent six continuous months or more living outside of the United Kingdom during the previous 5 years, they must provide evidence of a Certificate of Good Character/Conduct from the relevant country or countries covering the period the applicant was overseas. This will be a summary of any overseas convictions from the Ministry of Justice, Embassy or Home Country Police Service.

Before renewing a drivers' licence, any applicant who has spent six continuous months or more living outside of the United Kingdom since their licence was previously renewed, will also be required to provide evidence of a Certificate of Good Character/Conduct from the relevant country or countries. This must be provided before their licence is renewed.

Ex service personnel are exempt from the requirement to provide a Certificate of Good Character/Conduct for their periods of military service. Proof of period of military service is required.

Should an applicant or licensee be unable to obtain a Certificate of Good Character/Conduct from the relevant country, the reasons for this must be discussed with the Licensing Authority.

1.3 Non-UK passport holders

A Certificate of Good Character/Conduct must be produced by any applicant who is not a UK citizen. The information provided must cover any country that they have lived in since the age of ten.

Asylum seekers who hold a Home Office issued application registration document together with a positive verification letter from the Home Office's Employer Checking Service stating that the named individual is permitted to work in the UK, will be exempt from the requirement to submit a recent Certificate of Good Character/Conduct. The Licensing Authority will require sight of any Certificate of Good Character/Conduct that the applicant may have, regardless of the age of the document.

Applicants who produce a Certificate of Good Character/Conduct in a language other than English are required to produce a verified translated version at their own expense by an independent translation service.

For advice on obtaining Certificates of Good Character/Conduct follow the link below.

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

1.4 Statutory declarations

In certain cases, the Licensing Authority will allow applicants who cannot obtain a Certificate of Good Character/Conduct to complete a statutory declaration authorised by a solicitor. The solicitor will normally charge a fee for this service. The solicitor will need to establish proof of identity and the applicant must swear on oath that the facts they are providing are correct.

The applicant must declare their full conviction history and any information relevant to the application for a driver licence in this document.

The Licensing Authority will only allow an applicant to do this in strict circumstances such as:

- If the Country is one which is unable to provide such certificates as there are no records held; and
- Where an applicant can provide written documentary proof (letters or emails) that they have been unsuccessful in their attempts to obtain a certificate over a period of 4 months, or
- For reasons of Asylum, the applicant cannot contact the country.

1.5 Right to work policy

This is applicable for all drivers, operators and vehicle proprietors.

The Licensing Authority requires all applicants for new licences to provide documentary evidence to confirm that they may legally work in the UK. Examples of documents that may be provided include (but are not limited to):

- A UK passport confirming that the holder is a British Citizen (or citizen of another EEA country),
- A passport or other travel document endorsed to show that the holder is allowed to stay in the UK and undertake paid employment,
- A full UK birth/adoption certificate,
- An immigration document issued by the Border and Immigration Agency to the holder which indicates that the person named in it can stay in the UK and undertake paid employment,
- A work permit or other approval to take undertake employment, issued by the Home Office or the Border and Immigration Agency, when produced in combination with either a passport or another travel document endorsed to show the holder is allowed to stay in the UK and is allowed to undertake paid employment.

When an applicant is subject to immigration controls, a licence will not be issued for longer than the period that the applicant has permission to undertake paid employment in the UK.

Where the licence has been issued for the shorter period, renewal applications will be accepted only if full and complete applications are submitted, prior to the expiry of the licence and provided the application shows, to the satisfaction of the Licensing Authority, a right to work in the UK. If this cannot be demonstrated prior to the expiry of the licence, applicants will be required to apply for a new licence as if they were a first-time applicant. In these circumstances, a licence will not be granted until such time as all the necessary licensing requirements have been fulfilled.

If a licensee loses the right to remain in the UK during the currency of their licence, the licence will cease to have effect. In this case, the licence must be surrendered by the licence holder within seven days of the licence ceasing to have effect.

In accordance with the requirement of the Immigration Act 2016, the Licensing Authority will also conduct “right to work” checks for renewal driver applications.

1.6 National Anti-Fraud Network (NAFN) NR3S Register

This register holds information on any driver or applicant that has had a driver licence revoked, or has had an application refused, or a licence suspended.

Every new and renewal driver applicant will be checked against the database and if the applicant's name appears, the corresponding authority will be contacted, and further information requested on the background of the refusal/revocation.

This information will be considered as part of the fit and proper person checks by the Licensing Authority.

1.7 Driver and Vehicle Licensing Agency checks and requirements.

Driver applicants must be aged 21 years or older. Applicants who are 70 years of age or above are required to undertake a driving assessment, which will be repeated annually. This will be carried out at the applicant's own expense.

Applicants must hold a full Driver and Vehicle Licensing Agency (DVLA) licence (not provisional) for at least 2 years prior to the date of application.

It is a legal requirement for the holder of a DVLA driver licence to provide the DVLA with their current address. Failure to do so may result in a fine of up to £1,000. If the DVLA licence shows an incorrect name or address, the driver must apply to the DVLA immediately to have details amended. The NFDC driver application will not progress if the details on the DVLA driver licence are incorrect.

If an applicant holds a non-UK driving licence, this must be registered with the DVLA.

Applicants and drivers are required to sign up for the DVLA online check service and submit the check code with their driver application.

For both new and renewal applicants, licensing officers will verify the driving entitlement and note any penalty points awarded. Applicants are required to sign a mandate to permit such checks to take place.

1.8 HMRC Tax Conditionality

The Licensing Authority is required to check that renewal drivers or those new applicants that hold driver licences with other authorities are registered with HM Revenues and Customs (HMRC) to ensure that drivers are registered to pay tax on earnings. The Stage 2 application pack contains information to assist drivers in registering.

2.0 Vehicles

2.1 New applications

An application for a new hackney carriage or private hire vehicle licence shall be submitted using the Council's prescribed application form. Applications shall be accompanied by the following documents:

- i) The V5C registration document (logbook) for the relevant vehicle. Where the vehicle has been recently purchased and the V5C has not yet been received, a sales invoice or proof of ownership must be provided.
- ii) A valid MOT certificate (for all hackney carriages exceeding 12 months old and for any private hire vehicle exceeding three years old). The MOT certificate must be valid for the date that the licence is due to commence.
- iii) A valid certificate of motor insurance (or temporary cover note) for the vehicle, covering the appropriate licence type (hackney carriage or private hire vehicle)
- iv) Evidence that the vehicle has been appropriately taxed.
- v) A basic DBS certificate less than 1 month old for each proprietor to be named on the vehicle licence, except where they are already a licensed driver by New Forest District Council. This is required annually.
- vi) The prescribed fee.

2.2 Vehicle test

Once received the applicant will be contacted to book a vehicle test at a council testing facility and take the payment. The licence will only be issued upon receipt of a pass certificate from the garage.

2.3 Applicants

An application for a hackney carriage or private hire vehicle may be submitted by either an individual, partnership or registered company. Where the applicant is a partnership or registered company, section (v) above applies to all partners and/or company directors.

2.4 Changes

Where a licence is held by a partnership or registered company, the licence holder shall notify the Licensing Authority of any changes to partners or company directors within 7 days, and a basic DBS certificate will be required for each new partner or company director. Should this occur during the period of licence, the Licensing Authority may suspend the licence, pending receipt of satisfactory basic DBS certificates.

Where any hackney carriage and private hire driver ceases to hold such a licence but continues to hold a Hackney Carriage or Private Hire Vehicle Licence, a basic DBS certificate will be required immediately, and the Hackney Carriage or Private Hire Vehicle Licence may be suspended until this is received by the Licensing Authority.

2.5 Renewals

An application to renew a hackney carriage or private hire vehicle licence must be submitted prior to the current licence expiring. No grace period will be given. In the event that the licence expires, a new application must be made, and the vehicle must comply with the requirements for new vehicles.

An application to renew a vehicle licence shall be submitted using the Council's prescribed application form. Applications shall be accompanied by the same documents required for a new vehicle licence application. Payment of the prescribed fee is due before a licence application is processed.

A vehicle licence will not be renewed unless all the information required to support the renewal application has been provided and the vehicle has successfully passed the mechanical inspection.

Appendix B – Convictions’ Policy

1.0 Introduction

This policy provides guidance on the criteria taken into account by New Forest District Council (‘the Licensing Authority’) when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a dual driver licence or operator licence.

The decision maker will consider all relevant factors when determining applications, including previous convictions, cautions and complaints and the time that has elapsed since these were committed.

The overriding aim of the Licensing Authority is to protect the safety of the public and they will aim to ensure that any person licensed to drive a hackney carriage or private hire vehicle or an operator:

- is a fit and proper person; and
- does not pose a threat to the public.

It will also aim to ensure that the public, in particular, children, young persons and vulnerable adults are adequately safeguarded.

The term “fit and proper person” for the purposes of licensing is not legally defined and in assessing whether someone is “fit and proper” the Licensing Authority will consider enhanced conviction history, driving history and any offences, Right to Work in the UK and medical fitness, together with any other relevant information.

Where licensing officers have delegated powers to grant licences, they will use these guidelines when making a decision to grant a licence. In certain circumstances applications for licences will be referred to the Licensing Sub-Committee. Whilst officers and Elected Members 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.

The type of offence, pattern of behaviour and overall history should be taken into consideration when determining an application.

In addition, these factors will also be taken into account when action against a licence holder is being considered.

2.0 Appeals

Any applicant who is refused a driver or operator licence on the grounds that the Licensing Authority is not satisfied he/she is not 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.

Any driver or operator who has his/her licence revoked on the same grounds also has the right to appeal to the Magistrates' Court within 21 days of the notice of revocation.

3.0 Powers

Sections 61 and 62 of the Local Government Miscellaneous Provisions Act 1976 allow the licensing authority to suspend, revoke or refuse to renew a driver's or operator's licence respectively if the applicant/licence holder has been convicted of an offence involving dishonesty, indecency, violence; or an offence related to immigration; 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. The commission of an offence or a serious allegation which falls within this policy and brings into question whether a licensed driver or operator is a fit and proper person to continue to hold a licence may lead the Licensing Authority to conclude that there is a "reasonable cause" to suspend, revoke or refuse to renew their licence.

The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, as amended, allows the Licensing Authority to take into account all convictions recorded against an applicant or the holder of a driver licence, whether spent or not. Therefore, the Licensing Authority will have regard to all relevant convictions or cautions, particularly where there is a long history of offending or a recent pattern of repeat offending.

4.0 Consideration of disclosed criminal history

Under the provisions of Sections 51, 55, and 59 of the Local Government (Miscellaneous Provisions) Act 1976, the Licensing Authority is required to ensure that any applicant for the grant or renewal of a hackney carriage and/or a private hire vehicle driver licence and/or private hire operator 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 investigate all matters disclosed and any other matters that may be relevant.

Licensed drivers and operators are required to notify the Licensing Authority in writing within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence or any motoring offence or receipt of a police caution. Failure to do so will call into question the fitness and propriety of the licensee.

The Licensing Authority requires an enhanced disclosure certificate from the DBS for any new or renewal driver licence application. Applicants for an operator licence will be required to obtain a basic DBS check at their own expense (unless they are the holder of a current hackney carriage or private hire driver's licence issued by NFDC).

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 or any other third party.

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.

For renewal applications and current licence holders, the policy will not be applied retrospectively where there are no new concerns or convictions. The policy will be applied to existing licence holders if any additional convictions are incurred, or they are otherwise brought to the attention of the Licensing Authority for conduct that would call into question a person's suitability to hold a licence.

Offences not covered by this policy will be considered by the Licensing Authority when determining whether the applicant/licensed driver or operator is a fit and proper person.

5.0 Conviction guidelines

The following guidance is based on the Institute of Licensing document: "Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades", together with the "Statutory Taxi and Private Hire Standards" document published by the Department for Transport in July 2020.

These documents have been widely adopted by Licensing Authorities in the UK and has been produced to promote consistency, raise standards and assist in the protection of the public.

5.1 Offences resulting in death

Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.

5.2 Offences involving exploitation and criminal harassment

Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

5.3 Offences involving violence

Where an applicant has a conviction for an offence of violence, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

5.4 Offences involving Possession of a weapon

Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

5.5 Offences involving Sex, indecency or obscene materials

Where an applicant has a conviction for any offence involving or connected with illegal sexual activity or any form of indecency, a licence will not be granted. In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any 'barred' list.

5.6 Offences involving Dishonesty

Where an applicant has a conviction for any offence of dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

5.7 Offences involving the use, possession or supply of Drugs

Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.

5.8 Offences involving Discrimination

Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

5.9 Motoring convictions

Drivers of hackney carriages and private hire vehicles are professional drivers charged with the responsibility of carrying the public. Any motoring conviction demonstrates a lack of professionalism and will be considered seriously. It is

accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not normally prohibit the grant of a licence or may not result in action against an existing licence. Any subsequent convictions reinforce the fact that the licensee does not take their professional responsibilities seriously and is therefore not a safe and suitable person to be granted or retain a licence.

5.10 Offences involving Drink driving or driving under the influence of drugs

Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed, whichever is the later.

5.11 Using a hand-held telephone or handheld device whilst driving

Where an applicant has a conviction for using a hand-held mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least 5 years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

5.12 Other motoring offences

A minor traffic or vehicle related offence is one which does not involve loss of life, driving under the influence of drink or drugs, driving whilst using a mobile phone, and has not resulted in injury to any person or damage to any property (including vehicles).

A driver licence will not be granted to any new driver applicant who has 9 or more points for minor motoring convictions showing on their driving licence.

Existing licence holders reaching seven or more points for minor motoring convictions will receive a warning and will be required to attend appropriate training, as defined by the authority, at their own expense.

Existing licence holders reaching nine points or more for minor motoring convictions and who have previously attended training under this policy may have their licence refused or revoked dependent on the individual circumstances of the driver concerned and offences omitted. In considering such action, the intention of the policy will be to only refuse or revoke a licence where there are very clear concerns for public safety.

5.13 Hackney carriage and private hire offences

Where an applicant has a conviction for an offence concerned with or connected to hackney carriage or private hire activity, including use of a licensed vehicle, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

6.0 Outstanding charges or summonses

If an applicant is the subject of an outstanding charge or summons their application will be held and not progressed until the outcome of the proceedings has been determined.

7.0 Non-conviction information

If an applicant has been arrested or charged, but not convicted, for a serious offence which falls within the policy which suggests they could be a danger to the public, consideration will be given, under the Council's scheme of delegation to refusing the application.

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

8.0 Cautions

An admission of guilt is required before a caution can be issued; therefore cautions are treated the same as a conviction and applied as above pertinent to the type of offence. Every case will be considered on its own merits including the details and nature of the offence.

9.0 Licences issued by other licensing authorities

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 that they are licensed by and to advise each authority of any changes in this respect. They should expect those authorities to share information regarding their conduct and to take it into account as appropriate.

One of the background checks carried out for new and renewal drivers, involves a review of the National Anti-Fraud Network (NAFN) NR3S database. Officers will check the applicant's name against the NR3S Register held by NAFN to determine if another Licensing Authority has taken action against the applicant/driver. If a positive match is found, background information will be obtained and considered by the Licensing Authority.

The register provides names of all those drivers/applicants who have had a licence application refused, revoked or suspended.

This is to protect the public and ensure that any driver who has been revoked or refused a licence does not obtain a licence with another authority, by simply failing to supply previous licence history. The database provides the opportunity for every Local Authority to properly consider applicants and the background to a previously refused or revoked licence, by another authority.

Licensing authorities will retain the reasons for any refusal, revocation or suspension and provide those to other authorities as appropriate under the terms and conditions of the database.

Where this Licensing Authority has refused to grant a driver licence to an applicant or has had a licence revoked or suspended, or it has expired during a period of suspension, no new application will be considered for a at least three years (in line with the time periods above) from the date of refusal, revocation or expiry.

Any application subsequently received, will be determined by members of a Licensing Sub-Committee who will consider the applicant's history and background.

10.0 Summary

It is vital that passengers, other road users and society have confidence in the licensing regime and can rely on the suitability of all those involved in providing licensed vehicles. Careful consideration must be given to all applications and a thorough vetting of applicants must be undertaken.

