



Bromsgrove
District Council
www.bromsgrove.gov.uk



Taxi Handbook

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Definitions used throughout this Handbook

The Council	Bromsgrove District Council
Authorised Officer	Head of Planning and Environment Services Principal Licensing Officer Licensing Officer
The Owner	The person shown on the hackney carriage or private hire vehicle licence as the owner of the vehicle.
The Driver	The person to whom the Council has granted the Hackney Carriage/Private Hire Drivers licence to.
The Vehicle	The subject of the hackney carriage or private hire vehicle licence to which conditions are attached.
Private Hire Vehicle	A licensed vehicle which can carry passengers for hire or reward, but only by being pre-booked. It may not stand or ply for hire on a rank.
Hackney Carriage Vehicle	A licensed vehicle which can carry passengers for hire or reward, can be hailed by a prospective passenger and can park on a rank to await the approach of passengers.
Private Hire Operator	Any person who is licensed in the course of business to make provision for the invitation or acceptance of bookings for a private hire vehicle and manages, controls or allocates work to drivers through a central system or mobile telephone.
Plate	The licence plate issued by the Council to be displayed in accordance with the Council's conditions.
Nominated Garage	The Council's approved mechanical testing centre. The Depot, Sherwood Road, Aston Fields, Bromsgrove.
Certificate of Compliance	The certificate issued by the Council's nominated garage certifying that the vehicle is mechanically sound and fit for use as a taxi.
Wheelchair Accessible Vehicle	A vehicle whereby a wheelchair user can remain in their wheelchair whilst entering and being conveyed in that vehicle. The vehicle must be fit for this purpose at all times.

Appeal	A means by which a committee decision can be reviewed by the Magistrates Court or the Crown Court. The decision of the Committee may be upheld or overturned.
Conviction	Sentence of a Civil or Criminal Court.
Mitigating circumstances	The conditions surrounding a conviction. The conditions may alter the seriousness of a crime.
Rehabilitation	The period in which the local authority feels a person has repented their crimes.
Revoke	To take back something for an indefinite period of time.
Suspend	To hold something away from its owner for a period of time.

EXPLANATORY NOTES

A Criminal Records Bureau (CRB) Vetting Form

The CRB vetting form must be completed and countersigned by a duly authorised person employed by the Council and registered with the CRB. This form will then be sent to the CRB. A licence will not be issued until the CRB has provided a certified reply. It is essential that you submit your CRB vetting form in sufficient time as the period for processing of these forms rests with the CRB and not the Council.

The procedure is as follows:

- The applicant must complete a CRB **enhanced** check form;
- The applicant attends one of the Licensing Surgeries, bringing the completed application form with proof of identification, such as passport, birth or marriage certificate and driving licence showing current name and address.
- The Licensing Officer will sign the form to verify having seen the applicant's proof of identification.
- The applicant will need to pay the relevant fee, as the CRB charge for this service.
- The Council will send the form to the CRB

The applicant and the Council will both receive the disclosure (the CRB result) at the same time. Please note that it can take at least 6-8 weeks for the information to be sent back. Your CRB application can be tracked online at www.crb.org.uk

If the applicant is already in possession of an enhanced CRB Certificate which is less than one month old at the time of making the application, then this will be accepted by the Council.

B DVLA Mandate

The applicant will complete a DVLA mandate form in order that the Council can have an up to date record of their driver licence records.

C DVLA Licence

The applicant must produce a full DVLA or EU Drivers Licence to cover them for the class of vehicle they will be driving. If it is a photocard licence, then both the card and the paper counterpart should be produced showing current address.

D Passport Photographs

The applicant will provide two passport size photographs for their hackney/private hire driver licence. The photographs should be to the same criteria as for passport application.

E Fee

The fee to be paid will be determined each year by the Council's Executive Cabinet as part of setting the Council's budget. The change will generally come into effect on 1 April each year.

Fees and charges for all licences are payable at the same time as making your application and are not refundable under any circumstances once the licence has been granted.

Full details of all current fees and charges are set out in a separate leaflet which accompanies this handbook. Cheques should be made payable to Bromsgrove District Council. Dishonoured cheques will invalidate any licence which has been issued. For licences to be re-instated, payment must be made in cash at the Customer Service Centre.

F Medical Authorisation

The Council's medical form, completed by a doctor, must be submitted on the initial application stating that the applicant is physically fit to be the driver of a hackney carriage/private hire vehicle. The examination will be to the DVLA Group 2 Medical Standard. Drivers between 45 & 64 years old must provide a medical certificate every five years for licence renewal. When a driver reaches the age of 65 years, a medical certificate is required annually on licence renewal.

G MOT certificates

The garage will issue a Council pass certificate once the vehicle has passed the vehicle test. It is possible to also obtain a MOT Certificate, the Licensing Section will need to be informed at the time of booking the vehicle test that one is required.

H Vehicle Registration Document (V5)

The full vehicle registration document should be submitted. However if this is not possible as the document has been forwarded to DVLA for the registered keepers name or address to be altered, then the "new keeper supplement" may be submitted instead. However a copy of the full vehicle registration document should be forwarded to the Licensing Section as soon as possible.

If the vehicle is brand new and the vehicle registration document has not yet been issued by DVLA, then the "Confirmation of Registration Details" document may be submitted instead. However a copy of the full vehicle registration document should be forwarded to the Licensing Section as soon as possible.

I Insurance Certificates

A valid insurance certificate or cover note must be submitted proving the vehicle is correctly insured. Hackney carriage vehicles need to be insured for "public hire use" whilst private hire vehicles need to be insured for "private hire use." The insurance should be valid for a period of no less than 14 days.

J Vehicle Inspection Certificates

Your vehicle must be confirmed as fit for use as a hackney carriage or private hire vehicle by the Council's inspection garage before it can be considered for licensing purposes.

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INTRODUCTION

This guide has been written to advise and assist both new applicants and existing licence holders on how to apply for various licences relating to the operation of private hire and hackney carriage vehicles. This guide contains Council Policy which is used to determine applications; administrative procedures the Council follows when determining an application; the conditions attached to each type of licence; Hackney Carriage Byelaws together with a summary of legislation which affects the operation of each type of taxi licence.

The Council issues the following types of licences:

- Dual drivers licence which covers both Hackney Carriage and Private Hire
- Hackney Carriage Vehicle Licence
- Private Hire Vehicle Licence
- Private Hire Operators Licence

This guide is not exhaustive and, if you are in any doubt, please refer to the legislation governing the licensing of private hire and hackney carriages vehicles, drivers and operators which can be found in:-

The Town Police Clauses Act (TPCA) 1847
The Local Government (Miscellaneous Provisions) Act 1976 (LGMPA)
The Transport Act 1985 (TA)
Driver Vehicle Licensing Agency
Local Byelaws
Licence conditions

If you require further advice or assistance, please contact us at:

In writing:

The Licensing Section
Planning and Environment Services
Bromsgrove District Council
Burcot Lane
Bromsgrove
Worcs., B60 1AA

Telephone enquires:

Customer Service Centre
(01527) 881288

Email address:

licensing@bromsgrove.gov.uk

Fax:

(01527) 881313

Personal visits:

Can be made at the Customer Service Centre where a Customer Service Advisor will be able to help you. The Service Centre is open Monday – Wednesday and Friday from 9.00am to 5.00 p.m., Thursday from 10.00 a.m. to 5.00 p.m. and Saturday from 9.00 a.m. to 12noon at School Drive, Bromsgrove.

If you need to speak directly with a Licensing Officer, please can you arrange to attend one of the surgeries at the Customer Service Centre, they operate:

Tuesday from 1.30 p.m. to 2.30 p.m.

Wednesday and Friday from 9.30 a.m. to 10.30 a.m.

All application forms are available either by phone or direct from the Customer Service Centre. You may also download these forms from <http://bromsgrove.whub.org.uk/home/bdcindex/bdc-licensing.htm>.

Assistance in completing these forms can be obtained from one of the Customer Service Advisors or by attending a licensing surgery at the Customer Service Centre.

All relevant information will be taken into account when consideration is given to an application for any type of licence. Whilst an application should conform to Council Policy and the administrative procedures set out will be followed, each application will be considered on its own individual merits.

You are required to ensure that you are familiar with the contents of this Handbook, that it is kept up to date and made available for inspection upon request by an authorised officer of the Council.

Data Protection

Bromsgrove District Council is under a duty to protect the public funds it administers. To achieve this, the Council may use the information you have provided for the prevention and detection fraud.

The Council may also share this information with other departments within the Council and other bodies administering or auditing public funds for the prevention and detection of fraud, the investigation of any criminal offence, or in the performance of its statutory duties for the exercise of public functions.

SECTION A – DRIVER’S LICENCE

APPLICATION FOR A DUAL DRIVER’S LICENCE AND BADGE

The dual driver’s licence covers the driving of both Hackney Carriage and Private Hire Vehicles and is valid for one year from the date of grant.

It is Council Policy that the following minimum standards are achieved before making your application including renewals.

Criteria for Hackney Carriage and Private Hire Drivers:

- Applicants must be over 21 years of age;
- Applicants must hold a DVLA driver’s licence or an equivalent E.U. member state driving licence;
- Applicants should have at least 12 months driving experience in the relevant class of vehicle in the UK;
- Applicants must have good conversational English. If the Licensing Officer feels that the applicant does not have conversational English, he/she will refer the applicant to another Officer for their view;
- New applicants should have no more than 6 current penalty points on their DVLA licence; The applicant will be required to complete a DVLA mandate to obtain a copy of their current driving record;
- New applicants must be free from previous convictions and cautions, other than for minor traffic offences. All applicants will be required to have a CRB enhanced check every 3 years. (Please refer to separate guidance on the relevance of convictions);
- New applicants must have passed or be working towards a suitable disability awareness training during the first 12 months of being granted their initial licence. Qualification will be verified by the training provider;
- Applicants for renewal of licences should have no more than 9 current penalty points for motoring offences on their DVLA licence; The applicant will be required to complete a DVLA mandate to obtain a copy of their current driving record;
- Applicants for renewal of licences must be free from new convictions since the date of the grant of their last licence, other than for minor traffic offences. (Please refer to guidance on the relevance of convictions);
- New applicants must pass the Council’s knowledge test before issue of licence;
- Existing drivers must have passed or be working towards a suitable training which incorporates disability awareness. Training to be completed by 1st October 2010.
- Applicants applying for a new or renewal licence shall be required to provide proof of their medical fitness by completing and submitting a medical certificate carried out by a GP under the DVLA Group 2 standards:

- If aged 21-45 years a medical certificate will be required on the granting of an initial application;
- Where the driver is aged between 45 and 64 years old, a medical certificate will be required every five years;
- Where the driver is 65 years old or over, a medical certificate will be required annually.

Foreign Nationals and other persons who have lived aboard

If you are a foreign national and/or have lived abroad within the last twenty years for a period of 16 weeks or more, you will be required to produce a document from the relevant Government or Embassy of your country of origin, or last place of residence if more appropriate, which provides a comprehensive criminal record. This document must provide contact details for the Embassy or Government, in order that Officers can verify its authenticity.

Any relevant offences will be put before the Council's Taxi Licensing Sub-Committee so that an informed decision can be made as to the suitability of the applicant, in the same way as any matters disclosed on a CRB check.

Although the Council does not employ drivers who are the recipients of Hackney Carriage and Private Hire Licences, it is recommended in the Department for Transport Best Practice Guidance to establish the right to work, to determine whether an applicant is a 'fit and proper' person. Consequently you will be required to prove your right to work in the UK. This can be done by submitting relevant original documents as outlined in the guidance on the importance of obtaining evidence that you are legally permitted to work in the UK.

Assistance Dogs

Any driver with a medical reason for not complying with this condition must apply to the Council for a certificate of exemption. Any charge for any necessary medical examination is to be paid by the applicant. Such a certificate of exemption shall be displayed in the vehicle at all times whilst the person holding the exemption is driving the vehicle.

You must comply with the Disability Discrimination Act, and any subsequent relevant legislation, at all times.

How to make your first application

The following stages set out the Council's administrative procedure in processing your application.

Stage 1 – Submission of application

Once you have received your application pack and are satisfied that you can meet Council Policy, please make an appointment with the Licensing Officer for an interview and bring with you the following completed documentation:

- Licence application form;
- Licence fee; (see separate sheet for details of fees)
- Your original DVLA or equivalent driver's licence (photocopies will not be accepted). The licence must cover you for the category of vehicle you will be driving. If it is a photo card licence, then both the card and paper counterpart must be produced showing your current address. See explanatory note C.
- Provide a recent colour passport sized photograph. See explanatory note D.
- A letter from your prospective employer confirming they will employ you should your application be successful.
- DVLA mandate form - applicants must provide their written permission for the Council to undertake a check with the Driver and Vehicle Licensing Authority at Swansea in order to obtain an up to date record of their driver licence records. See explanatory note B.
- Criminal Records Bureau disclosure application form and fee - a search is carried out by the Criminal Records Bureau (CRB) for previous non-motoring convictions on all new applicants and then every 3 years. See explanatory note 'A'.

When completing the application form, you must declare all convictions imposed by a Civil or Criminal Court. Please note that the Rehabilitation of Offenders Act 1974 does not apply to taxi drivers and convictions are never spent. If you are in any doubt as to whether a licence will be granted, you can get advice (in confidence) from the Licensing Section. If you are unsure how to complete any part of the application the Licensing Section will provide assistance.

If any convictions arise during the application process, the Licensing Section must be informed in writing within 7 days from the date of conviction.

Stage 2 – Receipt of CRB/medical/ DVLA check

On receipt of a satisfactory CRB disclosure and DVLA check, you will need to obtain a medical report from your Doctor. Time taken by the CRB and/or DVLA to check your record is out of the Council's control. It is possible to track your CRB application on line at www.crb.org.uk

Stage 3 – Knowledge Test

On receipt of a satisfactory medical report an appointment will be made for you at a mutually convenient date/time, for you to take the knowledge test.

The knowledge test will consist of three parts:-

Part 1 - You will be given a map on which names of streets and popular locations in Bromsgrove District have been blanked out. You will be required to identify these street/locations.

Part 2 - You will be given two locations and you will be asked to describe the shortest convenient route to be taken from the start of the journey to the final destination.

Part 3 - You will be required to answer a number of questions relating to the law, regulations and conditions relating to Hackney Carriage and Private Hire Vehicles and drivers.

In order to pass the test, you will be expected to achieve at least 80% in Parts 1 and 3 and 100% in Part 2.

If you fail the test or any part of it at the first attempt, then you can take a further test at a later date without fee.

Stage 4 - Disability Awareness Training

All new applicants must attend an accredited Training Course which incorporates disability awareness, such as NVQ level 2 in Road Passenger Transport within 12 months of their initial application. Officers may not grant renewal applications if the driver has not undertaken Disability Awareness Training without reasonable excuse. Please contact the Licensing Section for details of training providers.

Stage 5 - Issue of Licence

A licence will normally be granted if:

- you have no “unspent” criminal convictions (see below) and have no pending prosecutions for criminal or motoring offences,
- you have no more than 6 penalty points on your driving licence,
- you have been certified physically fit by a registered medical practitioner to drive a hackney carriage or private hire vehicle, and
- you have passed the geographical knowledge test.

Your Licence can be posted to you or made available for collection at the Customer Service Centre within 5 working days of you being informed that your application has been granted.

If the badge is damaged after being issued to the driver, a replacement shall be provided by the Council, at the driver’s expense.

Those who do not meet Council Policy

Under taxi licensing legislation, the Council has to ensure that anyone holding a licence is a ‘fit and proper person’. Obviously, when all the checks and tests set out above are satisfactory then the applicant is judged to be ‘fit and proper’ and a licence is granted.

However, where there is any doubt as to whether the applicant is a 'fit and proper' person, for instance because the CRB or DVLA checks have shown the applicant has criminal or motoring convictions, including cautions and any other relevant information disclosed by the Chief Police Officer, the Licensing Section may not have authority to grant or renew that application. In that instance the applicant can request in writing to have their application determined by the Council's Taxi Licensing Sub-Committee.

A report will be compiled by the Licensing Officer outlining the application details and they will be presented to the Sub-Committee.

Applicants are entitled to attend the meeting to explain the circumstances of their conviction (or other reason for referral) and speak in support of their application. They are entitled to be accompanied by a representative (whether they are legally qualified or not).

In respect of criminal convictions that are declared, the Sub-Committee will have regard to the guidelines relating to the relevance of convictions.

Appealing against a decision of the Council

After considering the applicant's representations, the Sub-Committee will determine the matter. If the applicant is not satisfied with the decision of the Taxi Licensing Sub-Committee, there is a right of appeal to the Magistrates Court within 21 days of being notified of the Sub-Committee's decision.

Loss or Theft of Driver's Badge and Vehicle Plates

Loss or theft of your badge, or vehicle plates should be reported immediately to the Council and the Police. A replacement licence, badge or plate will be issued once the appropriate fee has been paid.