This Appendix is intended to assist the Licensing Authority in determining the suitability of applicants and licensees. It also provides clear guidance for applicants and licence holders with regard to the standards expected by the Authority.

Appendix C - Driver knowledge tests

All new driver applicants are required to undertake and pass a Driver Knowledge Test before their application may be progressed.

1.0 What to bring

On the day of the test, applicants must bring in their DVLA driving licence and proof of their Right to Work in the UK. Applicants who fail to produce these documents will not be permitted to take the test. Applicants should ensure that the photo-card driving licence has not expired and that all details are current.

2.0 Test information

The test consists of several questions with knowledge required in areas of:

- the English language,
- the Highway Code,
- taxi and private hire law,
- geographic knowledge of the New Forest District.

The test material will be reviewed regularly and will state the pass rate that must be achieved for each section. Information is available on the Council's website to assist applicants prior to taking the test.

Tests are undertaken at the Council Offices in Lyndhurst. If an applicant has literacy difficulties, then the test may be conducted verbally for that person, however this must be communicated at the time of booking the test, to provide any officer to support the request.

Questions will be provided in English only and no translation or interpretation or other such matter associated with the test shall be permitted and/or accepted.

An officer will ensure that the test is conducted in a fair and secure manner. Access to a mobile phone will be prevented for the duration of the test. No other communication or electronic equipment will be permitted. All mobile phones must be switched off.

Should an applicant feel unwell or unable to continue the test, the officer must be informed, and arrangements will be made to re-take the test at a future date.

Should the applicant fail the test they will be notified of the failed module(s).

Applicants are not permitted to be accompanied during the test by friends, family members, children or pets.

3.0 Cancellation

Applicants wishing to cancel a driver knowledge test date and change it to another date must give at least 2 clear working days notice, otherwise they will lose the booking fee. The driver knowledge test booking fee is non-refundable.

4.0 Failures and re-tests

If an applicant fails three successive knowledge tests, their application will be rejected and a period of 12 months must elapse before a new application is submitted.

Payment must be made for each test booked and there is no discount for re-tests.

The applicant's file will be closed six months after the date of the last driver knowledge test (whether a negative or positive result) if no communication or application has been received by the Licensing Authority during this time.

Appendix D - Medical assessment policy

1.0 Why medical assessments are required

The Licensing Authority recognises that licensed drivers should meet more stringent medical standards as they are professional drivers and are required to:

- transport members of the public safely,
- spend significant periods of time driving,
- assist disabled passengers and handle luggage.

Therefore, the Licensing Authority requires the Group 2 Standards of Medical Fitness as applied by the Driver and Vehicle Licensing Agency (DVLA) to the licensing of lorry and bus drivers, as the standard for all drivers.

For new applicants, once the applicant has passed the knowledge test, they can progress to stage 2 of the application process, which includes the requirement to be medically fit to drive. A new driver licence will not be granted until medical clearance has been established.

Applicants and licence holders are required to undergo a medical assessment on first application, on reaching 45 years of age and then every 5 years thereafter until the age of 65 when annual examinations will be required.

The medical assessment form must be signed by the applicant's own GP or another doctor who has had access to the applicant's medical records and prescription history.

The medical examination will ensure that the applicant satisfies all the requirements to the DVLA Group 2 standard.

If applicants are unable to obtain a medical examination with their own GP, they should contact the Licensing Authority for further advice. All licensed drivers must pass a medical examination periodically, whilst holding a driver licence. All doctors who carry out a medical examination must have access to patient records.

A suitable medical assessment is only valid for a period of 3 months up to submission to the Licensing Authority.

Holders of current Public Service Vehicle or Heavy Goods Vehicle driver licences, where the holder is able to produce proof of a current medical examination equal to or over the requirements as set out above are not required to undergo further assessment.

Where there is any doubt to the medical fitness of the applicant, the Licensing Authority may require the applicant to undergo and pay for a further medical examination by a doctor appointed by the Licensing Authority.

2.0 Change in medical fitness

Licence holders must notify the Licensing Authority of any deterioration or other change in their health that may affect their driving capability, within seven days of the change. This includes any accident-related injury.

A list of conditions which must be notified to the DVLA is provided on the DVLA website at <https://www.gov.uk/driving-medical-conditions>. However, if a driver is in any doubt, they should contact the Licensing Authority for advice.

Drivers who have a major medical event or diagnosis that may impact on their medical fitness to drive professionally, will have their licence suspended. To have a licence re-instated, drivers must undergo a Group 2 medical with their doctor, to ensure that they are fit to drive in a licensed capacity. In most circumstances, the Licensing Authority will also request a letter and/or further information from their consultant.

3.0 Policy for those drivers/applicants with diabetes

This is a specific policy in respect of diabetic applicants whose treatment carries a risk of inducing hypoglycaemia, such as insulin treatment or certain types of tablets.

In addition to a medical certificate confirming that the applicant satisfies the Group 2 standards (which make specific provisions for various types of diabetes treatment), additional documents will be required as set out below.

In all such cases, a signed declaration is required from the driver, confirming that they will:

- comply with the directions for treatment given by the Doctor supervising treatment.
- immediately report to the Licensing Authority, in writing, any change in diabetic condition.
- be fully aware of the symptoms of hypoglycaemia and what action to take if required.
- understand the risks of hypoglycaemia.
- carry out blood glucose monitoring at least twice daily at times relevant to driving a licensed vehicle.
- have no other condition which would present a danger when driving a licensed vehicle.
- confirm that they have not had any hypoglycaemic events requiring the help of another person in the last 12 months, and
- will always keep fast acting carbohydrates in the licensed vehicle when driving.

In the case of applicants undergoing insulin treatment, a letter from a Consultant Diabetologist will be required, confirming that the driver has been undergoing insulin treatment for a minimum of four weeks. The driver licence may be

suspended until the above can be satisfied, as the Licensing Authority must ensure that drivers are medically fit and not likely to suffer any sort of episode whilst driving in a professional capacity.

Where drivers are being treated with insulin for the first time, initially the driver licence will be suspended from the date insulin treatment begins. Providing that treatment goes as planned, to unsuspend the NFDC driver licence, the driver must undergo a Group 2 medical assessment no earlier than 2 months from the date of suspension. When the doctor agrees that the driver is fit to work in a licensed capacity, the licence will be unsuspended. The assessment should be sent to Licensing Authority together with related documents from the consultant or diabetic clinic.

Drivers are required to undertake annual Group 2 medicals assessments.

The policy above is additional to the requirements of the DVLA.

4.0 Medical exemptions to carry wheelchair passengers and/or assistance dogs

Licensed drivers may apply for an exemption certificate and notice on medical grounds or where their physical condition prevents them from performing the mobility assistance duties at sections 164a and 165 of the Equality Act 2010 (as added/amended by the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022) or with the requirement to carry assistance dogs.

An application form to apply for an exemption certificate (issued under Sections 166 and/or Section 169 of the Equality Act 2010) is available on request from the Licensing Authority. This should be completed in full and submitted with accompanying documents from an appropriate medical professional involved in diagnosis or treatment of the relevant condition, setting out the effect of the condition, the long-term prognosis, and the risk to public safety if an exemption is not granted to the driver. Evidence from a medical professional with no involvement in the diagnosis or treatment of the condition, or from a medical professional with a separate relationship to a driver, is unlikely to be considered acceptable.

Where an allergy or phobia to dogs is cited as grounds for an exemption, the Licensing Authority will expect to see medical evidence of allergen testing results, clinical history, psychological screening results, or similar with an application for exemption. A simple statement that the driver has declared such an allergy or phobia is not considered sufficient justification of a medical condition which would warrant the issue of an exemption. A minor allergic reaction which does not affect the driver's ability to safely drive a vehicle, or their overall welfare, does not warrant an exemption.

If the Licensing Manager has any concerns regarding granting the exemption, the matter will be referred to a Licensing Sub-Committee to be determined by Elected Members.

If the exemption is granted, the driver will be issued with a Notice of Exemption which must be displayed inside the vehicle, where it can be seen by passengers. This can either be in the internal plate pouch or on the dashboard and confirms that the driver is exempt from certain duties.

The exemption is granted to an individual driver. If a vehicle is used by multiple drivers, the driver who holds the exemption must remove it from the vehicle when they are not driving.

The exemption will expire on the same date as the dual driver licence. If the driver wishes the exemption to continue on renewal, up to date evidence must be provided before the exemption can be re-issued.

5.0 Assistance Dogs

Every licensed taxi and private hire vehicle is required to carry assistance dogs with their owner, and it is a criminal offence for a driver to refuse to do so. It is also an offence for a private hire operator to refuse to take a booking because it involves carrying an assistance dog, or for drivers or operators to charge a higher fare for carrying an assistance dog.

This duty applies to assistance dogs trained by charities affiliated to **Assistance Dogs UK**, or other similar UK or overseas organisations. It also applies to dogs that have been trained by their owners to carry out this role.

Appendix E – Code of conduct

1.0 The Code

The purpose of this code is to seek a standard which portrays a professional image of drivers licensed by the authority.

Licence holders shall endeavour to promote the image of the hackney carriage and private hire trade by:

- complying with the Code of Conduct, and
- complying with all the conditions of the licences they hold and the NFDC Taxi Licensing Policy

1.1 Drivers shall:

- behave in a civil, orderly and responsible manner at all times,
- treat all customers with dignity and respect,
- drive with due care and consideration for other road users and pedestrians,
- obey all traffic order and directions at all times,
- not consume alcohol whilst working or prior to working,
- not use illegal drugs at any time,
- comply with any direction given to them by an authorised officer of the Council, Police or other agency and treat all officers with respect.

1.2 Drivers shall:

- maintain their vehicles in a safe and satisfactory condition at all times,
- keep their vehicles clean and suitable for hire to the public at all times,
- attend punctually when undertaking a pre-booked hiring,
- assist, where necessary, passengers into and out of vehicles,
- offer passengers reasonable assistance with luggage,
- Comply with the authority's signage requirements.

To avoid nuisance to residents when picking up or waiting for a fare, a driver shall:

- not sound the vehicle horn illegally as per The Road Vehicles (Construction and Use) Regulations 1986 and Highway code 112,
- keep the volume of radio/music to a minimum,
- switch off the engine if required to wait.

At taxi ranks and other places where hackney carriages ply for hire by forming queues, drivers shall:

- rank in an orderly manner and proceed along the rank in order, moving along promptly,
- remain in or near to the vehicle.

This Council operates a zero-tolerance approach to the abuse of council officers, garage mechanics, administration staff, compliance officers, police officers and any other professionals involved in safeguarding and will consider taking action against any individual who is abusive. This applies to drivers licensed by New Forest District Council who operate in other council areas.

Licensed drivers must not smoke cigarettes, e-cigarettes or vaping devices in their vehicles at any time or allow passengers to do so. This applies whether the vehicle is carrying passengers or not.

2.0 Idling engines

Idling engines contribute to air pollution problems and running the engine whilst a vehicle is stationary pollutes the environment. It is also illegal on a public road.

When a vehicle's engine is idling it can produce nearly twice as much exhaust emissions as it does whilst moving. This affects the quality of the air that we breathe.

2.1 Engine idling and the law

It is illegal to leave your engine running when stationary and you could also risk a fixed penalty notice, under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002.

It is not illegal to have an idling vehicle engine if you are:

- waiting at traffic lights,
- moving slowly through congestion,
- getting a repair or defrosting a windscreen.

Our compliance officers regularly advise drivers of idling taxi or private hire vehicles to move on or switch off their engine.

2.2 What to do

- if stationary and waiting more than a couple of minutes for a customer, switch your engine off to avoid idling.
- restarting an engine causes less pollution and uses less fuel than keeping the engine idling. Modern batteries don't need as much engine time to remain charged.
- avoid an idling engine and you'll help to lower air pollution, improve air quality and save yourself money on fuel.

3.0 Dress Code

3.1 Acceptable standards of dress:

- shirts, blouses, polo shirts, tops and sweat tops should cover the shoulders and be capable of being worn inside trousers or shorts or a skirt.
- shirts or blouses may be worn with a tie or open necked.

3.2 Trousers, shorts and skirts

- trousers or smart tailored shorts may be worn.
- skirts shall be knee length.
- footwear for all drivers shall fit around the heel of the foot.

All of the above must be of smart appearance and in good condition and both upper and lower body must be covered.

3.3 Unacceptable standards of dress

- clothing not being kept in a clean condition and those which have holes or rips.
- words or graphics on any clothing that is of an offensive or suggestive nature.
- sportswear e.g., football or rugby kits, track suits, beach wear, etc.
- sandals with no heel straps, flip flops or any other form of footwear not secured around the heel. This includes crocs, clogs or similar footwear.
- baseball caps.

4.0 Vulnerable passengers

A vulnerable passenger is a person whose protected characteristics under the Equality Act 2010 e.g. age or disability, means that they are more susceptible to harm than a typical passenger. For example, this may be a child, elderly person or someone with learning difficulties. It can also include someone who is vulnerable due to an excessive level of intoxication.

4.1 Drivers must:

- carry their driver badge and display it on their person whilst in the vehicle or assisting passengers.
- confirm that appropriate provision has been made for the vulnerable person prior to accepting the booking or commencing the journey. (this does not mean that the driver is responsible for the provision of appropriate measures).
- produce photo identification to the carer responsible for the vulnerable person. If there is no chaperone, they should obtain a record of the carer's contact details.
- If a vulnerable passenger is refused service inform a responsible person so that alternative arrangements can be made. The driver should remain with the passenger until the journey is undertaken.

4.2 Drivers should remain professional at all times and should not:

- touch a vulnerable person inappropriately,
- behave in a way that may make a vulnerable passenger feel intimidated or threatened,
- attempt to misuse personal details obtained via the business about a vulnerable person.

A log should be maintained by drivers where a service has been provided to a vulnerable passenger including any incidents occurring/actions taken or refusals of service.

If a driver is concerned about the safety, welfare or behaviour of a vulnerable person who is being carried, the driver should report this to the Police and Licensing Authority.

5.0 Behaviour with Passengers

It is important that customers feel safe and secure whilst travelling in licensed vehicles.

Drivers should be clear in their communications with passengers to avoid any misinterpretation of motives or inappropriate behaviour.

5.1 This means drivers must not:

- make any discriminatory remarks about the customer relating, but not limited to, age, gender, sexuality, disability, race, religion.
- share personal information with their passengers or request or respond to any information shared by the passenger.
- share/exchange telephone numbers with passengers or communicate through chat functions, social media or text.
- use foul or inappropriate language in front of any passenger.
- use their position of power to force or indoctrinate passengers into following a political, spiritual or religious belief. This could be seen as a form of 'radicalisation' and will be treated as a safeguarding issue.

If you think a passenger, you are transporting may be showing signs of being 'radicalised' please contact the Police or the Licensing Authority.

- take photographs of passengers, even if it is at their request.
- at no time provide any form of gift, no matter how small or invaluable.
- have sexual relationships with passengers or attempt to engage in a relationship with a passenger.
- have any form of communication with a passenger which could be misinterpreted as sexually suggestive.
- make sexual remarks to a passenger.
- discuss their own sexual relationships with a passenger or question the passenger about such things.
- look after/keep safe a passenger's personal belongings e.g., mobile phone, iPod or money.
- lock the front or rear passenger doors. Where the doors lock automatically when travelling, they must be released by the driver at the point of stopping and termination of the journey or this functions switched off whilst carrying a passenger if possible.
- make any unauthorised stops on your journey, unless there is an emergency.

If you are transporting a single passenger, they should be directed to sit in the back of the vehicle.

Appendix F - Vehicle specifications and testing criteria

General specifications

Applications to licence or renew a hackney carriage or private hire vehicle must satisfy the following criteria and the Licensing Authority vehicle inspection test.

You should also refer to **Appendix P** - Mechanical Inspection Guidance.

1.0 General

- 1.1 Vehicles may be powered by an internal combustion engine, a hybrid combustion engine, a combined electrically powered motor or an electrically powered engine.
- 1.2 Vehicles must be capable of carrying 4-8 passengers in comfort. However, if a vehicle is to be used for executive work, providing luxury travel and comfort for less passengers, these will be considered on an individual basis. If acceptable, additional conditions may be added to the licence to assist with passenger safety when entering and alighting from the vehicle.
- 1.3 Vehicles must be of a family saloon, estate car or mini-bus type design.
- 1.4 It is recommended that vehicles with Euro NCAP star ratings of 4 or more should be considered when purchasing a new vehicle.
- 1.5 All vehicles shall be right hand drive (unless satisfying the additional conditions relating to limousines).
- 1.6 A private hire vehicle shall not be of the London Taxi type.
- 1.7 Vehicles should have no damage affecting the structural safety of the vehicle and must not have been written off for insurance purposes at any time.
- 1.8 Sufficient means shall be provided by which any person in the vehicle may communicate with the driver.
- 1.9 Vehicles shall at all times, be maintained in sound and roadworthy condition and serviced according to the manufacturer's recommendations.
- 1.10 No material alteration or change in the specification, design, condition or appearance of the vehicle may be made without first complying with road traffic and insurance legislation and secondly the approval of the Licensing Authority (where an inspection may be required.) It is unlikely that anything other than a change of vehicle colour will be authorised.
- 1.11 MOT examinations are required for private hire vehicles over three years old and hackney carriages over one year old.

1.12 For reasons of public safety, the Licensing Authority will not licence or re-licence any vehicle that has been written off by an insurance company regardless of the category of write-off.

2.0 Vehicle Testing

Vehicles must be MOT tested and also undertake and pass the vehicle test, carried out at the Council's testing station.

Vehicles that are eight years and older, from date of first registration will be required to be tested every 6 months. The Licensing Authority reserves the right to increase this to a maximum of three times per year if the quality of a vehicle is causing concern.

Should a vehicle fail the test, the Council's vehicle examiner may issue a notice to suspend the licence until the fault(s) has been rectified and the vehicle re-tested successfully. A fee will be applied to re-test the vehicle. If a vehicle is suspended and the reason for failure is not rectified within two months, this will result in automatic revocation of licence.

3.0 Age of vehicles

All vehicles must meet Euro 6 emission standards from the date of first registration, **at the time of initial licensing**.

Wheelchair Accessible Vehicles (WAVs) are not subject to any emission or age criteria.

All vehicles currently licensed by the Licensing Authority are not subject to upper age limit or emission standards. However, any replacement vehicle for one already licensed, will become subject to the Euro 6 emission standard. This will be kept under annual review.

Euro 6 is the sixth and latest directive to help reduce the level of harmful pollutants produced by new vehicles.

The Euro 6 standard sets out the acceptable limits for these exhaust emissions and since September 2015, all new cars sold have had to comply with the Euro 6 standard.

Vehicles that are eight (8) years and older from date of first registration will require twice yearly testing.

4.0 Doors

All saloons, hatchbacks, estates or purpose-built taxi vehicles shall have at least 4 side opening doors, which may be opened from the inside and the outside. Minibuses, transits and people carrier type vehicles shall have at least 3 doors not including any tailgate or rear doors.

5.0 Accident reporting

Any accident involving a licensed vehicle must be reported to the Licensing Authority as soon as reasonably practicable and in any event within 72 hours of the accident.

Where, following an accident or damage to a licensed vehicle, it is the intention of the owner or operator to continue licensed use, the vehicle may be required to be inspected by the Council's testing facility (at the owner's or operator's expense) to determine its fitness for continued use.

A licensed vehicle which has suffered major accident damage or requires substantial mechanical repair may be replaced by a hire vehicle, provided:

- (i) the damage to, or defect in, the vehicle has been reported,
- (ii) application is made in the usual way for a change of vehicle, (albeit temporarily),
- (iii) the replacement vehicle meets the licensing criteria and is suitable to be used for hire purposes,
- (iv) the hiring of the hire vehicle is organised and paid for by the affected licensed owner or operator.

Following appropriate repairs to the vehicle, it must undergo and pass a mechanical inspection by the Council testing facility before it may be permitted to be used as a licensed vehicle. The appropriate fee for a new vehicle licence and test will be charged.

6.0 Seats

The vehicle must have sufficient seating capacity to carry not less than four and not more than eight passengers in addition to the driver. (The seating capacity is determined on the assumption that allowance is made for a rear seating width of approximately 400mm(16") per passenger measured laterally along the widest part of the seat and where arm rests are positioned over such seats the measurement shall be taken between arm rests).

Access to every passenger seat must be unobstructed and be easily accessible to passengers and without the need for more than one passenger to move.

Head rests must be fitted to all forward or rear facing seats.

Seats must be properly and securely bolted in place, on smoothly operating runners as applicable. Coverings should be clean and not worn, damaged or split.

Side facing seating is not permitted.

7.0 Seat belts

All vehicles must be fitted with fully operational seat belts, one for each passenger and the driver, fully compliant with British Standards except where the law specifically provides an exemption. They must be clean, not stretched, ripped, torn or worn with fully functioning locks and buckles that operate smoothly and effectively, correctly fixed to allowable anchorage points.

In relation to the carriage of child passengers under 3 years of age in the front seat, an appropriate child restraint **MUST** be worn. If a child restraint is not available, children under three must travel in the rear and may be unrestrained. Children of three years or over, up to 135mm tall must sit in the rear and use an adult seat belt. Children aged twelve years or more, or over 135mm tall, may travel in the front but must wear a seat belt.

8.0 Overall presentation of the vehicle

Every vehicle represented for testing must be clean and fit for passengers to be carried in. The following will be checked during the inspection and is the standard expected for daily use for passengers.

- the upholstery, carpets, seats, trims and other interior fittings should be free from damage (including stains and burns) and significant wear.
- the floor of the vehicle must be covered with a suitable carpet, mat or other covering which can be readily cleaned.
- all plastic fascia, door linings, roof linings and trim to be kept free from marks, stains and damage.
- all interior lights and fascia illumination to be maintained in good condition.
- all windows must be free of dirt, grime and marks.
- all door locks, levers and window winders to be operating efficiently.

Vehicle trim must be clean, properly fixed in place with no rough or jagged edges.

Good quality seat covers may be used, providing that each is a matching set, in keeping with the colour of the vehicle. They shall be properly fixed to the seat so as not to become loose during use and kept clean and devoid of any kind of damage. They must not interfere with the mechanism of seat belts or airbags.

9.0 Technical specifications considered during the vehicle examination

9.1 Electrical equipment and accessories

Obligatory front lights – working with constant, appropriate and even brightness. Lenses and reflectors to be clean with no rust and no cracks or holes in the lenses. White light to be shown at front.

Headlamps dipped – working and properly adjusted with constant, appropriate

and even brightness. Lenses and reflectors to be clean with no rust and no cracks or holes in the lenses.

Headlamps main – working with constant, appropriate and even brightness. Lenses and reflectors to be clean with no rust and no cracks or holes in the lenses.

Indicators front – working with constant, appropriate and even brightness. Lenses and reflectors to be clean with no rust and no cracks or holes in the lenses. Amber light to be shown with a flashing rate of approximately 1-2 flashes per second.

Horn – must function and be audible to another road user. The horn control must be accessible to the driver.

Screen washers – delivers sufficient water to the windscreen to enable the windscreen to be cleared in conjunction with the windscreen wipers. All jets to be operative. Where rear washers are fitted the same requirements will apply.

Screen wipers – must work on demand and move over an adequate area of the windscreen. The rubbers must cover the whole length of the blade and not be cracked, perished or have solidified.

Instrument controls etc – must all work to manufacturer's specification.

Obligatory rear lights – working with constant, appropriate and even brightness. Lenses and reflectors to be clean with no rust and no cracks or holes in the lenses. Red lights to be shown at rear with no white light to be visible.

Brake lights – work when footbrake applied with ignition switched on. With a constant, appropriate and even brightness. Red light to be showing with no white light visible.

Indicators rear – working with constant, appropriate and even brightness. Lenses and reflectors to be clean with no rust and no cracks or holes in the lenses. Amber lights to be shown with a flashing rate of approximately 1-2 flashes per second. No white light to be visible.

Reversing lights – working with a constant, appropriate and even brightness. Lenses and reflectors to be clean with no rust and no cracks or holes in the lenses. Lights to work only when ignition is switched on and reverse gear selected.

High density rear fog lamps – working with constant, appropriate and even brightness. Lenses and reflectors to be clean with no rust and no cracks or holes in the lenses. To be wired so as to operate only when dipped headlights or main beam selected. Red light to be showing with no white light visible.

Number plate illumination – working with constant, appropriate and even brightness. Lenses and reflectors to be clean with no rust and no cracks or holes in the lenses.

Warning lights- The dashboard will not display any warning light, such as engine management system or other sensor indication.

9.2 Engine

Performance – should be such that the vehicle is able to perform to manufacturer's specification on pulling power, whilst carrying a full complement of passengers.

Excess wear – components of the engine should not be excessively worn, causing knocks, rattles etc.

Oil burning – must not be smoking from exhaust.

Leaks- No visible fluid leaks from the engine or related components.

Emissions – must be discharging a clear emission.

9.3 Steering

Racks – units should be securely mounted to the chassis frame or body shell with no free play or oil leaks.

Power assisted steering – units should be securely mounted to the chassis frame or body shell with no free play or oil leaks. Hydraulic lines and unions should be free from leaks and generally be in good condition.

Joints and couplings – should be secure with no excessive play.

Swivel assemblies – should be secure with no excessive play.

Gaiters – must be fitted as appropriate and in good condition. Not split, cracked, perished or rendered inoperative by some other method.

Radius arms and tie rods – should be in good, sound condition and not excessively worn. Rubbers and seals should not be oil contaminated, split, perished or badly cracked.

Steering wheel – should be in good sound condition and securely mounted to the steering column with no free play.

Steering column – there should be no movement whatsoever, in any direction, other than that due to the design of the mechanism.

Wheel bearings – there should be no excessive wear or play.

Bias (Left/Right) – the vehicle should drive in a straight line and not pull or veer to the left or to the right.

9.4 Exhaust system

Silencer – the exhaust system should be complete and in good, sound condition. It should be effective so as to reduce the exhaust noise to a level considered to be average for the vehicle and should not be modified to enhance exhaust sound.

Mounting points – should be secure and in good condition so as to fully support the exhaust system.

Leaks – there must be no sign of exhaust leaks from any part of the system.

9.5 Bodywork

Cleanliness and condition – the exterior should be clean and polished. It must not have visible dents, tears, holes, flaking paint, rust or significant scratches. Number plates, vehicle licence plates and the internal windscreen plate must be securely and correctly fixed to the vehicle.

Chassis – must be of sound condition with no undue corrosion or visible distortions.

9.6 Suspension

Coil springs – should be complete and not fractured or with a cross section so reduced by wear or corrosion that its strength is seriously reduced. They should be properly seated giving adequate clearance of the axle or suspension with the bump stop or chassis.

Damper struts – should be securely fixed and show no damage or corrosion of the casing to the extent that the unit does not function. Should have an adequate damping effect on the suspension and not give excessive bounce.

Mounting rubbers – should be in place and in good condition, not cracked, distorted or perished. Should not show signs of excessive wear.

Anti-roll bushes – should be in place and in good condition, not cracked, distorted or perished. Should not show signs of excessive wear.

Trailing arms – should be in place and in good condition, not cracked, distorted or perished. Should not show signs of excessive wear.

Trapezoidal Links – should be in place and in good condition, not cracked, distorted or perished. Should not show signs of excessive wear.

Elliptical springs and shackles – should be securely fixed and in good serviceable condition with no broken or cracked spring leaves. Shackles, pins and bushes should not show signs of excessive wear.

Hydro-elastic units – should be securely fixed and in good serviceable condition, functioning normally and with no fluid leaks or cracked, perished pipes.

9.7 Gearbox and transmission

Clutch – should be well-adjusted with no judder or slipping. Pedal rubber must be in place and not excessively worn.

Gearbox selection – all gears attainable at first attempt with smooth changes.

Transmission noise – must not be excessive.

Synchromesh – must work on all gears, where fitted, with no crunching.

Prop shaft universal joints – must be in good condition with no play in either the universal joints or the central bearing.

Front wheel drive shafts – must be in good condition with no play or excessive wear, with no knocking on full lock.

Final drive – must not be excessively noisy or suffer from oil leaks.

Automatic transmission inhibitor switch – must only be able to start vehicle when Park or Neutral has been selected.

9.8 Braking System

Hydraulic fluid – should be filled to correct level and with no air bubbles when the footbrake operated.

Master cylinder – should be firmly fixed to vehicle and in good working order with no leaks or excessive corrosion.

Pipelines and unions – should be properly fixed to vehicle with correct clips and hangers. Should be soundly constructed with no corrosion or leaks.

Flexible hoses – should be correctly fitted and protected as appropriate, be in good condition with no sign of perishing, cracking, bulging or leaking.

Discs and callipers – discs should not be excessively worn or contaminated by oil, brake fluid or grease. Callipers to be securely mounted and in good working order.

Wheel cylinders – should be firmly mounted and in good working condition. Seals and rubbers should not be perished, cracked or split. There should be no leaks and the pistons should not be seized.

Foot pedal – the fulcrum and clevis pin must not show signs of undue wear or play and the pedal rubber must be in place and not badly worn. The pedal travel should not be excessive. It must have adequate reserve travel and not be subject to creep under sustained pressure.

Handbrake adjustment – must be securely mounted and not be subject to excessive travel. As a general rule, three notches to full on covers the majority of vehicles.

Servo equipment – should be securely fixed to the vehicle and be in good working condition.

Mechanical linkages – should be in good condition, not suffer from excessive wear or intermittent operation and be properly lubricated as necessary.

Primary brake efficiency % - minimum acceptable level is 65%.

Secondary brake efficiency % - minimum acceptable level is 25%.

Brake bias left – should not pull to left when brakes operate.

Brake bias right – should not pull to right when brakes operate.

Brake straight – when brakes are applied, vehicle should brake in a straight line.

9.9 Tyres

Due to the considerable mileage licensed vehicles accrue, the maintenance of tyres is paramount to the safety of the vehicle. Therefore, all tyres must be of the correct size, in good condition with no bulges, cracks, cuts or steel showing. All tyres fitted to the vehicle must have at least 2 mm tread depth throughout a continuous band in the centre 3/4 of the tread and around the entire circumference of the tyre.

All tyres must be 'first life'. Re-treaded, re-moulded or second-hand tyres must not be fitted to a licensed vehicle.

Should a vehicle be presented at the Council's testing facility with a tyre over 6 years old, on any axle, it will fail the vehicle test. In addition, any tyre not displaying a date code will also fail.

All vehicles must be equipped with one of the provisions below, **as provided by the manufacturer.**

- a spare wheel of full or space saver design above the legal tread requirement, inflated to the correct pressure and the tools required to change a wheel, or
- an emergency puncture repair kit (with compressor / inflation pack), or
- run flat tyres.

In the event of a space saver tyre, run flat tyres (when punctured) or a puncture repair kit, these must only be used in an emergency to complete a short passenger journey and must comply and be maintained in accordance with the manufacturer's recommendations. Any such defective wheel should be replaced before taking another fare to ensure passenger safety.

Wheels - The vehicle must be right-hand drive and have a minimum of four approved road wheels and spare tyre provision as provided at vehicle manufacture stage. Replacement alloy wheels are not acceptable.

Wheels should be correctly aligned, joints and bearings free from abnormal wear. All mounting points should be in a sound condition with no undue wear in any associated bushes.

9.10 General

Door locks and handles – should all operate to specification and be secure. Hinge pins not to be excessively worn and there should not be any cracks around hinges, locks or striker plates.

Windows – should operate to specification. Windscreens should not be cracked, starred, or have any visual deformity, so as to impair driver vision.

Oil leaks – the vehicle must not suffer from an oil leak.

Mirrors – the minimum requirement is for one centrally mounted interior mirror and an exterior mirror on both off and near side. They must be in good condition with no cracks in the glass nor have reflectors badly corroded.

High Visibility clothing A high visibility vest or jacket must be kept in the vehicle at all times to assist in the case of break down or emergency. High-vis wear is also required to be worn by all visitors to the Council's garage facilities at Lymington.

9.11 Luggage

The boot or luggage compartment must be of sufficient size to carry a reasonable amount of luggage relative to the seating capacity.