APPLICATION TO RENEW A DUAL HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE

You must apply for renewal of your licence whilst the existing one is still in force. A reminder letter will be sent to you approximately 4-6 weeks before the current licence expires. (IF AN APPLICATION IS MADE ONE DAY LATE, IT MUST BE TREATED AS A NEW APPLICATION), including having to pass the knowledge test, so please ensure adequate time for renewal. Additionally you will not be permitted to continue to drive a Hackney Carriage or Private Hire vehicle as you do not hold a current licence.

When renewing your licence you must submit the completed renewal application form, to the Customer Service Centre or by post to the address shown at the front of this handbook, together with the following supporting documentation:

- application form for Criminal Records Bureau (where applicable);
- medical report (where applicable);
- DVLA licence showing current address;
- DVLA mandate;
- licence fee;
- a passport sized photograph (if your current one needs updating).
- Qualification certificate for disability awareness training

If you have accumulated more than 9 fixed penalty points for motoring offences during the term of the licence, the renewal application will be refused and you will have the option of referring your application to Taxi Licensing Sub-Committee for determination.

If the CRB or DVLA checks do not arrive prior to the expiry of the existing licence, you will be permitted to carry on driving a hackney carriage or private hire vehicle, providing your application was received prior to the expiry date of your existing licence.

Should the CRB disclosure reveal convictions not disclosed by you, then the licence and badge will not be renewed or if it has already been issued, you will be required to return it immediately to the Licensing Officer and you will have the option of referring your application to the Taxi Licensing Sub-Committee for determination.

If you are going on an extended holiday, you may apply for a renewal before you go or give someone else written permission to renew your licence on your behalf.

If you are unsure as to how to complete any part of the application, he/she should seek advice from a Licensing Officer.

Issue of Licence

An application will only be granted and the licence issued once the application procedure has been satisfactory carried out.

If the badge is damaged after being issued to the driver, a replacement shall be provided by the Council, at the driver's expense.

Disability Awareness Training

Officers may not grant renewal applications if you have not undertaken suitable Training which includes disability awareness, without reasonable excuse. For all existing licensed drivers, training must be completed by 1st October 2010.

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CONDITIONS RELATING TO DUAL HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE

The Council reserves the right to amend the conditions relating to Hackney Carriage and Private Hire licensing in light of changing circumstances or changes in legislation. These conditions are not to be treated as exhaustive and should be read in conjunction with the Council's Policy.

Failure to comply with the following conditions may result in the licence being suspended or revoked or lead to prosecution. A revoked or suspended licence must be surrendered to the Council on demand.

If you do not understand anything, ask for help. Not understanding is not an acceptable excuse for breaking the Council's Policy or the law.

Copy of conditions

When you are driving a vehicle, you must have a copy of these conditions with you.

Driver's Licences

Every driver of a private hire car or hackney carriage must be licensed by the Council.

Driver's Badge

All drivers must wear the badge provided, when driving, in a position so as to be plainly visible. The badge need not be worn if:-

- (a) the vehicle is being used in connection with a wedding or a funeral;
- (b) the vehicle is carrying written permission by the Council that the badge need not be carried.

The driver shall upon the expiry, revocation or suspension of the licence immediately return the badge and licence to the Council.

Direct route

The most direct route shall be taken unless the hirer directs otherwise.

Your behaviour

- (a) You must offer and, if accepted, give passengers all reasonable help with their luggage, including conveying it to or from the entrance of any building, station or place at the time of pick up or set down.
- (b) You must always be clean and respectable in your dress and appearance, and you must always behave in a civil and orderly manner.
- (c) You must take all reasonable steps to make sure that your passengers are safe when they are using your vehicle, and when they are getting into or out of it.
- (d) You must not smoke in the vehicle at any time. When you have a passenger in the vehicle, you must not eat or drink in the vehicle without your passenger's permission.

- (e) When you have a passenger in the vehicle, you must not play a car radio or music system (except the radio which you use for arranging journeys), without your passenger's permission.
- (f) You must never allow your radio or music system to be loud enough to annoy anyone, whether that person is inside or outside your vehicle.
- (g) You shall not sound your horn to announce your presence to the hirer.

Prompt Attendance

You shall be in attendance at the appointed pick-up at the time arranged, unless prevented by sufficient cause. A driver shall familiarise himself with the layout and whereabouts of all streets and roads in the district.

Passengers

- (a) Your vehicle must not carry more passengers than allowed by its licence, regardless of the age of any passenger carried.
- (b) The driver shall at all times comply with the latest legislation regarding the use of seat belts and restraints by all passengers including children and young persons.
- (c) When your vehicle has been hired by someone, you must not let anyone else get into the vehicle, unless the person who hired the vehicle has given permission.

Lost Property

You shall immediately after the termination of any hiring of the vehicle or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.

Any property found if not returned to the hirer must be handed to the police within 48 hours of finding.

Receipts

Any passenger requesting a receipt for payment made will be provided with a receipt showing the date, fare paid and will be signed by you. It shall be in such a form as to identify the company and/or individual providing the receipt.

Insurance

You must make sure that any vehicle you drive has a valid Insurance Certificate or Cover Note.

Plying for Hire - Private Hire Vehicle

If you are driving a Private Hire Vehicle, you must not ply for hire, or do anything which might make anyone else think that you are plying for hire.

Taximeter

If the vehicle is fitted with a meter, the following conditions must be complied with:

- (a) The driver shall not cause the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of examining

- it and has paid the fare. The fare must be properly illuminated during the hours of darkness or at any other time at the request of the hirer.
- (b) The driver shall not tamper with or permit any person to tamper with any taximeter with which the vehicle is provided, or with the fittings thereof or with the seals affixed thereto.
 - (c) Vehicles fitted with a meter may not operate unless the meter is in working condition and has been checked and sealed by an authorised officer.
 - (d) All vehicles fitted with a meter must display a current tariff card.

Plying for Hire - Hackney Carriage

If you are driving a Hackney Carriage, and you are on a Taxi rank, your vehicle must not be hired until it is the vehicle on the rank which has been there for the longest period and is in the front position on the rank. If at the time of arrival at the stand, there are no authorised spaces available, it will be necessary for you to proceed to another rank.

Fare to be demanded

Private Hire Vehicles – The driver shall not demand from any hirer, a fare in excess of any previously agreed fare for that hiring, or if the vehicle is fitted with a meter and there has been no previous agreement as to the fare, any fare greater than that shown on the taxi meter.

Hackney Carriages – The driver shall not demand from any hirer, any fare greater than that shown on the taxi meter. The meter must be calibrated to the current table of fares.

Animals

The driver may not carry his/her or an operator's animals whilst engaged in carrying a fare. If a passenger asks you to carry an animal, it is at your discretion whether or not you do so.

Assistance Dogs

You must not refuse to carry an assistance dog which is in the charge of a fare paying passenger and no charge shall be made for the carriage of such a dog whilst in the company of a disabled person or a person training such a dog.

Deposit of your licence

If you drive a vehicle which belongs to someone else, you must give your Hackney Carriage and Private Hire Driver's Licence to that person before you are allowed to drive the vehicle. Your Licence must be kept by that person until you stop driving their vehicle.

Change of circumstances

You shall notify the Council in writing within 7 days of:

- (a) Change in name or address;
- (b) Change in employer

- (c) Any convictions, motoring or otherwise (including fixed penalty), or any caution you have received.
- (d) Any medical condition that may affect the ability to drive. A medical examination may be required.

Change of ownership

If the vehicle is sold, both the buyer and the seller must inform the Council of the details of the new owner in writing within 14 days of the sale.

DVLA Driving Licence

You must show your DVLA Driving Licence to any authorised Officer of the Council who has asked to see it. You must do this within 5 days of the request being made.

SECTION B – VEHICLES

HACKNEY CARRIAGE VEHICLES

This licence is valid for one year and entitles licensed drivers to ply for hire on any of the Council's Hackney Carriage ranks or be hailed in the street. (Please note it does not entitle the driver to ply for hire or be hailed outside the District boundary).

The vehicle licence is only issued in the name of the actual owner of the vehicle. Proof of ownership will be required when making an application, such as producing the vehicle registration document.

Taxi ranks currently located within the District can be found at the following locations:

The Strand – outside Oceans Fish Bar	-	two spaces
The Bus Station	-	five spaces

The first vehicle in line on any rank must take the hirer seeking a Hackney Carriage.

PRIVATE HIRE VEHICLE

This licence is valid for one year and all hirings of the vehicle must be pre-booked through a booking office known as the Operators base. Private Hire Vehicles are not allowed to ply for hire at any of the Council's Hackney Carriage ranks or be hailed in the streets. Failure to adhere to this is an offence and could invalidate your insurance.

If you intend to operate a Private Hire business you will require an Operators Licence, a licence for each vehicle operated and a driver's licence for each driver.

A Private Hire Licence is not needed:

- For a vehicle while it is being used in connection with a funeral or for a vehicle used wholly or mainly, by a funeral director, for funerals;
- For a vehicle whilst it is being used wholly or mainly in connection with a wedding.

Once a vehicle licence has been granted the vehicle remains a taxi until the licence expires or is revoked and only drivers licensed by Bromsgrove District Council may drive the vehicle.

A vehicle that is already licensed as a Taxi with another authority cannot be licensed by Bromsgrove District Council as the vehicle would be unable to meet this Council's policy and conditions of the vehicle licence.

There is no fixed limit to the number of either Private Hire or Hackney Carriage Vehicle Licences which can be issued by Bromsgrove District Council. Each application for a new licence is considered by the Licensing Section who acts under powers delegated by the Council. These powers enable the Licensing Section to grant hackney carriage/private hire vehicle licences where the vehicle fulfils Council Policy and the application procedure.

Council Policy relating to the type of vehicle permitted

All vehicles must pass a vehicle MOT test and inspection before a licence is granted as well as meeting the criteria as outlined below relating to the types of vehicles that are acceptable to the Council:

- (a) Must not be a convertible or similar specification vehicle;
- (b) Must be a four door saloon (or a passenger carrying estate car) or be a minibus or multi purpose vehicle and have not less than 4 road wheels;
- (c) Have a capacity for at least 4 adult passengers but must not exceed 8 passengers.
- (d) The vehicle must be right hand drive.
- (e) If the vehicle is licensed for the carriage of at least 5 passengers but no more than 8, then there must be fitted 2 separate uninterrupted access/exit doors (excluding the boot/rear tailgate) as well as without having the need to collapse or climb over the seats in front of them and sufficient space for luggage still leaving gangways clear. There must be no more than 9 seats fitted which includes the driver's seat.
- f) All vehicles being licensed for the first time must have a type approval certificate to M1 standards, European Whole Vehicle Approval or Low Volume Type Approval.
- h) Vehicle licences for wheelchair accessible vehicles will not be renewed once a vehicle is over 12 years of age from the date of first registration.
- i) Vehicle licences for all other types of vehicles will not be renewed once a vehicle is over 10 years of age from the date of first registration. The age limit can be waived if the vehicle is special or prestigious as designated by the Licensing Officer.
- k) When a vehicle reaches 7 years of age from the date of first registration, it will be required to undergo a MOT test and vehicle inspection every six months.
- l) Any vehicle to be licensed for the first time, with the exception of special event vehicles, is NOT permitted to have a tint where they conceal the identity of the passenger inside. The Licensing Officer will examine a vehicle prior to test to ensure that passengers can be seen clearly from outside the vehicle.

Condition of vehicle

The vehicle must be kept in exceptional condition to include the following:

- (a) **Paintwork** – all panels on the vehicle shall be painted in a manufacturer's standard colour. Panels with unmatched colours or primer should be deemed to be failures.
- (b) **Rust** – any vehicle presented should be free from any significant areas of visible rusting. Minor blemishes may be acceptable.
- (c) **Carpets/floor covering** – all carpets and floor coverings shall be complete and free from cuts, tears or serious staining. The interior must be kept tidy and free from litter.
- (d) **Window operation** – all opening windows must be in good working order. Tinted windows will not be permitted where they conceal the identity of the passenger inside.
- (e) **Interior trim** – all interior trim including the headlining shall be clean, properly fitted and free from serious cuts, tears or major soiling.
- (f) **Boot** – this should be clean, tidy and empty, except for the spare wheel and essential tools, which should be in good working order. Means of securing luggage should also be provided. If the vehicle is an estate type, some equipment, such as a safety grill, must be carried and capable of being correctly fitted to make sure that things in the luggage section at the rear cannot slide forward into the passenger compartment. This equipment must be in situ at the time of the vehicle inspection at the test centre.
- (g) **Seats** –
 - A distance of 7 inches from the back of the seat in front (when in it's rear-most position) to the front of the seat behind.
 - All seats in any vehicle must have a minimum of 16 inches per person and comply with the Road Vehicles (Registration and Licensing) Regulations. Each seat must be fitted with its own seat belt.
 - All seats including the driver's must be free from cuts, tears or cigarette burns except of a very minor nature. Any repairs must have been carried out in a professional and neat manner.
 - Fitted seat covers may be used.
 - In the case of a vehicle with removable seats, when seats have been removed to make way for wheelchairs, luggage or any other reason, the number of passengers authorised will be need to be reduced to match the total number of seats, including wheelchairs, provided that in no circumstances will the number of passengers authorised be greater than that on the licence.
 - Swivel seats must meet with Disability Discrimination Act requirements.
 - There shall be a nearside and offside door for each row of seats. If the vehicle is licensed for more than five passengers but no more than eight, then there must be fitted two separate uninterrupted access/exit doors excluding the boot and sufficient space for luggage still leaving gangways clear. It should also not be necessary to have to tilt forward or to collapse the seat in front to exit the vehicle. There must be not more than nine seats fitted which includes the driver's seat.

Liquid Petroleum Gas

These conditions will also apply to new vehicles to be licensed for the first time that already run on LPG:

- (a) That the installation of a LPG tank be fitted by an APG approved installer as recommended by the Liquid Petroleum Gas Association;
- (b) That the proprietor produces a certificate of compliance by an approved LPG installer;
- (c) That the LPG tank fitted must be a multi-value tank and be fitted with a sealed tank box made from aluminium and vented to the atmosphere;
- (d) That the vehicle displays on the front and rear screens a round sticker stating that the vehicle has been fitted with a LPG tank for the purpose of the emergency services in the event of an accident;
- (e) That if a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely fixed in a position not obstructing the entire luggage space;
- (f) That the proprietor of the vehicle must notify DVLA Swansea, of the change in fuel from petrol to both LPG and petrol;
- (g) That the vehicle be serviced by a person competent in LPG powered vehicles.

Special Events Vehicle (limousines with left hand drive)

- a) Seating capacity to be a minimum of 6 and a maximum of 8.
- b) Seat belts to be provided for all passengers.
- c) All vehicles to have full Department of Transport type approval.
- d) Vehicles to be put through a normal M.O.T. test and then to be brought to the Council Depot for checking and testing of items which are in the Council's test, but not in the M.O.T. test.
- e) These vehicles to be exempt from displaying licence identity plates on the outside, but to display an identity plate inside the driver's compartment and to carry a letter of dispensation.

DO NOT PURCHASE A VEHICLE UNLESS YOU ARE SATISFIED IT CAN BE LICENSED

APPLICATION FOR EITHER A PRIVATE HIRE OR HACKNEY CARRIAGE VEHICLE LICENCE

How to make your first application and/or subsequent renewal applications

You must complete the Council's application form. The application form must be submitted to the Customer Service Centre or by post to the address shown at the front of this handbook, together with the following supporting documentation at least 7 days prior to the vehicle being inspected:

- Full vehicle registration document (V5 Form) or 'new keeper supplement' or 'confirmation of registration details'. In the case of the latter two, a copy of the full vehicle registration document must be forwarded to the Licensing Section as soon as possible. The registration document must be in the name of the applicant and showing the correct address. (See explanatory Note H)
- Insurance Certificate. Hackney Carriage vehicles need to be insured for 'Public Hire', whilst Private Hire must be insured for 'private hire'. Photocopies will not be accepted. (See explanatory Note I)
- Licence Fee (See explanatory note E).
- Type approval certificate (where necessary)
- A vehicle to be licensed for the first time may need to be inspected by the Licensing Officer at the time the application is made to ensure that it meets with Council Policy.

MOT and vehicle inspection

All vehicles are required to undergo a MOT test and vehicle inspection before a licence is issued and thereafter on an annual basis when the licence falls due for renewal. However when a vehicle reaches 7 years of age from the date of first registration, it will be required to undergo a MOT test and vehicle inspection every six months.

Vehicles are inspected at the Council's nominated garage. Before an applicant takes a vehicle for an inspection it is advisable that it is roadworthy and it complies with Council Policy and vehicle conditions which are set out in this handbook.

Having obtained a Council pass certificate following the vehicle MOT test and inspection by the Council's nominated garage, this should be taken immediately to the Customer Service Centre, where your Vehicle Licence and plates will be issued.