The boot or luggage compartment must be separated from the passenger compartment by a suitable barrier without obstructing any emergency exit

9.12 Maintenance and condition of the vehicle

Vehicles shall be liable to be inspected and tested at any time. If upon inspection it is discovered that a vehicle is not being properly maintained, or kept in good order, a notice may be served on the owner to this effect, setting out the defects to be remedied.

If public safety is compromised by the defects, then further use of the vehicle may be prohibited until the defects have been addressed and the vehicle has successfully undergone a further inspection.

9.13 CCTV

The Licensing Authority recognises that there are benefits to the trade (as well as passengers) where CCTV is installed in licensed vehicles.

Proprietors of licensed vehicles are responsible for ensuring that installed CCTV conforms to relevant legislation. See **Appendix O** for CCTV Policy

9.14 Meters

All hackney carriages must be fitted with an approved taximeter. Meters must be installed and calibrated by a competent person approved by the taximeter company. The meter must be calibrated to the Council's current table of tariffs, set by the Licensing Authority.

Meters must be maintained in a proper order and condition and it is the responsibility of each proprietor to ensure that the meter is set to the current tariff. The proprietor is also responsible for ensuring that the meter is re-calibrated to reflect the change.

Any seal placed on a meter must not be tampered with.

Private hire vehicles may be fitted with a meter but this is not a requirement of licence. If a private hire vehicle is fitted with a meter, it should not display the words "for hire" unless this wording cannot be viewed from outside of the vehicle.

The Licensing Authority do not consider GPS devices as suitable replacements for taxi meters for use in Hackney Carriages

9.15 Licence plates (internal and external)

Unless an individual vehicle exemption has been granted for a private hire vehicle, Council licence plates must be securely attached to the licensed vehicle using Council supplied brackets at all times. Magnetic, adhesive or Velcro fittings must not be used.

The internal plate MUST also be fixed to the inside of the front windscreen using the clear pouch provided. The internal plate must be placed in the bottom left corner of the windscreen where it can be easily read by passengers and those outside the vehicle.

Failure to attach the licence plates in the approved manner may result in suspension of the vehicle, to allow the proprietor to correctly fix the issue.

A sign must also be displayed on the vehicle indicating that smoking is not permitted in the vehicle.

9.16 Door signage - private hire vehicles only

Unless an individual exemption has been granted for the vehicle (executive vehicles only, working solely on contracts with specific conditions attached to the licence), self-adhesive identification signage must be attached to each of the rear passenger door panels of the vehicle. Only signage approved and supplied by the Licensing Authority may be used, as they identify the licensing authority and the legal requirement for all journeys undertaken in the vehicle to be pre-booked.

These must attached at all times and NOT altered in any way or removed at any time whilst the vehicle is licensed. These signs must not be fixed using magnets, Velcro or adhesive tape.

Failure to display the Licensing Authority door stickers in the approved manner may result in suspension of the vehicle until the matter is rectified, and failure of a vehicle test.

9.17 Executive chauffeured vehicles

Provided that they have received written consent from the Licensing Authority, professionally chauffeured vehicles may, in certain circumstances, not be required to display the external vehicle licence plates but must comply with the display of the internal plate, as above. See **Appendix K** for executive hire vehicle specification and conditions. There are also specifications and conditions that are attached to any vehicle that is classed as a limousine which are provided at **Appendix J**. Such vehicles are not required to display the door signage.

9.18 Roof signs

Hackney carriage vehicles must be fitted with an illuminated external sign positioned on the roof of the vehicle. It must display the word "TAXI" to the front and may have the company name/phone number/TAXI on the rearward facing side. The roof sign and lettering shall be of an appropriate size to enable it to be read clearly from a distance of 5 metres.

The roof sign must be adequately secured either directly to the roof by suitable magnets or other means, or by mounting on a single roof bar and secured by bolts, straps, or clamps.

A Minibus, MPV or transit style vehicle not able to be fitted with an appropriate roof sign, shall have the word "Taxi" displayed on the front and rear of the vehicle so that they can be clearly identified as a hackney carriage.

At all times that the Licensed Hackney Carriage is available for hire, the roof sign will always be illuminated with an internal light source so that it is clearly visible to customers. The light must comply with the requirements of vehicle lighting regulations when illuminated.

Roof signs must not be fitted to any Private Hire Vehicles.

9.19 Disability access

Where a vehicle is utilised for the carriage of passengers in a wheelchair, the following conditions shall apply:

- (i) Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus.
- (ii) Wheelchair internal anchorage must be of the manufacturer's design and construction and secured in such a position as not to obstruct any emergency exit.
- (iii) A suitable restraint must be available for the occupant of a wheelchair.
- (iv) Access ramps or lifts to the vehicle must be securely fixed prior to use, and be able to support the wheelchair, occupant and helper.

- (v) Ramps and lifts must be securely stored in the vehicle before it may move off.

Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (S.I. 1998/2307). Any such equipment must be maintained in good working order and be available for use at all times when the vehicle is operating.

Where a vehicle is designated and licensed as a wheelchair accessible vehicle, the proprietor shall ensure that any driver of that vehicle has received sufficient training to load and convey wheelchair passengers. The driver of such vehicle must pass the accredited course identified by NFDC. An enhanced driver badge will then be issued to confirm that they have received the required training.

9.20 Vehicles powered by liquid petroleum gas (LPG)

An applicant who applies for a licence for a vehicle that has been converted to run on LPG is required to produce, prior to a licence being issued, a certificate issued by a member of the LPG Association. This should confirm satisfactory installation, examination and testing of the vehicle in accordance with LPG Association Code of Practice; and that the vehicle is therefore considered safe.

If an LPG conversion involves installation of an LPG fuel tank in a vehicle's boot space (and possible relocation of the spare wheel) it shall be a requirement that an amount of space shall remain free for the stowage of a reasonable amount of luggage. Any spare wheel displaced as a result must be stowed in a location that does not impinge on the passenger carrying area of a vehicle.

9.21 Tinted windows

Only windows tinted during the build of the vehicle (factory fitted) are permitted to be used on a licensed vehicle. Film added post manufacturer must be removed.

Any window tint must comply with relevant UK legislation ([Tinted vehicle windows: the law - GOV.UK](#)).

9.22 Changes

Any change affecting a licensed vehicle must be notified to the Licensing Authority within 14 days of the change.

When the holder of a vehicle licence wishes to transfer the licence to another person, he must notify the Licensing Authority in writing before such change takes place. Failure to do so is likely to result in the refusal to renew the licence.

Appendix G - Licence conditions-dual driver

1.0 Driver badge and licence

- 1.1 A licensed driver must always wear the Licensing Authority's driver identity badge, when working in a licensed vehicle. It should be clearly visible to passengers.
- 1.2 Loss of a driver's badge must be reported to the Licensing Authority as soon as reasonably practicable and in any case within 48 hours. The driver must immediately obtain a new driver's badge for which a fee will be charged. If the original badge is then found, it must be returned to the Licensing Authority.
- 1.3 If the Licensing Authority has suspended or revoked the driver's licence, the badge must be returned to the Licensing Authority within seven days of receipt of the written notification.

2.0 Change of details/circumstances

- 2.1 Upon ceasing employment as a licensed driver, the licence holder must notify the Licensing Authority in writing, within seven days. (notification by email is accepted). The driver badge must be returned to the Licensing Authority when surrendered.
- 2.2 Any change of address must be notified in writing (email is acceptable) within seven days of the change.
- 2.3 The driver shall notify the Licensing Authority within 48 hours of an arrest, charge, receipt of a summons or fixed penalty notice, ASBO, conviction or police caution for any offence.

In addition, all motoring convictions must be reported to the Licensing Authority within 48 hours of receiving written notification of the penalty.

- 2.4 The licence holder must notify the Licensing Authority within seven days if they change private hire operator.
- 2.5 The driver must report to the Licensing Authority any accident or incident involving a licensed vehicle under their control as soon as is practicable. However, where the vehicle has suffered accident damage that materially affects the performance or appearance of the vehicle, or the comfort or convenience of fare paying passengers, the driver must notify all parties as soon as possible and no later than 72 hours after the accident or incident.

3.0 Health of the driver

- 3.1 Drivers must inform the Licensing Authority without delay about the onset or worsening of any health condition likely to cause him/her to be a source of danger to the public when driving either now or in the future.
- 3.2 Drivers who are in doubt about whether their health condition is one which should be reported, should consult their doctor.

4.0 Animals

- 4.1 A driver must not carry any animal, which belongs to or is in their care in the licensed vehicle whilst carrying passengers.
- 4.2 Unless in receipt of an exemption certificate, a driver must carry assistance dogs without additional charge. Assistance dogs include guide dogs, hearing dogs for the hard of hearing, and other dogs which assist disabled people with an impairment or medical condition.
- 4.3 Other animals in the custody of passengers may be carried, at the driver's discretion, provided they are restrained in a safe manner.

5.0 Lost property

- 5.1 The Licence holder shall immediately after the termination of any hiring of a licensed vehicle, or as soon as practicable thereafter, search the vehicle for any property which may have been accidentally left.
- 5.2 Any property accidentally left in a licensed vehicle must (within 48 hours) be handed in to the private hire operator if the journey is booked through an operator, or handed in at a Police Station. If the proprietor is an independent hackney proprietor, a record of the property should be kept, prior to handing into the police.

6.0 Passengers

- 6.1 Where a passenger has cause to complain to a driver about any aspect of the service provided, a driver is encouraged to advise the passenger of their right to make a complaint to the relevant private hire operator (if applicable). They must also make it clear to the passenger that they may refer any complaint directly to the Licensing Authority.
- 6.2 The driver must not carry or permit to be carried in a vehicle, more passengers than the vehicle is licensed to carry.
- 6.3 Where a driver has concerns that could relate to the safety of children and vulnerable persons, they must report those concerns to the relevant authority. If the authority is not known, it can be reported to the Licensing Manager or the Police

- 6.4 The licence holder is required to provide disabled passengers with reasonable mobility assistance and carry their mobility aids at no extra charge.
- 6.5 Drivers must assist with identification of the vehicle, if this is requested by the disabled passenger, be this verbally or visually.
- 6.6 Drivers shall assist passengers with their luggage.
- 6.7 The driver must, if requested by a fare paying passenger, provide a written receipt for any fare paid.

7.0 Meters

- 7.1 Licensed vehicles equipped with a taximeter (compulsory for a hackney carriage but optional for a private hire vehicle) shall operate the taximeter in accordance with the requirements of the conditions. For hackney carriages the taximeter must be used even if it is a pre-booked journey. A lesser fee than the metered fare may be charged. If the journey is undertaken through a service contract or out of the county and the fee is quoted to be less than the metered fare, the hackney carriage would not be required to use the taximeter.
- 7.2 The driver shall not charge more than the metered fare or the additional fees permitted by the agreed tariffs.
- 7.3 Where taximeters are fitted to vehicles, the driver must not cause the fare recorded to be cancelled or concealed, until the hirer has had an opportunity to examine the meter and has paid the fare (or credit has been given).
- 7.4 The driver must ensure that:
 - the meter is sufficiently illuminated so that when it is in use it is visible to all passengers.
 - the fare or charge is calculated from the point at which the hirer commences the journey and does not exceed that displayed on the meter on the completion of such journey.
 - the correct tariff for that journey is displayed.

8.0 Fares

- 8.1 The driver must not demand from the hirer a fare in excess of any fare previously agreed between the operator and the hirer, or if the vehicle is fitted with a taximeter and no previous agreement as to the fare, the fare shown on the face of the taximeter.

9.0 Vehicles

- 9.1 Drivers must not cause any internal or external vehicle licence plate to be concealed from public view whilst the vehicle is licensed.
- 9.2 Drivers must ensure that the vehicle is clean and suitable for hire at all times.
- 9.3 A driver must not drive a licensed vehicle if they have reason to believe that the vehicle is in an unsafe, dangerous or in an illegal condition. They must inform the operator or proprietor of the vehicle immediately of any defect arising in the vehicle whilst under his control.
- 9.4 The driver must ensure that the correct motor insurance is in place before the vehicle is driven.

10.0 Conduct of the driver.

The driver shall:

- 10.1 At all times be clean and respectable in dress and person.
- 10.2 Take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by the licence holder.
- 10.3 Not drink or eat in the vehicle whilst passengers are being carried and only when the vehicle is stationary.
- 10.4 Behave in a civil and orderly manner towards all persons including other road users, pedestrians, customers, the general public, other licensed operators and drivers of hackney carriage and private hire vehicles, police officers, licensing officers, Council employees and elected members of the Council.
- 10.5 Not use a hand-held mobile phone whilst driving.
- 10.6 Not smoke or permit passengers to smoke in their vehicle (this includes the use of electronic cigarettes / vaporisers).
- 10.7 At no time cause or permit noise emitted by any radio or other device in the vehicle, to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- 10.8 Be punctual and on time for bookings unless delayed/prevented from doing so by some sufficient/reasonable cause.
- 10.9 Drivers must cooperate fully with requests from Police Officers, authorised officers and authorised Officers from other Licensing areas.

Additional conditions to be observed when driving a Hackney Carriage Vehicle

11.0 The driver of a hackney vehicle shall:

- 11.1 Ensure that the “for hire” sign is visible and switched on when standing or plying for hire.
- 11.2 At the commencement of the journey ensure the sign is not illuminated and the taximeter is activated for the length of the journey.
- 11.3 The driver of the hackney carriage vehicle shall not demand a fare in excess of that shown on the taximeter.

Additional conditions to be observed when driving a Private Hire Vehicle

12.0 The driver of a private hire vehicle shall not:

- 12.1 a) Wait in a private hire vehicle at any public place, other than in connection with a pre-arranged booking.

b) tout or solicit on a road or any other public

“Road” means any highway, or any other road to which the public have access, including bridges over which a road passes.

“Public place” includes car parks attached to public houses, clubs, night clubs, restaurants and any other places of entertainment.

- 12.2 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 or, if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter.

Appendix H – Licence conditions- Private hire vehicle

1. The vehicle must not be licensed as either a hackney carriage or a private hire vehicle by any other Licensing Authority.
2. The maximum number of passengers as stated on the licence and vehicle plate must not be exceeded.
3. The external licence plate issued by the Council must be fixed to the rear of the vehicle at all times. External plates must be securely attached to the rear of the vehicle using only the Council approved bracket and fixings supplied.
4. The internal licence plate, which identifies the vehicle as a private hire vehicle must be attached to the inside of the windscreen using the adhesive pouch provided and must be visible to passengers inside the vehicle and those outside.
5. A pair of door stickers issued by the Council must be fixed on the upper part of each rear passenger door panel. The door stickers indicate that the vehicle may only accept pre-booked journeys and illustrate the issuing authority. The positioning of the sign shall not obstruct the opening of the door.
6. The licensed vehicle must display no-smoking signs in accordance with the Health Act 2006.
7. All signs and licence plates issued remain the property of the Council. On surrender, suspension or revocation of the vehicle licence, the licence holder must return the external and internal plates and door stickers within seven days to the Council. In addition, any expired plate must be returned to the Council, within seven days of expiry.
8. The use of electronic communications equipment in the vehicle, other than is necessary for communication between the vehicle and its control/operations centre is prohibited.
9. No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the written approval of the Council at any time whilst the licence is in force.
10. The proprietor of a private hire vehicle shall not allow the vehicle to be driven by any person who does not hold a current dual driver licence issued by New Forest District Council.

11. There shall be a policy of insurance, or such security as complies with the requirements of Part IV of the Road Traffic Act 1972 during the currency of the private hire vehicle licence. This must be produced to an authorised officer if requested.
12. The vehicle licence and conditions must be available for inspection at all times on request by any authorised officer of the Council or any Police Officer.
13. If required by an Officer, the proprietor shall present the private hire vehicle for inspection and testing at the Council's authorised facility.
14. The vehicle and all its fittings and equipment shall be kept in an efficient, safe, tidy and clean condition. All relevant statutory requirements and regulations shall be fully complied with.
15. All licensed vehicles shall comply in all respects with the vehicle specifications as outlined in the vehicle specification in the Hackney Carriage and Private Hire Policy.
16. Any proprietor of a private hire vehicle shall report to the Council as soon as reasonably practicable and in any case within 72 hours of the occurrence of any accident to such private hire vehicle which causes damage or materially affects the appearance or comfort of passengers.
17. The proprietor(s) shall inform the Licensing Authority in writing of any change of address, name, or contact details within seven days.
18. The proprietor(s) must inform the Licensing Authority in writing of any conviction or caution imposed within seven days of receiving it.
19. Advertisements for both self and third parties is permitted on private hire vehicles, subject to approval by the Licensing Manager.
20. The proprietor shall not display or permit to be displayed on or from a private hire vehicle any sign or notice which consists of or includes the word "taxi" or "cab" whether in singular or plural or "for hire" or any word of similar meaning or appearance to any of these words.
21. A private hire vehicle must not be used to ply for hire from a taxi rank, or in any other such manner which may give members of the public the impression that it is a hackney carriage.
22. The licensed vehicle must not be a London type taxi or any other type of vehicle constructed solely or primarily for use as a hackney carriage or be of such design or appearance as to be able to lead any person to reasonably believe that the vehicle is a hackney carriage.

23. The proprietor shall not 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 a private hire vehicle.

“Road” means any highway, or any other road to which the public have access, including bridges over which a road passes.

“Public place” includes car parks attached to public houses, clubs, night clubs, restaurants and any other places of entertainment.

24. Any passenger wishing to be accompanied by their assistance dog must not be refused unless the driver holds an exemption, issued by the Licensing Authority. No additional fee may be charged for the carrying of an assistance dog.
25. The Licensing Authority must be notified of a transfer of the vehicle within 14 days.
26. At all times the licensed vehicle may only be driven by a person who holds a New Forest District Council driver licence.
27. Any vehicle designated as a Wheelchair Accessible Vehicle (WAV) may only be driven by a NFDC driver designated as a WAV licensed driver, when carrying passengers.

The Licensing Authority may suspend, revoke or refuse any licence in respect of a private hire vehicle for any reasonable cause, including that the vehicle is unfit for use as a licensed private hire vehicle.

Appendix I – Licence conditions-Hackney carriage vehicle

1. The vehicle must not be licensed as either a hackney carriage or a private hire vehicle by any other Licensing Authority.
2. The maximum number of passengers as stated on the licence and vehicle plate must not be exceeded.
3. The external licence plate issued by the Council must be fixed to the rear of the vehicle at all times. External plates must be securely attached to the rear of the vehicle using only the Council approved bracket and fixings supplied.
4. The internal licence plate, which identifies the vehicle as a hackney carriage vehicle must be attached to the inside of the windscreen using the adhesive pouch provided and must be visible to passengers inside the vehicle and those outside.
5. The licensed vehicle must display no-smoking signs in accordance with the Health Act 2006.
6. All signs and licence plates issued remain the property of the Council. On surrender, suspension or revocation of the vehicle licence, the licence holder must return the external and internal plates within seven days. In addition, any expired plate must also be returned to the Council, within seven days of expiry.
7. The use of electronic communications equipment in the vehicle, other than is necessary for communication between the vehicle and its control/operations centre is prohibited.
8. No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the written approval of the Council at any time whilst the licence is in force.
9. The proprietor of a hackney carriage vehicle shall not allow the vehicle to be driven by any person who does not hold a current dual driver licence issued by New Forest District Council.
10. There shall be a policy of insurance, or such security as complies with the requirements of Part IV of the Road Traffic Act 1972 during the currency of the hackney carriage vehicle licence. This must be produced to an authorised officer if requested.

11. The vehicle licence and conditions must be available for inspection at all times on request by any authorised officer of the Council or any Police Officer.
12. If required by an officer, the proprietor shall present the hackney carriage vehicle, for inspection and testing at the Council's authorised facility.
13. The vehicle and all its fittings and equipment shall be kept in an efficient, safe, tidy and clean condition. All relevant statutory requirements and regulations shall be fully complied with.
14. All licensed vehicles shall comply in all respects with the vehicle specifications as outlined in the vehicle specification in the NFDC Taxi Licensing Policy.
15. Any proprietor of a hackney carriage vehicle shall report to the Council as soon as reasonably practicable and in any case within 72 hours of the occurrence of any accident to such hackney carriage vehicle which causes damage or materially affects the appearance or comfort of passengers.
16. The proprietor(s) shall inform the Licensing Authority in writing of any change of address, name, or contact details within seven days.
17. The proprietor(s) must inform the Licensing Authority in writing of any conviction or caution imposed within seven days of receiving it.
18. The proprietor shall fix and maintain on the vehicle a sign which bears the words "FOR HIRE" in plain letters at least 1.5 inches in height together with the word "TAXI". The sign should clearly indicate whether or not the carriage is for hire.
19. The proprietor shall ensure that any roof sign fitted to the vehicle which is capable of being illuminated is wired through the taxi meter so that the illumination of the roof sign is controlled by the taxi meter and by no other method.
20. The roof sign must not be illuminated when the vehicle is outside the New Forest District boundary.
21. All hackney vehicles must clearly display the current tariff of fares, set by the Licensing Authority, inside the hackney carriage where it can be read by passengers.

22. A calendar-controlled taximeter must be fitted and must be correctly calibrated, sealed and fully functional and easily visible to passengers.
23. Where a meter is set lower than the Council maximum, a notice shall be displayed in the vehicle clearly displaying the tariff the meter is set to.
24. Any passenger wishing to be accompanied by their assistance dog must not be refused or charged an additional fee.
25. This licence cannot be transferred without the consent of the Licensing Authority.
26. At all times the licensed vehicle may only be driven by a person who holds a New Forest District Council driver licence.
27. Any vehicle designated as a Wheelchair Accessible Vehicle (WAV) may only be driven by a NFDC driver designated as a WAV licensed driver, when carrying passengers.

The Licensing Authority may suspend, revoke or refuse any licence in respect of a private hire vehicle for any reasonable cause, including that the vehicle is unfit for use as a licensed hackney carriage vehicle.

Appendix J - Additional conditions relating to stretched limousines

1.0 Definition

A stretch limousine is defined as a motor vehicle that has been lengthened by the insertion of an additional body section and modified by a coachbuilder to contain luxury facilities and fixtures that is capable of carrying up to but not exceeding 8 passengers.

This will apply to authentic Ford and Cadillac stretch limousines only converted by an authorised company. All other specialist vehicles will be individually considered against the policies of New Forest District Council.

The general conditions imposed by New Forest District Council for PHV Operators, PHV Drivers, and PHV Vehicles will be applicable to the PHV licensing of stretched limousines unless amended by the below provisions.

1. Any person driving a stretch limousine for PHV work will be required to be licensed as a PHV driver with New Forest District Council and all journeys must be booked through a private hire operator licensed by this Council.
2. Once licensed as a private hire vehicle, the limousine will be subject to any other statutory requirements imposed by Part II of the Local Government (Miscellaneous Provisions) Act 1976.
3. Stretch limousines will be regarded as luxury vehicles used for special events. The use of such vehicles for standard PHV work is not considered to be appropriate. Therefore, the type of work undertaken by a licensed private hire stretch limousine will differ **significantly** from that of regular private hire work in that the vehicle will only be licensed for the carriage of passengers for special events. Examples (this list is not exhaustive) of special events are:
 - prom nights
 - theatre trips,
 - hen nights,
 - stag nights,
 - party trips,
 - race days.

Or any other similar event considered by NFDC to be special by its nature.

4. A stretched limousine vehicle will be subject to twice-yearly mechanical examination at intervals to be specified by the licensing authority and at

its authorised testing station(s) to determine its safety and suitability for the type of work for which it is licensed. This will apply to all stretch limousines regardless of age, date of import or date of registration.

Full proof of Department for Transport (DfT) Single Vehicle Type Approval (SVA) will be required at the time of testing.

5. Where applicable, the Vehicle Identification Number (VIN) plate shall display '1L1' to confirm conversion completed by an authorised dealer.
6. Where applicable, the applicant shall confirm, by a badge or other appropriate documentation the conversion dealer.
7. A plate on the door pillar shall confirm the total weight of the vehicle.
8. DVLA V5 or equivalent shall be produced to authenticate registration.
9. Given the increased weight of the vehicle, tyres of the correct weight and size rating must be used at all times. The limousine must be fitted with tyres that meet the appropriate specification for both the size and weight of the vehicle, such as 235/75R-15 108D (BF Load) or 225/70R-16 107T Town Car Limo Tyre (Reinforced).
10. Vehicles may either be left or right-hand drive and fitted with at least 4 doors.
11. The limousine's seating capacity must have been reduced where necessary to a maximum of 8 passengers.
12. The vehicle must not carry more than 8 passengers at any time and for this purpose a babe in arms will be classed as a passenger no matter what their age.
13. There shall be no passengers carried in the front compartment.
14. Lap and diagonal seatbelts must be fitted to all forward and rear facing seats and must be worn at all times by passengers whilst the vehicle is in motion.
15. Every other seat e.g. sideways facing seats shall have fitted a suitable seat belt or restraint and must be worn at all times by passengers whilst the vehicle is in motion.

16. Stretched limousines with heavily tinted glass in the windows behind the driver's cockpit will be considered for licensing. Glass in the driver cockpit must satisfy the current legal requirements. Tinted glass shall conform to the legal requirements as laid down by the Vehicle Operators Services Agency (VOSA).
17. An appropriate insurance policy must be in place which covers use of the vehicle for hire and reward.
18. Alcohol shall not be provided in the vehicle unless the operator holds an appropriate licence under the Licensing Act 2003 permitting the sale or supply of the same.

Alcohol shall only be served whilst the vehicle is stationary and afterwards, all bottles shall be placed in a secure receptacle.

If any passenger is below the age of 18, there shall be no alcohol on the vehicle.
19. The driver shall not play or permit the performance of any media which, because of its age restricted classification or its content, is unsuitable for the age of the passengers in the vehicle (based on the age of the youngest passenger).
20. No signs, notices or any other markings will be displayed on or in the vehicle without the written permission of the Licensing Authority.
21. In any advertisement publicising their limousine service, the operator must state that the vehicle is only licensed to carry 8 passengers and such a sign must be displayed within the passenger compartment of the vehicle.

Appendix K - Executive hire plate exemption

Section 75(3) Local Government (Miscellaneous Provisions) Act 1976-exemption from displaying plates notice.

1.0 Statement

The aim of this policy is to ensure public safety whilst taking a balanced approach to licensing requirements. Its objective is the provision of an exemption to allow 'executive vehicles' to operate without displaying external identification plates.

2.0 Introduction

The displaying of the external identification plate on a licensed vehicle and a driver's badge is important in terms of public safety and reassurance. They indicate to the travelling public that prior to being licensed both the vehicle and the driver have been subjected to checks to ensure the safety of the public.

However, there are occasions when the requirement to display an external identification plate may have the opposite effect in terms of customer safety and could have commercial implications for the operating business. The display of Licensing Authority licence plates externally may also deter some corporate customers from using the service; and in some circumstances the identification of the vehicle as a licensed vehicle may allow "high risk" passengers, such as public figures, to be more readily targeted putting both them and the driver at risk.

The Local Government (Miscellaneous Provisions) Act 1976 requires that private hire vehicles display an identification plate (licence plate) and drivers of those vehicles wear a driver's badge. The same legislation also allows New Forest District Council to exempt vehicles from the need to display a licence plate and, where that exemption applies, the requirement for the driver of that vehicle to wear a driver's badge.

It is not intended that all private hire vehicles licensed by New Forest District Council should be exempt from the Council's requirement to display an external identification plate and rear door sign, however the Council recognises that there may be circumstances when it would be appropriate for vehicles operating the type of service to be considered suitable for such an exemption.

The type of work undertaken must be exclusively "executive style" in nature i.e.:

- Contracts with senior personnel of large companies to carry Managing Directors or their clients.
- Contracts with national or local government, or similar agencies, to carry senior personnel and guests on official business.
- The carriage of well-known personalities such as sports or 'pop' stars.

The above list is indicative, but not exhaustive.

Evidence must be produced to confirm the nature of the bookings undertaken.

3.0 Applications

Application to exempt the display of external vehicle licence plates, may be in respect of individual vehicles only. Applications for exemptions relating to a fleet of vehicles are not permitted.

Each application will be assessed on its own merit by the Licensing Manager and each vehicle will be inspected by an authorised officer, to ensure that it is fit for purpose.

Applications may only be made by a person holding a private hire operator's licence issued by New Forest District Council.

Where a proprietor wishes to make an application for a vehicle to be exempt from displaying an external identification plate a separate application form will be required.

The Licensing Authority requires applicants to provide additional documentation, such as contracts with clients or correspondence where clients have expressly wished to hire un-plated vehicles. This documentation will form part of the decision. Where such documentation is not provided to the satisfaction of the Licensing Authority, the application will be refused.

The exemption notice will expire on the same day as the expiration of the private hire licence, unless it is otherwise surrendered or revoked.

Exemption notices may be renewed annually subject to an inspection by a Licensing Officer, to ensure that it continues to be fit for purpose and within policy.

The Licensing Authority will determine any application for an exemption notice by virtue of this policy delegated to the Council's Licensing Officers.

In the event of an applicant being dissatisfied with the decision of the officer, the applicant may make a written application for a review of the decision by a Licensing Sub Committee.

All vehicles granted an exemption notice must, comply with the requirements for private hire vehicle, in addition to the requirements of this policy.

4.0 Vehicles

In creating this policy, New Forest District Council does not seek to provide a definitive list of vehicles it considers to be suitable (subject to use) for exemption from the requirement to display external identification plates.

This policy provides guidance to potential applicants on the standards of vehicle comfort and equipment that the Authority considers should be the minimum standard of comfort and vehicle type before such application would be considered.

This policy should be read in conjunction with the policy relating to private hire vehicles and establishes additional criteria that the Council (and its officers) will consider when determining applications for a private hire vehicle to be exempt from displaying external identification plates.

Applications for exemptions will be considered where the following vehicle requirements are met:

- The vehicle must be of a high quality both in terms of age, brand and condition.
- Vehicles will be larger than the Ford Mondeo class vehicles and will normally be the accepted luxury brands such as Mercedes Benz, BMW, Jaguar, Rolls Royce, Bentley, Lexus, high specification Range Rovers and Audis. The highest specification executive type cars from other manufacturers may also be considered.
- The vehicle will be in an immaculate condition with no visible defects, dents or blemishes to the external bodywork or internal trim.

5.0 Conditions

The below conditions apply to all private hire vehicles granted an exemption by New Forest District Council from the requirement to display an external identification plate and rear door sign are in addition to the criteria and conditions set out in the private hire conditions.

Additional conditions attached to any private hire vehicle licence which has been granted an exemption to display the licence plate.

- a) The proprietor shall not use the vehicle for private hire purposes other than for executive use (i.e. not for 'normal' airport journeys or daily private hire use).
- b) The licence plate, exemption notice and internal windscreen licence provided by the Council pursuant to requirements of the Local Government (Miscellaneous Provisions) Act 1976 shall remain the property of the Council.
- c) The exemption notice, private hire vehicle plate and the vehicle licence conditions must be carried in the vehicle, at all times and must be produced upon request to an authorised officer of the Council or a police officer.
- d) The internal vehicle identification badge must be displayed at the nearside of the front window of the vehicle, at all times.
- e) A taximeter will not be installed in the vehicle.

- f) The proprietor will not display in, on or from the vehicle any advertisement, signage, logos or insignia advertising the operating company or the vehicle's status as a private hire vehicle.
- g) The vehicle will not be required to display the Licensing Authority's private hire door signage.
- h) In the event of loss or damage rendering such plate or notice unserviceable the proprietor shall make immediate application for a replacement.
- i) The proprietor shall within one working day notify the Council of any change in the use of the vehicle.
- j) The exemption will cease to have effect on the sale or transfer of the vehicle to another party. The person to whom the exemption is granted must inform the council of the sale/transfer of ownership immediately, in writing, and return the exemption notice to Licensing Services.
- k) The driver of the exempted vehicle whilst engaged on private hire work will be smartly dressed in either a formal chauffeur's uniform, business suit or jacket and with collar and tie.
- l) The driver of an exempted vehicle is not required to wear their driver's identification badge but must carry it with them at all times.

Appendix L – Wheelchair accessible vehicles (WAVs)

1.0 Register

In accordance with the Equality Act 2010, a list of WAVs (Hackney Carriage and PHVs) licensed by this Authority is published on the Council's website. This is to assist customers who may be looking for an adapted vehicle, so that they may travel in their wheelchair if they choose.