You are also asked to note that appointments are not interchangeable between vehicles. The only vehicle which will be accepted for testing at the Test Centre is the vehicle for which the appointment is made. The vehicle test appointment will be cancelled by the Licensing Section if payment has not been received prior to the appointment time.

The Council's nominated garage is:
Depot Services, Sherwood Road, Aston Fields, Bromsgrove.

Please contact the Licensing Section on (01527) 881405, to make an appointment. The garage has set time slots that it carries out MOT tests and inspections:

- Monday – Thursday 10.00 a.m. or 2.00 p.m.
- Friday – 10.00 a.m.

If your vehicle fails the test, then you will be provided with a copy of the failure report. Re-test appointments are booked through the Licensing Section, a fee may be applicable in line with the charges set out by the Department of Transport MOT regulations. Details are available from the testing station.

If you would like an official Department of Transport MOT certificate, please advise the Licensing Officer at the time of booking your vehicle in for testing, as you will not automatically receive one.

Retests are generally carried out Monday – Friday at 11.30 a.m.

Vehicle Spot Fitness Checks

From time to time your vehicle may be subject to a spot check. The check will be carried out either by the Police, the Council's officers, the Council's nominated garage, or the Vehicle Operator Services Agency (VOSA). Spot tests are normally carried out at the roadside. If your vehicle does not pass the spot test, then your vehicle licence will be suspended and your plate may be removed. This suspension may be either immediate or deferred. The type of action taken will depend upon the severity of the defects that have been discovered and will be communicated to you by way of a suspension notice.

Deferred Suspension

This means that, in the opinion of the enforcement officer, the defects are not sufficiently serious to warrant the immediate suspension of your vehicle licence. If this happens, you will be given a deferred suspension notice. The issue of this notice means that you have ten days in which to remedy the defects mentioned in the notice. You may use the vehicle in the interim period. However, if the vehicle has not been re-examined and the suspension notice lifted by the Licensing Officer by the date given on the notice, then from that date the licence is automatically suspended.

Immediate Suspension

This means that your vehicle cannot be used under any circumstances as a licensed vehicle until it has been re-examined and the suspension notice lifted by the Licensing Officer. Re-examination is by a full test being carried out at the Test Centre. If your vehicle licence is immediately suspended, the Licensing Officer will hand you a notice of suspension.

Issue of Licence

Completed applications submitted for vehicle licences will be processed within 5 working days of being received by the Licensing Section subject to the vehicle passing its MOT/vehicle inspection. A vehicle may not be used as a hackney carriage or private hire vehicle unless the relevant application has been processed and the licence granted and issued.

Vehicles are licensed to carry up to a specified number of passengers. The licence plate must be fixed internally on the rear back window and each of the 'mini' plates to be fixed on each passenger door window. This specifies the number of passengers that can be carried.

Renewal of a Vehicle Licence

Renewal applications and vehicle MOT/inspection bookings for the renewal of the vehicle licences should be made at least 14 working days prior to the expiry of the existing licence to ensure there is no time when the vehicle is not licensed and therefore not able to be used. This will also reduce any delay in the issue of the vehicle plates.

Late renewals

If a vehicle licence is allowed to expire, and no application has been received to renew the licence, the vehicle will be treated as if it has not been licensed before and will have to meet the Council's policy for a vehicle being licensed for the first time.

If an applicant applies for renewal of a vehicle licence after their previous licence has expired, even if this licence has only expired by one day, the driver will not be permitted to continue using the vehicle as a hackney carriage or private hire vehicle until the application has been processed and the new licence granted and issued.

Transfer of Ownership

If you wish to transfer your interest in a vehicle, you will need to notify the Licensing Officer within 14 days from the date of sale. The application to transfer must be made by the new owner within 14 days from the date of purchase and be accompanied by a valid certificate of insurance, vehicle registration document and the transfer fee. If everything is in order, the transfer can take effect and the licence will be issued for the remaining time of the previous licence. If the vehicle is disposed of then the vehicle licence and plates must be returned to the Council within 7 days. No refund of the licence fee will be given if the vehicle is disposed of.

Change of vehicle

If a change of vehicle is required before expiry of a licence, an application for a new licence should be made but a lower fee will be charged to cover the cost of the MOT test and inspections and the issue of a new vehicle licence and plates. The licence will be issued for the remaining time left on the previous licence.

Taxi Meters in Vehicles

The Council at this time does not require private hire vehicles to be fitted with a taxi meter, but if such a meter is fitted, it must be correctly calibrated, tested and sealed. All Hackney Carriage vehicles must be fitted with a taxi meter which must be calibrated in accordance with the Council's approved table of fares. The meter will then be tested as part of the vehicle inspection. The table of fares is to be displayed at all times in a Hackney Carriage vehicle.

The table of fares is reviewed annually by the Council's Licensing Committee and all Hackney Carriage owners are consulted prior to a decision being made.

An authorised officer or Police constable has power to inspect and test any licensed vehicle at any reasonable time. (Section 68 LGMPA).

Trailers used for carrying luggage are also inspected annually.

Accidents

Any accident materially affecting the safety, performance or appearance of a hackney carriage or private hire vehicle must be reported by the proprietor to the Council within 72 hours. (This is in addition to any requirement to notify the Police).

- If a replacement vehicle is to be licensed, the licence plate and window sticker must be removed from the damaged vehicle and returned to the Council.
- The replacement vehicle must meet the vehicle criteria and be presented to the licensing officer (by appointment) with an application form, confirmation of insurance and licence fee. This is usually organised by the insurance rental company. The vehicle will also need to be tested at the Council's nominated garage in the normal way.

When the repairs to the vehicle have been completed it will need to be re-licensed, by completing an application form, up to date insurance and presenting the vehicle for inspection (by appointment) at the Customer Service Centre.

Complaints

Any complaint made about a vehicle may result in the vehicle being called in for inspection by an authorised Officer. The vehicle must be presented with all documents within one working day from the time the owner/driver/proprietor is informed.

CONDITIONS ATTACHED TO THE ISSUE OF A PRIVATE HIRE VEHICLE LICENCE

The Council reserves the right to amend the conditions relating to Hackney Carriage and Private Hire licensing in light of changing circumstances or changes in legislation. These conditions are not to be treated as exhaustive.

Failure to comply with the following conditions may result in the licence being suspended or revoked or lead to prosecution. A revoked or suspended licence must be surrendered to the Council on demand.

If you do not understand anything, ask for help. Not understanding is not an acceptable excuse for breaking the Council's conditions or the law.

Appearance of the vehicle

You must always keep your vehicle, and all its fittings and equipment, in an efficient, safe, tidy and clean condition. Your vehicle must comply with all legal requirements, in particular the requirements of the current Motor Vehicles (Construction and Use) Regulations.

The vehicle must have been issued with a pass certificate by the Council's nominated garage.

Alterations to Your Vehicle

You must not alter your vehicle, or change its specification, design, condition or appearance, unless you have obtained the Council's approval to the changes first.

Trailers

If you intend to use a trailer with your vehicle to carry passengers' luggage, the trailer must be inspected by the Council before you first use it and then once a year after the first inspection. The trailer must conform to the appropriate BSI standard. When used for the carrying of luggage, the trailer must be covered with a waterproof cover to prevent water getting in to the luggage. You must carry a spare wheel for the trailer and enough tools to enable a wheel to be changed.

Equipment in the Vehicle

Your vehicle must carry, at all times:-

- (a) a fire extinguisher;
- (b) a spare wheel and enough tools to enable a wheel to be changed;

The vehicle registration number must be marked on A and B above, using an indelible marker.

The fire extinguisher must be kept somewhere where it is clearly visible and can be easily reached if there is an emergency and must be marked with the vehicle's registration number, using an indelible marker.

You must maintain all this equipment properly. The fire extinguisher must be a vaporising liquid or dry powder type and comply with the current BSI standard and be periodically replaced at the required date.

Change of Address and change of vehicle ownership

If you change your home address, you must notify the Licensing Officer in writing, within 7 days of the change. If a vehicle is sold, both the buyer and seller must inform the Council of the details of the new owner in writing within 14 days of the sale.

Identification Plate

The Private Hire Licence Plate which is supplied by the Council must be securely attached to the rear of the vehicle and must be clearly visible at all times. The four mini-plates must be fixed one to each side window of the vehicle, so that all the particulars on them are clearly visible to anyone getting into the vehicle.

Should either the plate or the mini-plates become damaged in any way, a replacement is available from the Council, at the driver's expense.

Dual Plating

No vehicle may be licensed if it is already licensed by another Council.

Accidents and Damage

Accidents resulting in damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried shall be reported to the Licensing Officer within 72 hours of the accident occurring.

Insurance Cover

The owner of the vehicle must ensure that if another driver uses the licensed vehicle at any time, adequate insurance must be produced to the Council.

You must produce to the Council, at the Customer Service Centre, a new Insurance Certificate or Cover Note for your vehicle at least 24 hours before the previous Insurance Certificate or Cover Note expires.

You must tell the Council immediately about the cancellation of any Insurance Certificate or Cover Note or about any significant changes in the extent of the insurance cover for your vehicle.

Advertisements on Private Hire Vehicles

A sign consisting of the word "TAXI" or "CAB" or "FOR HIRE" or similar words is prohibited. Roof signs are also prohibited.

Transporting wheelchair users

This condition is only applicable to vehicles which comply with the conditions of fitness as prescribed by the Disability Discrimination Act 1995:

- (a) A vehicle complying with the specifications required by the Act must be designed or adapted to carry at least one passenger who is seated in a wheelchair.
- (b) There must be sufficient space between the front of the rear seat and any partition for an occupied wheelchair to turn;
- (c) There must be sufficient space for a wheelchair to travel facing forwards or rearwards;
- (d) All wheelchair accessible vehicles shall be equipped with properly mounted fittings for the safe securing of a wheelchair and the passenger seated in it, when carried inside the vehicle;
- (e) Anchorage provided for wheelchair access must be either chassis or floor linked. Restraints for wheelchair and occupant must be independent of each other. Anchorage must be provided for the safe stowage of a wheelchair when not in use when folded or otherwise, if carried within the passenger compartment;
- (f) Wheel ramps must be carried in the vehicle at all times and stowed safely when not in use;
- (g) Any swivel seat fitted must meet the requirements of the Disability Discrimination Act 1995.

Taxi Ranks

A private hire vehicle must not stop on an appointed rank at any time.

Any private hire vehicle that gives the appearance that it is available for immediate hiring commits an offence.

No more than two Private Hire vehicles may congregate in any one location giving the appearance that they are forming a rank and may be plying for hire, except at the office location of the operator for whom they work.

Signage and Advertising

No signs, advertisements, letters or numbers to be visible inside or outside the vehicle with the exception of the following:

- Signs, letters or numbers required by law;
- Any vehicle licence plate issued by the Council;
- A sign giving the company/operator name and telephone number on the front and rear doors (following approval from the Licensing Section);
- All private hire vehicles must display on the front doors of their vehicle the words "Advance bookings only". Roof signs are not permitted.
- Sign indicating membership of a national motoring organisation;
- Sign requesting passengers not to smoke in the vehicle;
- Tariff card (if a meter is fitted);
- Any sign provided by Worcestershire County Council to show that the vehicle is used for School Contracts;
- Any sign to indicate that CCTV is in use in the vehicle;

- The display of advertising material is permitted, providing that it is legal and complies with the codes set down by the Advertising Standards Authority and has been approved by the Licensing Section. As a general rule, advertisements for alcohol or tobacco products or are of a sexual nature are not permitted as well as anything that is likely to cause offence are insulting or abusive. The advertisement must not be placed on the windows.

Liquid Petroleum Gas

If you are converting your licensed vehicle to run on Liquid Petroleum Gas (LPG) you must notify the Council of such a change and it must comply with the Council's Policy.

Radio transmitters/receivers

All radio equipment fitted to the vehicle must be well maintained, appropriately licensed.

CONDITIONS ATTACHED TO THE ISSUE OF A HACKNEY CARRIAGE VEHICLE LICENCE

The Council reserves the right to amend the conditions relating to Hackney Carriage and Private Hire licensing in light of changing circumstances or changes in legislation. These conditions are not to be treated as exhaustive.

Failure to comply with the following conditions may result in the licence being suspended or revoked or lead to prosecution. A revoked or suspended licence must be surrendered to the Council on demand.

If you do not understand anything, ask for help. Not understanding is not an acceptable excuse for breaking the Council's conditions or the law.

Appearance of the vehicle

You must always keep your vehicle, and all its fittings and equipment, in an efficient, safe, tidy and clean condition. Your vehicle must comply with all legal requirements, in particular the requirements of the Motor Vehicles (Construction and Use) Regulations.

The vehicle must have been issued with a pass certificate by the Council's nominated garage.

Alterations to Your Vehicle

You must not alter your vehicle, or change its specification, design, condition or appearance, unless you have obtained the Council's approval to the changes first.

Trailers

If you intend to use a trailer with your vehicle to carry passengers' luggage, the trailer must be inspected by the Council before you first use it and then once a year after the first inspection. The trailer must conform to the appropriate BSI standard. When used for the carrying of luggage, the trailer must be covered with a waterproof cover to prevent water getting in to the luggage. You must carry a spare wheel for the trailer and enough tools to enable a wheel to be changed.

Equipment in the Vehicle

Your vehicle must carry, at all times:-

- (a) a fire extinguisher;
- (b) a spare wheel and enough tools to enable a wheel to be changed;

The vehicle registration number must be marked on A and B above, using an indelible marker.

The fire extinguisher must be kept somewhere where it is clearly visible and can be easily reached if there is an emergency and must be marked with the vehicle's registration number, using an indelible marker.

You must maintain all this equipment properly. The fire extinguisher must be a vaporising liquid or dry powder type and comply with the current BSI standard and be periodically replaced at the required date.

Change of Address and change of vehicle ownership

If you change your home address, you must notify the Licensing Officer in writing, within 7 days of the change. If a vehicle is sold, both the buyer and seller must inform the Council of the details of the new owner in writing within 14 days of the sale.

Identification Plate

The Hackney Carriage Licence Plate which is supplied by the Council must be securely attached to the rear of the vehicle and must be clearly visible at all times. The four mini-plates must be fixed one to each side window of the vehicle, so that all the particulars on them are clearly visible to anyone getting into the vehicle.

Should either the plate or the mini-plates become damaged in any way, a replacement is available from the Council, at the driver's expense.

Dual Plating

No vehicle may be licensed if it is already licensed by another Council.

Accidents and Damage

Accidents resulting in damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried shall be reported to the Licensing Officer within 72 hours of the accident occurring.

Insurance Cover

The owner of the vehicle must ensure that if another driver uses the licensed vehicle at any time, adequate insurance must be produced to the Council.

You must produce to the Council, at the Customer Service Centre, a new Insurance Certificate or Cover Note for your vehicle at least 24 hours before the previous Insurance Certificate or Cover Note expires.

You must tell the Council immediately about the cancellation of any Insurance Certificate or Cover Note or about any significant changes in the extent of the insurance cover for your vehicle.

Transporting wheelchair users

This condition is only applicable to vehicles which comply with the conditions of fitness as prescribed by the Disability Discrimination Act 1995:

- (a) A vehicle complying with the specifications required by the Act must be designed or adapted to carry at least one passenger who is seated in a wheelchair.
- (b) There must be sufficient space between the front of the rear seat and any partition for an occupied wheelchair to turn;
- (c) There must be sufficient space for a wheelchair to travel facing forwards or rearwards;
- (d) All wheelchair accessible vehicles shall be equipped with properly mounted fittings for the safe securing of a wheelchair and the passenger seated in it, when carried inside the vehicle;
- (e) Anchorage provided for wheelchair access must be either chassis or floor linked. Restraints for wheelchair and occupant must be independent of each other. Anchorage must be provided for the safe stowage of a wheelchair when not in use when folded or otherwise, if carried within the passenger compartment;
- (f) Wheel ramps must be carried in the vehicle at all times and stowed safely when not in use;
- (g) Any swivel seat fitted must meet the requirements of the Disability Discrimination Act 1995.

Taxi Ranks

Your vehicle must not be hired from any taxi rank, unless it is in the front position on the rank.

Council Car Parks

A Hackney Carriage vehicle must not be used to ply for hire from any of the Council's car parks, unless you have got the Council's permission first.

Taxi Fares

You must make sure that the fare charged for a journey in the vehicle, when it is hired as a Hackney Carriage, is exactly the fare laid down in the Council's Fares Table.

Signage and Advertising

No signs, advertisements, letters or numbers to be visible inside or outside the vehicle with the exception of the following:

- Signs, letters or numbers required by law;
- Any vehicle licence plate issued by the Council;
- A sign giving the company/operator name and telephone number on the front and rear doors (following approval from the Licensing Section);
- Sign indicating membership of a national motoring organisation;
- Sign requesting passengers not to smoke in the vehicle;
- Tariff card (if a meter is fitted);
- Any sign provided by Worcestershire County Council to show that the vehicle is used for School Contracts;
- Any sign to indicate that CCTV is in use in the vehicle;
- The display of advertising material is permitted, providing that it is legal and complies with the codes set down by the Advertising Standards

Authority and has been approved by the Licensing Section. As a general rule, advertisements for alcohol or tobacco products or are of a sexual nature are not permitted as well as anything that is likely to cause offence are insulting or abusive. The advertisement must not be placed on the windows.