The list of wheelchair accessible vehicles designated for the purpose of Section 165 of the Act is provided at :

<http://www.newforest.gov.uk/licensing>

2.0 Requirements

In a designated WAV, the driver should not carry any unessential items in the passenger seating area which could prevent a passenger in their wheelchair from travelling while seated in their wheelchair.

Designated WAV drivers must also take necessary steps to carry the passenger in safety and reasonable comfort and provide reasonable mobility assistance when required. No additional charges must be made for carrying out these duties. If the passenger chooses to sit in a passenger seat, the wheelchair and any mobility aids must be safely stored in the vehicle.

3.0 Hackney vehicles

Hackney vehicles that hold licence numbers 1-88 have been granted grandfather rights and do not need to be wheelchair accessible, however all new hackney carriage vehicles must be wheelchair accessible.

Hackney carriage licences numbered 1-88, with grandfather rights, MUST remain licensed at all times. If a licence expires, the plate must be returned, the licence will lapse and may no longer be allocated to a vehicle.

4.0 Drivers of WAVs

Drivers are not permitted to charge an additional fee for transporting a passenger in a wheelchair and if a meter is fitted it must not be activated before, or left running, whilst the driver performs duties required by the Equality Act 2010.

Drivers of vehicles designated as wheelchair accessible, must undergo and pass the specific external course before they are permitted to drive vehicles designated to carry passengers in wheelchairs.

Appendix M – Licence conditions- Private hire operator

NFDC aims to ensure that the private hire and hackney carriage service delivered within the district is of an excellent standard and meets the expectations of customers and the Licensing Authority.

All relevant information will be taken into account when considering the grant of an operator's licence. Should an application be refused, the applicant has a right of appeal in writing within 21 days to the Magistrates Court.

The following conditions will be attached to a Private Hire Operator Licence

1.0 Records

1.1 The operator shall keep details of all bookings accepted by them (or another operator) and shall record them on the approved booking system, immediately the booking is received and in the case of m.(below) when the booking is completed. This information must be held for a minimum of six months and be made available for inspection on demand by any Authorised Officer, or Police Officer.

Any computerised systems must be able to produce a printed record of the details specified below to enable the Licensing Authority to check record keeping.

1.2 Information required:

- a) the time and date the booking was made.
- b) the name of the hirer.
- c) the date and time of the pick-up required.
- d) the location of the point of pick-up.
- e) the destination.
- f) the identity of the driver allocated the journey.
- g) the time at which a driver was allocated the booking.
- h) the plate number (or other identification) of the vehicle allocated.
- i) details of any sub-contracted arrangement of the booking.
- j) identity of the person accepting the booking.
- k) the price quoted for the booking.
- l) how the booking was received.
- m) the time the job was completed.

1.3 The operator shall keep the following records relating to all private hire vehicles operated by them:

- a) the registration number of each vehicle operated.
- b) the private hire vehicle licence number of each vehicle operated.

- c) the date of expiry of each vehicle licence.
- d) the expiry date of the insurance for each vehicle.
- e) the name of each private hire driver.
- f) the driver licence number for each driver.
- g) the date of grant and expiry of each driver licence.
- h) the dates vehicle and drivers commenced and ceased work for the operator.

1.4 The information above must be produced upon request by the Licensing Authority to ensure that licensing records reflect the operator's current fleet.

1.5 The operator shall also keep records of the following to assist with accountability of driver:

- a) driver call signs.
- b) details of when any new driver begins service.
- c) details of when any driver's service ceases.
- d) details of any change of address of any driver in service.
- e) if the operator becomes aware that any driver is suffering from any illness, disability or condition which may affect the driver's ability to safely carry out his/her duties, details of that information.
- f) a copy of the driver's NFDC licence.
- g) a copy of driver's DVLA licence.

1.6 If a booking has been sub-contracted to another operator that is either licensed by NFDC or by another licensing authority, the (original) operator is required to provide the name and contact details of the sub-contracted operator to the hirer. The original operator must also maintain a record of the booking and which operator it has been forwarded to.

2.0 The premises

2.1 The applicant must obtain any necessary planning permission required for the operation of a private hire business and the premises and must comply with any conditions attached to that permission. The grant of an operator licence does not override any planning restrictions in place.

2.2 If the public have access to the premises, they shall ensure there is public liability insurance in force, which indemnifies against any claim for loss, damage or personal injury by any person using those premises. A copy of the operator licence must also be displayed in the public area of the premise.

2.3 Operator's premises where open to the public, shall be kept clean, adequately heated, ventilated and lit with adequate seating for customers.

2.4 The operator shall notify the Licensing Authority in writing within seven days of any change affecting this licence.

- 2.5 Any change of address will require a new application to be made, to allow for consultation with the planning authority to ensure that the necessary permissions are in place to allow the business to operate from the new premises. A new application must be received before the address is changed.

3.0 Transfer of licence

- 3.1 The licence is not transferable to another person or entity and the licensed operator may only operate from the premises specified on the licence.

4.0 Drivers and vehicles

- 4.1 The operator must undertake sufficient checks to satisfy themselves that only suitable drivers and vehicles are used (and continue to be used) in the course of their business. Operators must only use vehicles and drivers licensed by New Forest District Council.
- 4.2 The operator shall ensure that a certificate of motor insurance covers every private hire vehicle and driver operated by him under the licence, which is compliant with the Road Traffic Act 1988 as regards to the carriage of passengers for hire or reward.
- 4.3 The operator shall notify the Licensing Authority in writing within seven days of the commencement or termination of any vehicles operated by them.
- 4.4 The operator shall notify the Licensing Authority in writing within seven days of the commencement or termination of any driver or owner/driver operated by them.
- 4.5 The operator must accept a booking for, or on behalf of any disabled person if they have a suitable vehicle available.

5.0 Convictions

- 5.1 The licence holder shall notify the licensing authority in writing within 48 hours of an arrest, charge, receipt of a summons or fixed penalty notice, ASBO, conviction or police caution for any offence.
- 5.2 In addition, all motoring convictions must be reported to the Licensing Authority within 48 hours of receiving written notification of the penalty.
- 5.3 If the operator is a company or partnership, this requirement shall apply if any of the directors or partners.

6.0 Personal Data

- 6.1 The Operator must ensure that all individuals (non-drivers) working in any capacity who have access to booking records (paid or unpaid) have obtained a basic DBS Certificate from the Disclosure and Baring Service before

commencing employment. The DBS certificate must be dated within one month before the commencement of employment. Operators must consider any convictions shown on the DBS certificate in line with their policy on employing ex-offenders. The operator should also make their policy on employing ex-offenders available to the Licensing Authority upon request.

- 6.2 The operator must keep a daily record of the names of controllers engaged in the receiving of bookings and despatching of vehicles. These records must be kept for a period of six months and be made available for inspection on demand by any Authorised Officer, or Police Officer. The operator shall be totally responsible for the conduct and actions of controllers engaged in the receiving of bookings and despatching vehicles operated under the private hire operator licence.
- 6.3 The Operator must keep up to date records of all individuals working in any capacity (paid or unpaid) and who have access to booking records for the business as follows:
- a) full name.
 - b) address.
 - c) date of birth.
 - d) contact details (phone and email)
 - e) DBS issue date and certificate number.
 - f) start and finish dates of employment.
 - g) job title.
- 6.4 The Operator must ensure that any personal information obtained during the course of their business is stored securely, and only retained for as long as is absolutely necessary. Access to this information must be restricted to only those persons who will use it for the purpose for which it has been collected.
- 6.5 Personal information must not be used for any other purpose other than that for which it was collected without the express permission of the individual to which the information relates.
- 6.6 The loss of records by theft or otherwise must be reported to the Licensing Authority in writing within 24 hours and also immediately to the police in the event of theft being suspected. You may also need to report the data loss to the Information Commissioner's Office.

7.0 Description of business

- 7.1 The licensed operator shall not, in the name or description of the service at the premises or on any vehicle operated in the course of business, use the words "taxi"; "cab" or "taxi cab" or any other words or combination of letters so as to lead any person to believe the operator is providing a hackney carriage service.

- 7.2 The licensed operator may only advertise their operation as a taxi provider whilst they are a proprietor of one or more Hackney Carriages licensed by the Council.
- 7.3. The licensed operator shall ensure that any PHV operated under this licence does not display any mark or sign on the licensed vehicle that shall include the word 'taxi' or 'taxis', 'For Hire' or 'cab' or any words of a similar meaning or construction that may suggest the overall appearance of the vehicle is a hackney carriage.

8.0 Lost property

- 8.1 The Licensee shall immediately after the termination of any hiring of a licensed vehicle, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.
- 8.2 Any property accidentally left in a licensed vehicle must, (within 48 hours) be handed in to the private hire operator if the journey is booked through an operator.
- 8.3 The Operator must record details of all lost or found property and retain those records for examination for a period of 6 months.
- 8.4 The Operator must make every effort to return the lost property to the owner and retain the property for a suitable period of time to allow for the owner to make their own enquiries.

9.0 Notification of complaints

- 9.1 The Operator shall ensure that details of how a customer may contact the operator in the event of a complaint, are displayed on the operator's website, booking app or in the absence of online booking platform, at the booking office.
- 9.2 The operator must maintain a register of complaints received from members of the public (electronic or hard copy) which specifies all the relevant details of the complaint.
- 9.3 A copy of the complaints register must be available for inspection upon request of an authorised officer of the Licensing Authority. The records must be retained for a period of 6 months.
- 9.4 The Operator must notify the Licensing Authority within 48 hours if the operator receives a complaint about a driver operated by them when it has been identified that the complaint relates to any of the following:
- sexual misconduct, sexual harassment or inappropriate sexual attention,
 - racist behaviour,
 - violence,

- dishonesty,
- breaches of equality,
- any other serious misconduct (including those that are motoring related, i.e. dangerous driving or drink driving)

Appendix N – Information sharing and data protection

The Council will be the data controller for the personal data that it collects and processes relating to drivers and operators in accordance with its role as the Licensing Authority.

All personal data will be processed in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation ('UK GDPR') and as set out in the Council's Privacy Notice: www.nfdc.gov.uk/privacy

The Council will share information (which may include personal data) internally within the Council and externally with partner organisations including the Police, the Home Office, the Department of the Environment, Food and Rural Affairs (DEFRA), the National Anti-Fraud Network (NAFN), Hampshire County Council, the Driver and Vehicle Standards Agency (DVSA) and the National Fraud Initiative (NFI) where there is a lawful basis to do so. Information sharing aims to ensure effective regulation of the hackney carriage and private hire trade. The Police have powers to disclose information about relevant investigations even before an arrest or conviction is made.

In accordance with the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 ('the Act'), the Council will record (and keep updated) any decision:

- (a) to refuse a person's application for a driver's licence,
- (b) to refuse a person's application for the renewal of a driver's licence,
- (c) to suspend a person's driver's licence, or
- (d) to revoke a person's driver's licence.

on the National Register of Taxi and Private Hire Licence Revocations, Refusals and suspensions (NR3S). The Council will also search for entries on NR3S register before making a decision on a person's application for, or for the renewal of, a driver's licence.

In accordance with the Act, if any Licensing Authority in England has information about a driver licensed by another authority that is relevant to safeguarding or road safety concerns in its area, it must share that information with the authority that issued that driver's licence within the required timescale. Any Licensing Authority provided with such information by another authority must consider whether to suspend or revoke the driver's licence and inform the authority that shared the information of its decision.

The Council, as a public authority, is subject to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. The Council may be required to disclose information relating to taxi and private hire licensing in accordance with a request for information. However, an exemption/ exception will

apply where that information is the personal data of a driver, vehicle owner, or operator.

The Council is also required to publish and make available for inspection information as part of its public registers relating to hackney carriages, private hire vehicles, taxi drivers, taxi operators and wheelchair accessible vehicles.

Appendix O – CCTV

The Council does not currently mandate the use of CCTV in vehicles.

However, it is recognised that the use of CCTV can provide a safer environment for the benefit of taxi/private hire vehicle passengers and drivers by:

- deterring and preventing the occurrence of crime
- reducing the fear of crime
- assisting the police in investigating incidents of crime
- assisting insurance companies in investigating motor vehicle accidents

Where a driver or operator chooses to install CCTV within a vehicle, they are responsible for ensuring that this is done in accordance with the Data Protection Act 2018, the UK GDPR and guidance issued by the Information Commissioner's Office ('ICO') [Video surveillance \(including guidance for organisations using CCTV\) | ICO](#) and the Biometrics and Surveillance Camera Commissioner's Amended Surveillance Camera Code of Practice [Amended Surveillance Camera Code of Practice \(accessible version\) - GOV.UK \(www.gov.uk\)](#)

Appendix P- Mechanical Inspection Guidance

This has been produced by the NFDC's Transport and Depot Manager to detail checks undertaken during the vehicle inspection.

1. Registration plates
2. Vehicle identification number (VIN),
3. Brakes
4. Steering
5. Steering wheel and column
6. Visibility
7. Lamps, reflectors and electrical equipment
8. Electrical wiring
9. Axles, wheels, tyres and suspension
10. Suspension
11. Body, structure and attachments
12. Other equipment
13. Nuisance
14. Other environmental items
15. Taxi meter
16. Road test
17. Roof signs (Hackney carriages)
18. Private Hire Door Signage

1. Registration plates

Registration plates must not:

- be obscured, excessively damaged, deteriorated or delaminated
- have background overprinting
- have any feature or fixing that has the effect of changing the appearance or legibility of any of the characters including the use of tints or films
- have a honeycomb or similar effect background - back lit registration plates may have a honeycomb type construction which should not be confused with a honeycomb effect background

Ensure that the location of any fixing screws or bolts, as well as any delamination of the number plate do not prevent identification of the vehicle by automatic number plate recognition (ANPR) cameras, which 'see' any non-reflective material as being black.

Registration plates may:

- have an optional non-reflective border displayed within the margin which must be:
- be no wider than 6mm and not within 5mm of the characters on vehicles first used before 1 September 2021
- be no wider than 5mm and not within 10mm of the characters on vehicles first used on or after 1 September 2021

Registration plate characters:

- may contain grey, possibly to achieve a 3D or highlighting effect (only on vehicles first used before 1 September 2021)
- may be raised or 3D
- must be the correct size, stroke width and spacing
- must not be italic, sloping or formed using broken or multiple strokes
- must be laid out in the correct format for the age of vehicle
- must be formed using the prescribed font or be substantially similar to the prescribed font - as shown below

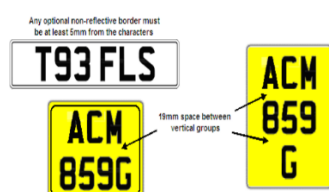
1234567890
ABCDEFGHIJKLMN OPQRSTUVWXYZ

They will only be rejected if the font is obviously incorrect. Registration plates fitted to vehicles must:

- have black characters on a white background when fitted to the front.
- have black characters on a yellow background when fitted to the rear.
- be fitted vertically, or as close to vertical as is reasonably practicable.

Registration plates fitted to vehicles first registered on or after 1 September 2021:

- must be a single shade of black
- may be raised, but the entire surface of the characters, including the sides, must be a single shade of black
- may have an integral raised or depressed border around the number plate periphery, not more than 5mm wide and 2mm high



Registration plates must meet the dimensional requirements shown in the example below. However, the space between a number '1' or a letter 'I' and another character is permitted to be proportionately greater. Vehicles with non-date related plates, such as those issued before 1963 and Northern Ireland plates must still meet the separation requirement between groups of characters where relevant.



It is a failure if the:

- Number plate is missing or so insecure that it is likely to fall off
- Number plate is showing an incorrect registration
- Number plate does not conform to the specified requirements

2. Vehicle identification number (VIN)

The vehicle must display a legible vehicle identification number.

Vehicles may have the VIN displayed in more than one location, but only one VIN is required to be complete and legible.

It is a failure if :

- The VIN is missing or cannot be found.
- The VIN is incomplete, illegible or obviously falsified.
- More than one different VIN displayed.