Liquid Petroleum Gas

If you are converting your licensed vehicle to run on Liquid Petroleum Gas (LPG) you must notify the Council of such a change and it must comply with the Council's Policy.

Radio transmitters/receivers

All radio equipment fitted to the vehicle must be well maintained, appropriately licensed.

Roof Signs

All vehicles shall be fitted with an illuminated roof sign showing only the words in black lettering 'Taxi'. The sign must be illuminated when the vehicle is plying for hire during the hours of darkness and must comply with any requirements of vehicle lighting regulations at all times.

Taxi Meters

All meters installed must be Public Carriage Office and British Standards Institute approved.

The meter must be brought into action as soon as, and not before the hirer commences his journey and kept in action until the termination of the hiring.

Taxi Fares

You must make sure that the fare charged for a journey in the vehicle, when it is hired as a Hackney Carriage, is exactly the fare laid down in the Council's Fares Table. The tariff incorporating any fixed surcharges may only operate during the times specified on the table of fares.

HACKNEY CARRIAGE BYELAWS

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

Interpretation

Throughout these byelaws "the Council" means the District Council of Bromsgrove and "the District" means the District of Bromsgrove.

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

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

Provisions regulating how hackney carriages are to be furnished or provided

The proprietor of a hackney carriage shall:-

- (a) provide sufficient means by which any person in the carriage may communicate with the driver;
- (b) cause the roof or covering to be kept water-tight;
- (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
- (d) cause the seats to be properly cushioned or covered;
- (e) cause the floor to be provided with a proper carpet, mat, or other suitable covering
- (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
- (g) provide means for securing luggage if the carriage is so constructed as to carry luggage; and
- (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use;
- (i) provide at least two doors for the use of persons conveyed in such a carriage and a separate means of ingress and egress for the driver.

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

A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.

The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.

The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.

A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage a greater number of persons than the number of person specified on the plate affixed to the outside of the carriage.

If a badge has been provided by the council and delivered to the driver of a hackney carriage he shall when standing or plying for hire, and when hired, wear that badge in such a position and manner as to be plainly visible.

The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage:-

- (a) convey a reasonable quantity of luggage;
- (b) afford reasonable assistance in loading and unloading; and
- (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.

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

The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council, the rate or fare being calculated by distance unless the hirer expresses at the commencement of the hiring his desire to engage by time. Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance, the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.

- (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by Council resolution to be exhibited inside the carriage, in clearly distinguishable letters and figures.

- (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully nor negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

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

The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may be accidentally left therein.

The proprietor or driver of a hackney carriage shall if any property is accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:-

- (a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the Council House, Burcot Lane, Bromsgrove and leave it in the custody of an authorised officer of the Council on his giving a receipt for it; and
- (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the police station, whichever be the greater) but not more than five pounds.

Penalties

Every person who shall offend against any of these bylaws shall be liable on summary conviction to a fine not exceeding £100 and in the case of a continuing offence to a further fine not exceeding £2 for each day during which the offence continues after conviction thereof.

SECTION C – PRIVATE HIRE OPERATOR

APPLICATION FOR A PRIVATE HIRE OPERATOR LICENCE

A person wishing to operate private hire vehicles requires a licence from the Council to do so. To “operate” means in the course of business to make provision for the invitation or acceptance of bookings for a private hire vehicle, whether or not you own the vehicle.

As a licensed private hire operator, you would be able to accept bookings for any number of private hire vehicles providing all drivers and vehicles are licensed by the same Council.

Bookings can be accepted from hirers both inside and outside the district.

Council Policy relating to a Private Hire Operator’s Licence

- (a) Applicants must have conversational English.
- (b) Applicants must be over 21 years of age.
- (c) Applicants for a new licence should be free from previous convictions and cautions, other than for minor traffic offences. Please refer to separate guidance relating to the relevance of convictions.
- (d) Applicants for renewal of licences should be free from new convictions and cautions, since the date of the last grant of their licence, other than for minor traffic offences.
- (e) That there is planning permission for the use of the premises as a base for a Private Hire Operators’ business.

Those who do not meet Council Policy

Officers cannot grant applications for licences to those applicants who do not meet the above criteria. An applicant who does not meet the above criteria may request to have their application determined by the Taxi Licensing Sub-Committee. The Taxi Licensing Sub-Committee will have regard to the guidelines relating to the relevance of convictions.

The licence, if granted, is valid for a period not exceeding one year and is issued subject to conditions.

Premises used in connection with private hire operations may require planning consent. Enquiries about planning should be made to the Development Control Section, at Bromsgrove District Council.

Making an initial application

To apply for a licence to operate private hire vehicles the completed application form should be submitted with the following documents:

- A completed application form
- A CRB Disclosure application, if applicable (see explanatory note A). If the applicant for an operator licence is already a licensed hackney carriage/private hire driver with the Council, no CRB Disclosure application form needs to be submitted.
- The application fee (see explanatory note E).

The completed application form together with the above documents and fee must be submitted to the Customer Service Centre, School Drive, Bromsgrove or posted to the address at the front of this guide.

INCOMPLETE APPLICATIONS WILL BE RETURNED.

If an applicant is unsure about how to complete any part of the application, he/she should ask for advice from a Council Licensing Officer.

Applications will be processed within five working days of being received by the Licensing Section.

RENEWING A PRIVATE HIRE OPERATOR'S LICENCE

Responsibility for renewal of the operator licence rests solely with the licence holder.

The application procedure for renewal is the same as the procedure for an initial application, with the exception of the CRB application which will need to be renewed every 3 years.

Renewal of Licence

The Operator shall at least 21 days prior to the date of when the licence is due to expiry, make application to the Licensing Section for a renewal. If an application for renewal is not received by the renewal date, the licence will lapse.

Where operations continue after a failure to renew, prosecutions are likely to be authorised without notice.

CONDITIONS ATTACHED TO THE ISSUE OF A PRIVATE HIRE OPERATOR'S LICENCE

The Council reserves the right to amend the conditions relating to Hackney Carriage and Private Hire licensing in light of changing circumstances or changes in legislation. These conditions are not to be treated as exhaustive.

Failure to comply with the following conditions may result in the licence being suspended or revoked or lead to prosecution. A revoked or suspended licence must be surrendered to the Council on demand.

If you do not understand anything, ask for help. Not understanding is not an acceptable excuse for breaking the rules or the law.

Records

You must keep records of your business either in a book or on a computer – this is required by law (Section 56 of the Local Government (Miscellaneous Provisions) Act 1976.) If you use a book, then you must number the pages consecutively. If you use a computer, then you must make security copies of your records each day, in a way approved by the Council.

You must keep two kinds of records:- (a) for journeys and (b) for vehicles and drivers

Journeys

Before each journey begins, you (or somebody who is working for you) must enter the following details of the journey in the book or on the computer:-

- (a) the date and time at which the booking is made;
- (b) the name and address of the person hiring the vehicle;
- (c) the time and date of the pick-up;
- (d) the place of the pick-up;
- (e) the destination;
- (f) the registration number or call sign of the vehicle which is going to do the pick-up;
- (g) details of any sub-contract.

Vehicles and Drivers

You must also keep records of all the vehicles and drivers who are operated by you. These details must include:-

- (a) the vehicle registration number and any call sign of the driver;
- (b) the name and address of the owner of each vehicle;
- (c) the name and address of each driver;
- (d) details of the Private Hire Vehicle Licence including the expiry date;

- (e) Copy of the current insurance document;
- (f) details of the Private Hire Driver's licence number and date of expiry;
- (g) date the driver started working for that operator;
- (h) date the driver ceased working for that operator;
- (i) details of the drivers DVLA licence.

You must keep all your records for at least 12 months following the date of the last entry and you must make them readily available for inspection by one of the Council's Authorised Officers or by a Police Officer. If you keep your records on computer you must, if required to do so by the Council's Authorised Officer or by a Police Officer, provide a print out of any of the details listed above. If, for any reason, you do not have the records at the time such a request is made, you must tell the Council's Authorised Officer or the Police Officer where they are.

Responsibility for Hirings

Every hiring of a hire car is deemed to have been made with the operator who accepted the booking, whether or not he himself provided the vehicle. Operators are therefore directly responsible for the acts or omissions of drivers or proprietors used by them and must therefore ensure that all vehicles and drivers are licensed and insured.

Standard of Service

The Operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times, in particular:

- (a) ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, arrive on time at the appointed place.
- (b) Keep clean, safe, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting;
- (c) Ensure that any waiting area provided by the operator has adequate seating facilities;
- (d) Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly;
- (e) Ensure that any radio equipment complies with all current codes of practice and legal requirements as to its usage;
- (f) Be in charge of the daily operation of the business;
- (g) The operator shall instruct their drivers not to sound the horn to announce their arrival to the hirer.
- (h) The operator must advise the Council of any changes of drivers within seven days.

Convictions

The operator shall within seven days disclose to the Council in writing details of any conviction imposed on him (or in the event of a partnership, on any of the partners) during the period of the licence.

Change of address or sale of business

The Operator shall inform the Licensing Section in writing within seven days of any change of the Operator's address or the sale of the business.

Avoidance of Nuisance

The Operator shall operate the business in a manner which does not cause any nuisance to the public at large or to person in occupation of the premises adjoining or adjacent to the premises at which he keeps the vehicles when not in use. Any necessary consents (including planning permission) shall be held by the Operator.

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THE LAW RELATING TO HACKNEY CARRIAGES, PRIVATE HIRE VEHICLES AND DRIVER'S

The licensing of hackney carriage and private hire vehicles, drivers and operators is mainly governed by Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. These pieces of legislation create a number of criminal offences which if committed, could lead to prosecution in the Magistrates' Court.

There are also Byelaws adopted by the Council in respect of Hackney Carriages. Offenders against these Byelaws are liable on summary conviction to a maximum penalty of a £500 fine.

Persons convicted of offences under either Act may have their licences suspended, revoked or not renewed.

The Council may also suspend, revoke or refuse to renew a vehicle licence on the following grounds:-

- (a) the vehicle is unfit
- (b) the commission of an offence under the LGMPA or the TPCA;
- (c) any other reasonable cause (Section 61 LGMPA).

A licence may be suspended by an authorised officer or Police Constable if he considers the vehicle unfit (Section 68 LGMPA).

The Council may suspend or revoke or refuse to renew an Operator's licence on the following grounds:-

- (a) the commission of an offence under the LGMPA
- (b) conduct of the operator which renders him unfit.
- (c) any material change in the operator's circumstances
- (d) any other reasonable cause (Section 62 LGMPA).

Additionally under Section 50 of the Town Police Clauses Act 1847, the Council can suspend or revoke a driver's or proprietor's licence upon the conviction of a second offence under this act.

Below is a table detailing some of the criminal offences created by the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

In this table the following abbreviations are used:-

TPCA – Town Police Clauses Act 1847

LGMPA – Local Government (Miscellaneous Provisions) Act 1976

HC – Hackney Carriage

PH – Private Hire

Table of Offences

HACKNEY CARRIAGE PROVISIONS		
Legislation	Offence	Max. Penalty
s.40 TPCA	Giving false information on an application for HC proprietors licence	£250
s. 44 TPCA	Failure to notify change of address of HC proprietor	£250
s. 45 TPCA	Plying for hire without HC proprietor's licence	£2500
s.47 TPCA	Driving a HC without a HC driver's licence	£1000
s.47 TPCA	Lending or parting with a HC driver's licence	£1000
s.47 TPCA	HC proprietor employing an unlicensed driver	£1000
s.48 TPCA	Failing to retain in his possession the licence of a HC driver employed by him.	£250
s.48 TPCA	Failure by HC proprietor to produce HC driver's licence	£250
s.52 TPCA	Failure to display HC plate	£250
s.53 TPCA	Refusal to take a fare unless judged a danger/risk.	£500
s.54 TPCA	Charging more than the agreed fare	£250
s.55 TPCA	Obtaining more than the legal fare	£1000 and 1 months' imprisonment until the excess is refunded
s.56 TPCA	Travelling less than the lawful distance for an agreed fare	£250
s.57 TPCA	Failing to wait after a deposit to wait has been paid	£250
s.58 TPCA	Charging more than the legal fare	£1000
s.59 TPCA	Carrying other person than the hirer without consent	£250
s.60 TPCA	Driving a HC without proprietors consent	£250
s.60 TPCA	Person allowing another to drive HC without proprietors consent	£250
s.61 TPCA	Drunken driving of a HC	£250
s.61 TPCA	Wanton or furious driving or wilful misconduct leading to injury or danger	£250

s.62 TPCA	Driver leaving HC unattended	£250
s.64 TPCA	HC driver obstructing other HCs	£250
s.49 LGMPA	Failure to notify transfer of HC proprietor's licence	£1000
s.50(1) LGMPA	Failure to present HC for inspection as required	£1000
s.50(2) LGMPA	Failure to inform local authority where HC is stored if requested	£1000
s.50(3) LGMPA	Failure to report an accident involving a HC to local authority within 72 hours	£1000
s.50(4) LGMPA	Failure to produce HC proprietors licence and insurance certificate	£1000
s.53(3) LGMPA	Failure to produce HC driver's licence	£1000
s.57 LGMPA	Making false statement or withholding information to obtain HC driver's licence	£1000
s.58(2) LGMPA	Failure to return plate after notice given after expiry, revocation or suspension of HC proprietors licence	£1000 plus daily fine of £10
s.61(2) LGMPA	Failure to surrender drivers licence after suspension, revocation or refusal to renew	£1000
s.64 LGMPA	Permitting any vehicle other than a HC to wait on a HC stand	£1000
s.66 LGMPA	Charging more than the meter fare for a journey ending outside the district, without prior agreement	£1000
s.67 LGMPA	Charging more than the meter fare when HC used as a private hire vehicle	£1000
s.69 LGMPA	Unnecessarily prolonging a journey	£1000
s.71 LGMPA	Interfering with a taximeter	£1000
s.73(1)(a) LGMPA	Obstruction of authorised officer or constable	£1000
s.73(1)(b) LGMPA	Failure to comply with requirement of authorised officer or constable	£1000
s.73(1)(c) LGMPA	Failure to give information or assistance to authorised officer or constable	£1000

PRIVATE HIRE PROVISIONS

Legislation	Offence	Max. Penalty
s.46(1)(a) LGMPA	Using an unlicensed PH vehicle	£1000

s.46(1)(b) LGMPA	Driving a PH vehicle without a PH driver's licence	£1000
s.46(1)(c) LGMPA	Proprietor of a PH vehicle using an unlicensed driver	£1000
s.46(1)(d) LGMPA	Operating a PH vehicle without a PH operator's licence	£1000
s.46(1)(e) LGMPA	Operating a vehicle as a PH vehicle when the vehicle is not licensed as a PH vehicle	£1000
s.48(6) LGMPA	Failure to display PH vehicle plate in prescribed manner	£1000
s.49 LGMPA	Failure to notify transfer of PH vehicle licence	£1000
s.50(1) LGMPA	Failure to present PH vehicle for inspection as required	£1000
s.50(2) LGMPA	Failure to inform local authority where PH vehicle is stored if requested	£1000
s.50(3) LGMPA	Failure to report an accident involving a PH vehicle to local authority within 72 hours	£1000
s.50(4) LGMPA	Failure to produce PH vehicle licence and insurance certificate	£1000
s.53(3) LGMPA	Failure to produce PH driver's licence	£1000
s.54(2) LGMPA	Failure to wear PH driver's badge	£1000
s.56(2) LGMPA	Failure by PH operator to keep a record of bookings	£1000
s.56(3) LGMPA	Failure by PH operator to keep records of PH vehicles operated by him	£1000
s.56(4) LGMPA	Failure to produce PH operator's licence on request	£1000
s.57 LGMPA	Making a false statement or withholding information to obtain a PH driver's or operator's licence	£1000
s.58(2) LGMPA	Failure to return plate after notice given after expiry, revocation or suspension of PH vehicle licence	£1000 plus daily fine of £10 per day
s.61(2) LGMPA	Failure to surrender driver's licence after suspension, revocation or refusal to renew	£1000
s.67 LGMPA	Charging more than the meter fare when HC used as a PH vehicle	£1000
s.69 LGMPA	Unnecessarily prolonging a journey	£1000
s.71 LGMPA	Interfering with a taximeter	£1000
s.73(1)(a) LGMPA	Obstruction of authorised officer or constable	£1000
s.73(1)(b) LGMPA	Failure to comply with requirement of	£1000

	authorised officer or constable	
s.73(1)(c)	Failure to give information or assistance to authorised officer or constable	£1000

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