3. Brakes

Brake condition and operation, service brakes, secondary brakes, parking brakes, anti-lock braking system (ABS), electronic braking system (EBS) and brake fluid rules and inspection. All must be in good working order and effective.

Service brake pedal or hand lever condition and travel

A brake pedal – rubber pad, grooved or with raised grip section should not be worn smooth. It is a failure to have a worn smooth brake pedal.

However, if a brake pedal was manufactured with one that does not have grooves or anti-slip material, it is not a failure. Often a vehicle is fitted with an aftermarket brake pedal rubber.

A vehicle will be failed for insufficient reserve if the pedal is touching the floor.

It is a failure if:

- There is insufficient reserve travel.
- It is not releasing correctly.
- Functionality of the brakes are affected.
- The anti-slip provision is missing, loose or worn smooth.

Parking brake lever or control

A parking brake lever will be failed if it has obvious excessive travel.

Electronic parking brakes must be maintained in operation by direct mechanical means, even though they are applied electronically.

It is a failure if the:

- Ratchet is not holding correctly.
- Parking brake lever pivot or ratchet mechanism is obviously worn to the extent that the brake may inadvertently release.
- Parking brake lever has excessive movement.
- Parking brake control is missing, defective or inoperative.
- Electronic parking brake indicates a malfunction.

Brake servo units and master cylinder (hydraulic systems)

Hydraulic brake fluid level checks are confined to transparent reservoirs or where an indicator is fitted.

It is a failure if the:

- Brake servo is:
 - (i) defective or ineffective
 - (ii) inoperative
- Master cylinder:
 - (i) defective but brake still operating
 - (ii) leaking
- Master cylinder is insecure
- Brake fluid is below minimum mark
- Brake fluid level warning device is incorrectly functioning

Rigid brake pipes

The tester will check the condition of the metal brake pipes. Chafing, corrosion or damage to a rigid brake pipe, resulting in its wall thickness is reduced by 1/3 (approximately 0.25mm for typical hydraulic brake pipes) will be failed.

Repairs to the pressure lines of hydraulic brake systems are unacceptable unless suitable connectors are used. Compression joints of a type using separate ferrules are not suitable.

Unacceptable repairs to brake lines will be failed.

It is a failure if:

- The brake pipe is at imminent risk of failure or fracture.
- A brake pipe or connection is leaking.
- The brake pipe is damaged or excessively corroded.
- The brake pipe is:
 - (i) inadequately clipped or supported
 - (ii) likely to become detached or damaged.

Flexible brake hoses

A hose, which is excessively damaged or chafed, exposing the reinforcement will be failed.

It is a failure if the:

- Brake hose is damaged and likely to fail.
- Flexible brake hose is excessively damaged, deteriorated, chafed, twisted or stretched.
- Brake hoses or connections are leaking.
- Brake hose is bulging under pressure.
- Brake hose is porous.
- Brake hose ferrules are excessively corroded and likely to fail.

Brake linings and pads

It is a failure if the:

- Brake lining or pad is:
 - (i) worn down to the wear indicator
 - (ii) worn below 1.5mm
- Brake lining or pad is contaminated with oil, grease etc.

Brake discs and drums

If the brake disc or drum is significantly worn it will be failed. Brake judder felt from inside the vehicle from the steering wheel or foot pedal will also be a failure.

It is a failure if the Brake disc or drum is:

- Significantly and obviously worn.
- Insecure, fractured or otherwise likely to fail.
- Juddering or vibrating from inside

Load sensing valve

It is a failure if the:

- Load sensing valve linkage is defective or seized

4. Steering

Mechanical condition, steering wheel and column, steering play and electronic power steering (EPS).

Steering gear condition

To check the condition of the steering gear:

It is a failure if:

There is excessive roughness in operation of steering

- The sector shaft is:
 - (i) twisted or splines excessively worn
 - (ii) twisted or splines worn to the extent that functionality is affected
- The sector shaft is:
 - (i) excessively worn
 - (ii) worn to the extent that functionality is affected
- The Sector shaft:
 - (i) has excessive movement
 - (ii) has movement so excessive that functionality is affected
- The steering box is:
 - (i) leaking oil
 - (ii) leaking to the extent that oil is dripping

Steering gear security

‘Steering gear’ refers to any steering rack, box, relay or intermediate drop arm pivot housing.

It is a failure if the:

Steering gear casing is:

- (i) not properly attached
- (ii) retaining devices dangerously loose or relative movement to chassis/bodywork visible

- Steering gear casing fixing holes in the chassis are:
 - (i) elongated
 - (ii) elongated to the extent that attachment is seriously affected
- Steering gear fixing bolts are:
 - (i) missing or ineffective
 - (ii) missing or ineffective to the extent that attachment is seriously affected
- Strength or continuity of the load bearing structure within 30cm of any steering component mounting (a ‘prescribed area’):
 - (i) is significantly reduced or inadequately repaired
 - (ii) is so weakened that control of the vehicle is likely to be adversely affected

Steering linkage condition

Movement due to excessive wear will be a failure.

Unsafe modifications include:

- welded repairs

- the use of excessive heat to highly stressed components
- modifications likely to affect the roadworthiness of the vehicle

It is a failure if:

- A steering linkage component has:
 - (i) relative movement between components which should be fixed
 - (ii) excessive movement between components or likely to become detached
- A steering ball joint is:
 - (i) with excessive wear or free play
 - (ii) worn to the extent there is a serious risk of detachment
- A steering linkage component is:
 - (i) fractured or deformed
 - (ii) fractured or deformed to the extent that steering is affected
- A steering linkage retaining or locking device is missing or ineffective
- A track rod or drag link ends are seriously misaligned
- A steering rack gaiter or ball joint dust cover is:
 - (i) damaged or deteriorated
 - (ii) missing or no longer prevents the ingress of dirt etc.

Steering linkage operation

A missing steering lock stop will only be failed if it was fitted as standard.

It is a failure if the:

- Steering linkage is fouling any part of the vehicle
- Steering lock-stop is missing or incorrectly adjusted

Power steering

It is a failure if the:

- Power steering fluid is leaking or the system is malfunctioning
- Power steering fluid:
 - (i) level is below minimum mark
 - (ii) reservoir is empty
- Power steering:
 - (i) is inoperative
 - (ii) is inoperative and steering adversely affected
- Power steering pipe, hose or wiring:
 - (i) is excessively damaged or corroded
 - (ii) is damaged or corroded and steering adversely affected

5. Steering wheel and column

Steering wheel

Must be properly secured.

It is a failure if the:

- Relative movement between the steering wheel and column:
 - (i) indicates looseness
 - (ii) is such that there is a serious risk of detachment
- Steering wheel:
 - (i) retaining device is missing
 - (ii) is likely to become detached

Steering column

There should be no unsafe modifications. These include:

- welded repairs
- the use of excessive heat to highly stressed components
- modifications likely to affect the roadworthiness of the vehicle

It is a failure if there is:

- Excessive movement of centre of steering wheel up or down
- Excessive radial movement between the top of the steering column and the shaft indicating an excessively worn top bearing
- Excessive wear or play in a universal joint or a flexible coupling excessively deteriorated
- Excessive wear or play to steering head bearings

Steering play

Steering wheel free play should not be more than:

- 13mm for rack and pinion steering, or 48mm if there are several joints between the steering wheel and the rack
- 75mm for non-rack and pinion

It is a failure if the:

- Free play in the steering, measured at the rim of the steering wheel is:
 - (i) excessive
 - (ii) excessive to the extent that safe steering is affected

Electronic power steering (EPS)

For the purpose of an inspection, electronic power steering includes any steering system that incorporates an electric motor to control or assist the steering.

It is a failure if the:

- EPS indicates a system malfunction
- Electronic power assistance is not working

6. Visibility

This refers to the field of vision, bonnet catches, condition of the glass, the view to the rear, windscreen wipers and windscreen washers.

The following are considered a failure if they seriously restrict the driver's view:

- Signs to indicate when the vehicle is 'for hire'
- 'Official' stickers, such as parking and disabled permits
- Sun visor on the driver's side that cannot be stowed in the 'off screen' position
- Windscreen wipers that automatically stop in a position obscuring the view

It is a failure if:

- There is an obstruction:
 - (i) within the driver's field of view that significantly affects his view in front or to the sides outside the swept area of windscreen
 - (ii) that significantly affects the driver's view of the road through the swept area of the windscreen or an obligatory external mirror not visible
- A bonnet:
 - (i) cannot be safely secured in the closed position
 - (ii) is seriously at risk of opening inadvertently

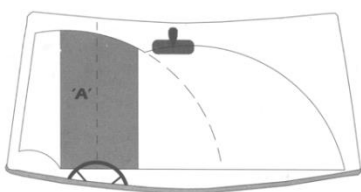
Condition of glass

The tester will check for:

- damage in windscreen zone A more than 10mm in diameter
- damage in the remainder of the windscreen's swept area more than 40mm in diameter
- damage to windows on either side of the driver's seat
- Any cracks to the windscreen
- Additional tinting to drivers view windows

Zone A is:

- in the swept area of the windscreen
- 290mm wide
- centred on the steering wheel



Repaired windscreens are judged on whether the repair interferes with vision. An 'invisible' or barely detectable repair, finished flush with the surrounding glass, does not count as damage.

It is a failure if the:

- Windscreen or window is damaged or seriously discoloured, affecting the driver's view of the road or of an obligatory external mirror
- Windscreen or window is excessively tinted, resulting in poor visibility through swept area of the windscreen or of an obligatory external mirror seriously affected
- Windscreen or window is:
 - (i) in an unacceptable condition e.g., due to excessive scratching
 - (ii) in such a condition that visibility through swept area is seriously affected
- (iii) in such condition that the windscreen has a crack

View to rear

Rear view mirrors and indirect vision devices can be any of the following positions:

1. an exterior mirror or device that provides a view along the offside of the vehicle
2. an exterior mirror or device that provides a view along the nearside of the vehicle
3. an interior mirror or device which provides a view to the rear of the vehicle

It is a failure if:

- A mirror is missing
- There is damage to the mirror or it is likely to come loose

Windscreen wipers

If the windscreen or rear wiper is clearly damaged or worn it will fail.

It is a failure if the:

- Wiper is not operating or missing
- Wiper blade is:
 - (i) defective
 - (ii) missing or obviously not clearing the windscreen

Windscreen washers

Washers must provide enough fluid for the wipers to clear the windscreen effectively. Fluid must hit the windscreen above the wipers at the parked position.

It is a failure if the:

- Windscreen washers not working or not providing sufficient fluid to clear the windscreen
- Windscreen washers are not providing fluid to both zone A and B

7. Lamps, reflectors and electrical equipment

This section refers to headlamp, position lamps, daytime running lamps, stop lamps, indicators, hazard warning lamps, fog lamps, reversing lamps, lighting 'tell-tales', electrical wiring and battery.

Headlamps

A 'light source' means any bulb, LED or other means of emitting light.

It is a failure if

- A headlamp:
 - (i) with up to ½ light sources are not functioning in the case of LED
 - (ii) is missing, inoperative or more than ½ not functioning in the case of LED
- Headlamp reflector or lens:
 - (i) is seriously defective or missing
- The lamp not securely attached
- The lamp is obviously distorted or cloudy

Switching

Dipped or main beam headlamps must immediately light up when they're switched on (depending on the position of the dip switch).

Headlamps must switch immediately between the main beam and dipped beam when the dip switch is moved. Moving the dip switch must do one of the following:

- extinguish all main beam headlamps and leave on at least one pair of dipped-beam headlamps
- deflect the main beams to make them dipped beams

Dipped beam headlamps can remain on or switch off when the main beam is selected.

It is a failure if the:

- Headlamp 'on' switch does not operate in accordance with the requirements

Compliance with requirements

Mandatory headlamps consist of a matched pair of main beam headlamps and a matched pair of dipped-beam headlamps. These can be separate or a single pair of headlamps.

Lamps are matched if they:

- emit light of substantially the same colour and intensity
- are the same size and shape and that they are symmetrical to each other

The colour of the light headlamps emit must be one of the following:

- white
- predominantly white with blue tinge
- yellow

The tester will assess damaged or repaired lamps for security, colour, light output and durability.

It is a failure if the:

- Headlamp emitted colour, position or intensity is not in accordance with the requirements
- Product on the lens or light source obviously reduces light intensity or changes emitted colour to that other than white or yellow
- Light source and lamp not compatible
- Mandatory headlamps, intended to be a matched pair, are not the same shape, size or colour

Levelling devices

It is a failure if the:

- Headlamp levelling device is inoperative
- Manual levelling device cannot be operated from the driver's seat

Headlamp cleaning devices

The tester will inspect vehicles first used on or after 1 September 2009 equipped with headlamp washers.

It is a failure if the:

Headlamp cleaning device is :

- (i) inoperative
- (ii) inoperative in the case of LED or gas discharge systems (HID)

Front and rear position lamps, daytime running lamps and end-outline marker lamps,

This inspection is for:

- mandatory end-outline marker lamps
- daytime running lamps (DRLs) fitted to M1 vehicles first used on or after 1 March 2018

It is a failure if the:

- Lamp is missing, inoperative or in the case of a multiple light source more than a half not functioning
- Lamp has a defective lens
- Lamp:
 - (i) is not securely attached
 - (ii) is likely to become detached

Switching

It is a failure if the:

- Switch does not operate in accordance with the requirements or the rear position lamps can be switched off when the headlamps are on
- Function of the switch is impaired

Stop Lamps

It is a failure if the:

- Stop lamp(s) are:
 - (i) with a multiple light source
 - (ii) missing, inoperative
 - (iii) all missing or inoperative

Switching

All stop lamps must light up immediately when the brake is applied and switch off immediately when the brake is released.

Vehicles first used on or after 1 January 1971 must have 2 stop lamps, one on each side.

It is a failure if the:

- Stop lamp(s):
 - (i) switch does not operate in accordance with the requirements
 - (ii) switch has a delay in operation
 - (iii) remains on when the brakes are released
- Stop lamp is adversely affected by the operation of any other lamp

Direction indicators and hazard warning lamp

All direction indicators and hazard warning lamps must be amber.

- The side repeater can be part of the front direction indicator if it has one of the following:
- a wraparound lens marked either with an 'E' mark in a circle or an 'e' mark in a rectangle with a number 5 above it
- an amber light coming through the front lens when viewed from 1m to the side of the rear bumper

It is a failure if a:

- lens is defective, such that the emitted light is adversely affected
- lamp is:
 - (i) not securely attached
 - (ii) likely to become detached
- Mandatory hazard warning device inoperative

Switching

Hazard warning lamps must operate using only one switch

It is a failure if the:

- Indicator or hazard warning switch:
 - (i) does not operate in accordance with the requirements
 - (ii) is inoperative

Flashing frequency

Indicators must flash at between 60 and 120 times per minute. Semaphore type direction indicators do not need to flash.

It is a failure if the:

- Rate of flashing is not between 60 and 120 times per minute

Front and rear fog lamps

Fog lamps must produce a steady light which is:

- white - for front fog lamps
- red - for rear fog lamps

Rear fog lamps may be combined with the rear position lamps.

It is a failure if a:

- Lens is defective, such that emitted light is adversely affected

Switching

Front and rear fog lamp switches may be combined or independent switches.

The switch or switches must:

- be secure
- be able to be operated from the normal driving position
- operate the fog lamps as intended

It is a failure if the:

- front or rear fog lamp switch is inoperative, or not operating in accordance with the requirements

Reversing Lamps

Reversing lamps must show a white light to the rear. At least one reversing lamp must be fitted.

It is a failure if a:

- front or rear fog lamp switch is inoperative or not operating in accordance with the requirements
- reversing lamp is inoperative
- reversing lamp is defective

Rear registration plate lamps

Registration plate lamps must light up the rear registration plate. Some vehicles may have these lamps fitted behind the number plate.

A 'light source' means any bulb, LED or other means of emitting light.

It is a failure if a:

- rear registration plate lamp is throwing direct white light to the rear
- rear registration plate lamp or light source is missing or inoperative

Rear reflectors

Reflective tape is not an acceptable substitute for a rear reflector.

It is a failure if the:

- Reflector is defective or damaged:
 - (i) by up to 50% of the reflecting surface
 - (ii) by more than 50% of the reflecting surface
- Reflector is:
 - (i) not securely attached
 - (ii) likely to become detached

8. Electrical wiring

The tester will carry out a visual inspection of the electrical equipment

It is a failure if the:

- Electrical wiring is:
 - (i) insecure or inadequately secured
 - (ii) insecure and in contact with sharp edges or connectors likely to become disconnected
 - (iii) likely to touch hot or rotating parts, drag on the ground or the connectors for braking or steering are disconnected
- Electrical wiring is:
 - (i) slightly deteriorated
 - (ii) so damaged or deteriorated it is likely to cause a short-circuit
 - (iii) extremely deteriorated for braking or steering components
- Electrical wiring insulation is:
 - (i) damaged or deteriorated
 - (ii) heavily deteriorated
 - (iii) in such a condition there is an imminent risk of fire or formation of sparks

Battery(ies)

If the batteries are leaking, the tester will refuse to test the vehicle.

It is a failure if the:

- battery is insecure and is likely to fall from the carrier or cause a short circuit
- battery is leaking

9. Axles, wheels, tyres and suspension

Axle, wheel bearing, wheel and tyres, tyre pressure monitoring system (TPMS), and suspension (including springs, shock absorbers, and suspension arms and joints)

Axles,

It is a failure if:

- An axle is fractured or deformed
- (b) An axle is:
 - (i) insecure or with loose fixing bolts
 - (ii) insecure such that stability is impaired, or functionality affected
- An axle is:
 - (i) with an unsafe modification
 - (ii) modified so that vehicle stability is impaired, or axle functionality affected

Stub axles

It is a failure if the:

- stub axle is fractured

- stub axle swivel pin and/or bush:
 - (i) is excessively worn
 - (ii) is so excessive the stub axle is likely to become insecure or directional stability is impaired
- Movement between the stub axle and axle beam:
 - (i) is excessive
 - (ii) is insecure or directional stability is impaired

Wheel bearings

It is a failure if the:

- wheel bearing has:
 - (i) excessive play
 - (ii) play so excessive it is likely to break up or directional control impaired
- wheel bearing is:
 - (i) excessively rough
 - (ii) likely to collapse
- bearing is noisy when rotated

Wheels

Road wheel and hub

It is a failure if the:

- wheel:
 - (i) has a loose or missing wheel nut, bolt or stud
 - (ii) has more than one loose or missing wheel nut, bolt or stud
- spigot mounted wheel hub has been:
 - (i) excessively worn or damaged
 - (ii) worn or damaged to the extent that wheel security is adversely affected

Tyres

The tester will assess a cut in a tyre:

- any ply or cord that can be seen without touching the tyre – fail
- if by folding back rubber or opening a cut with a blunt instrument, so as not to cause further damage, exposed ply or cord can be seen irrespective of the size of the cut – fail
- if a cut which is more than 25mm or 10% of the section width whichever is the greater, is opened with a blunt instrument and cords can be felt but not seen - fail

Tread depth

In simple terms, grooves containing tread wear indicators (TWI), or grooves cut as deep as those containing the wear indicators when new, are considered to be primary grooves, when assessing tread depth.

The 'breadth of tread' is the part of the tyre which can contact the road under normal conditions of use measured at 90 degrees to the peripheral line of the tread.

The primary grooves of the tread pattern must be at least 2mm deep around the entire outer circumference of the tyre.

The tread pattern must be visible over the whole tread area

Tyre pressure monitoring system (TPMS)

The inspection of the tyre pressure monitoring system (TPMS) is for M1 vehicles first used on or after 1 January 2012.

The TPMS warning lamp (see diagram 1) can operate in many ways depending on the vehicle type. If it is clear that the lamp indicates a system malfunction it is a fail. If it indicates that one or more of the tyre pressures is low it is not a fail.

Diagram 1. Example of a TPMS warning lamp



Tyre age

Tyre age is determined by the date code on the sidewall and will be a three or four-digit code. Tyres with a three-digit code will be more than 10 years old.

The code is usually located in a 'window' on the sidewall and may or may not be located at the end of the DOT number (see image below).



The first two digits of the code represent the week of manufacture of the tyre and the second two digits represent the year of manufacture. In the example above, the tyre was manufactured in week 35 of 2016.

Tyres over 6 years old at the time of test are failed if they are on any axle

Tyres not displaying a date code must also a fail

It is a failure if the:

- tyres on the same axle are different sizes
- tyre:
 - (i) with a cut in excess of the requirements is deep enough to reach the ply or cords
 - (ii) has a lump, bulge or tear caused by separation or partial failure of its structure, including any lifting of the tread rubber or with cords exposed or damaged
- Tyre tread depth is not in accordance with the requirements
- Tyre is fouling a part of the vehicle
- Tyre pressure monitoring system is malfunctioning or obviously not working
- Tyre valve seriously damaged or misaligned and likely to cause sudden deflation of the tyre
- Tyres are obviously under inflated

Wheels

The vehicle must be right-hand drive and have a minimum of four approved road wheels and spare tyre provision as provided at vehicle manufacture stage. Replacement alloy wheels are not acceptable.

Wheels should be correctly aligned, joints and bearings free from abnormal wear. All mounting points should be in a sound condition with no undue wear in any associated bushes.

10. Suspension

Springs

The tester will check the security of a coil spring to the chassis or axle when jacking and lowering the vehicle. If the spring does not correctly locate when the suspension is returned to its normal running position, then it will fail for being insecurely attached.

Unsafe modifications include:

- welded repairs
- the use of excessive heat to highly stressed components
- modifications likely to affect the roadworthiness of the vehicle

It is a failure if the:

- fixings are loose to the extent that relative movement is visible
- spring component is fractured or seriously weakened

Shock absorbers

A shock absorber will fail if a negligible damping effect becomes evident at any point during the inspection.

It is a failure if the:

- shock absorber is:
 - (i) insecurely attached to chassis or axle
 - (ii) missing or likely to become detached
- shock absorber is damaged to the extent that it does not function or is showing signs of severe leakage
- shock absorber bush is excessively worn
- shock absorber which has a negligible damping effect

Suspension arms, rods, struts, sub-frames, anti-roll bars etc.

Unsafe modifications include:

- welded repairs
- the use of excessive heat to highly stressed components
- modifications likely to affect the roadworthiness of the vehicle

It is a failure if the:

- suspension component is:
 - (i) insecurely attached to chassis or axle
 - (ii) missing, likely to become detached or directional stability impaired
 - (III) excessively damaged or corroded
 - (iv) fractured or likely to fail

Suspension joints, pins and bushes

The tester will assess wear or play in spring pins and bushes using

- a small pinch bard

Wear is excessive if play is more than:

- 2mm for a 12mm diameter pin
- 3mm for a 25mm diameter pin
- 10% of the pin diameter for pins over 25mm diameter

Rear axles

It is a failure if the:

- suspension pin, bush, joint or bearing is:
 - (i) excessively worn
 - (ii) likely to become detached

- suspension joint dust cover is:
 - (i) severely deteriorated
 - (ii) missing or no longer prevents the ingress of dirt etc.

11. Body, structure and attachments

Structure and attachments (including exhaust system and bumpers), and body and interior (including doors and catches, seats and floor)

Structure and attachments

General condition

It is a failure if the:

- Main load-bearing structural member is:
 - (i) fractured or deformed such that structural rigidity is significantly reduced
 - (ii) fractured or deformed such that steering, or braking is likely to be adversely affected
- Strengthening plates or fastenings are:
 - (i) insecure
 - (ii) so insecure that structural rigidity is seriously reduced
- Vehicle structure is corroded to the extent that:
 - (i) the rigidity of the assembly is significantly reduced
 - (ii) steering or braking is likely to be adversely affected

Exhaust system

It is a failure if the:

- Exhaust system has a major leak or is insecure
- Exhaust fumes:
 - (i) are entering cabin
 - (ii) are causing a danger to health of persons on board

Fuel system

It is a failure if the:

- Fuel tank, pipe or hose is:
 - (i) insecure
 - (ii) insecure such that there is a risk of fire
- Fuel system is:
 - (i) leaking, or missing or ineffective filler cap
 - (ii) leaking excessively or there is a risk of fire
- Fuel pipe or hose is:
 - (i) chafing
 - (ii) damaged

Bumpers

It is a failure if the:

- Bumper is:
 - (i) insecure or with damage likely to cause injury when grazed or contacted
 - (ii) likely to become detached
- Unsightly damage

Spare wheel

The spare wheel should be present, have a minimum of 2mm across the tyre and be correctly inflated. You must also have the correct tools to change the wheel E.G. Jack, wheel brace, locking wheel nut. If a spare wheel cannot be present an approved inflation kit is required and must be in date.

It is a failure if:

- The Tyre is below 2mm
- The tyre has cut to cords
- The tyre is under inflated
- There is no spare or inflation kit
- The inflation kit out of date or used
- There is no jack
- There is no wheel brace or incorrect size for wheel nuts
- There is a missing locking wheel nut if fitted
- It is an aerosol type inflation

Transmission

It is a failure if the:

- transmission shaft:
 - (i) securing bolts are loose or missing
 - (ii) is likely to become detached
- transmission shaft bearing is :
 - (i) excessively worn
 - (ii) likely to break up
- transmission shaft constant velocity joint boot is :
 - (i) severely deteriorated
 - (ii) missing, split or insecure so that it no longer prevents the ingress of dirt

Engine mountings

Body and interior

Body condition

This inspection is for all vehicles and includes:

- all body panels
- undertrays
- spoilers
- mirror housings

It is a failure if:

- A body panel or body component is:
 - (i) damaged or corroded and likely to cause injury when grazed or contacted, or insecure
 - (ii) likely to become detached
- A boot lid, tailgate, dropside, loading door or access panel cannot be secured in the closed position
- There is accident damage, deep scratches, or it is an untidy looking vehicle
- There is anything that can foul the wheels

Doors and door catches

It is a failure if the:

- A door will not open using the relevant control or close properly
- A door is likely to open inadvertently or not remain closed:
 - (i) in the case of a sliding door
- A door hinge, catch or pillar:
 - (i) is excessively deteriorated
 - (ii) is missing or insecure
 - (iii) Hinge drops when open

Interior

The interior must be clean with no foul odours, torn seats or carpet. It must have no loose or missing trim. The glass must be polished

Floor

It is a failure if the:

- Floor carpet is dirty or has holes

Driver's seat

All seats should be in a good condition and clean

It is a failure if:

- A driver's seat is :
 - (i) with a defective structure
 - (ii) insecure
- A driver's seat:
 - (i) fore and aft adjustment mechanism is not working as intended

(ii) is moving inadvertently, or the backrest cannot be retained in the upright position

- Too close to rear seat leaving inadequate leg room

Passenger seats

It is a failure if:

- A passenger seat is:
 - (i) with a defective structure or the backrest cannot be retained in the upright position
 - (ii) insecure
- The seats are torn
- The seats are in an un-clean condition

Driving controls

It is a failure if:

- A driving control necessary for the safe operation of the vehicle is:
 - (i) not functioning correctly
 - (ii) not working or functioning such that safe operation of the vehicle is affected

12. Other equipment

Seat belts and restraint systems, airbags, anti-theft devices, horn, speedometer, speed limiter and electronic stability control (ESC) rules and inspection.

Seat belts and supplementary restraint systems (SRS)

Seat belt security

It is a failure if the:

- Strength or continuity of the load bearing structure, within 30cm of any seat belt anchorage (a 'prescribed area'):
 - (i) is significantly reduced or inadequately repaired
 - (ii) anchorage likely to become detached in the event of a collision
- Seat belt anchorage is loose

Seat belt fitment and condition

It is a failure if :

- A statutory seat belt is missing
- A seat belt:
 - (i) or flexible stalk is damaged
 - (ii) webbing or flexible stalk is significantly stretched or weakened
- The seat belt not functioning as intended or of an incorrect type
- The seat belt buckle is missing, damaged or not functioning as intended
- The seat belt retractor is not functioning as intended

Seat belt pre-tensioners

It is a failure if:

- A seat belt pre-tensioner fitted as original equipment is obviously missing or deployed

Airbags

This inspection is for all airbags fitted as original equipment.

It is a failure if:

- An airbag fitted as original equipment is obviously missing
- An airbag is obviously inoperative

Supplementary restraint system (SRS)

It is a failure if the:

- Steering lock is missing or not functioning
- Steering lock is inadvertently engaging

Audible warning (horn)

An audible warning must be loud enough to be heard by other road users.

For vehicles first used on or after 1 August 1973, the sound emitted must be continuous or uniform. It cannot be harsh or grating.

It is a failure if the:

- Audible warning is not working
- Audible warning control is insecure
- Audible warning is not in accordance with requirements

Speedometer

It is a failure if the:

- Speedometer is not fitted where one is required
- Speedometer :
 - (i) operation is impaired
 - (ii) is not working
- Speedometer is :
 - (i) not sufficiently illuminated
 - (ii) not illuminated

Electronic stability control (ESC)

It is a failure if the:

- Wheel speed sensors are missing or damaged
- ESC wiring is damaged
- Other ESC component is missing or damaged
- ESC switch is damaged or not functioning correctly
- ESC MIL indicates a system malfunction

13. Nuisance

Noise, exhaust emissions, engine malfunction indicator lamp (MIL) (sometimes called an engine management light or 'EML'), and fluid leak

Noise suppression system

It is a failure if:

- Exhaust noise levels are in excess of those permitted
- Any part of the noise suppression system is:
 - (i) insecure
 - (ii) likely to become detached

14. Other environmental items

Fluid leaks

It is a failure if the:

- Fluid is:
 - (i) leaking and/or likely to harm the environment or to pose a safety risk to other road users
 - (ii) leaking continuously and likely to pose a serious risk to road safety
- Below the minimum mark in any fluid level

No smoking/vaping sign

It is a failure if the:

- Sign is missing

15. Taxi meter

The meter should accurately record the time and distance covered. It should be set to charge at the Council's current tariff and this should be accurately reflected by way of charges. The meter should be sealed. Vehicles fitted with a meter will undergo a road test on a marked road.

It is a failure if the taxi meter is:

- Inoperative
- Over charging on a marked road
- Not set to the correct rate
- Not sealed

16. Road test

On the road test the vehicle will be checked for any unfamiliar noises e.g., crunching into gears while driving, whining gearbox, final drive or suspension knock. You must also check for control e.g., steering feels tight and responsive, brakes do not judder or pull to one side. Clutch does not slip on pulling away. The exhaust will also be checked for excessive smoke.

It is a failure if the vehicle has:

- Noises when changing gears / crunching or jumping out
- A gearbox with differential noise
- Suspension knocking
- Excessive steering free play
- Brakes that judder / pull to one side
- A slipping clutch
- Excessive exhaust smoke
- A gearbox that cannot select all gears

17. Roof Sign (Hackney Carriage)

It is a failure if:

- The hackney vehicle is not fitted with an illuminated roof sign of a size and design approved by NFDC Licensing Services.
- The front of the sign has does not have a white background and in black letters and is not a minimum of height of 62.5mm and a maximum of 75mm displaying the word 'TAXI'.

18. Private Hire Door Signage

It is a failure if:

- The vehicle is not fitted with the rear door signage specified in the policy and provided by the Licensing Authority, unless an exemption is in place.

Appendix Q – Relevant legislation and statutory guidance

In undertaking its licensing function, the Licensing Authority will have regard to the following legislation and statutory guidance:

- Town Police Clauses Act 1847
- Local Government (Miscellaneous Provisions) Act 1976
- Transport Act 1985
- Environmental Protection Act 1990
- Health Act 2006 and subsequent amendments
- The Equality Act 2010 (amended by the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022

- Data Protection Act 2018
- Immigration Act 2016
- Human Rights Act 1998
- The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002
- Guidance on the Rehabilitation of Offenders Act 1974 (March 2014)
- The Department for Transport “Taxi and Private Hire Vehicle Licensing Best Practice Guidance” (March 2010)
- Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022
- Deregulation Act 2015
- Road Traffic Act 1988
- Data Protection Act 2018
- The Department for Transport -Statutory Taxi and Private Hire Standards, July 2020
- FTA Hackney carriage and private hire vehicles-National inspection standards-Best Practice Guide August 2012
- The Regulators Code 2014
- Statutory taxi and private hire vehicle standards-updated 2022

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END