

# NOTICE OF MEETING

**Meeting:** GENERAL PURPOSES AND LICENSING COMMITTEE

**Date and Time:** FRIDAY, 5 JANUARY 2024, AT 9.30 AM

**Place:** COUNCIL CHAMBER - APPLETREE COURT, BEAULIEU ROAD, LYNDHURST, SO43 7PA

**Enquiries to:** Email: [joe.tyler@nfdc.gov.uk](mailto:joe.tyler@nfdc.gov.uk)  
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## **PUBLIC PARTICIPATION:**

Members of the public may watch this meeting live on the [Council's website](#).

Members of the public may speak in accordance with the Council's public participation scheme:

- (a) on items within the General Purposes and Licensing Committee's terms of reference which are not on the public agenda, when the Chairman calls the public participation item; and/or
- (b) on individual items on the public agenda, when the Chairman calls that item. Speeches may not exceed three minutes.

Anyone wishing to speak should contact the name and number shown above no later than 12.00 noon on Tuesday, 2 January 2024.

**Kate Ryan**  
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA  
[www.newforest.gov.uk](http://www.newforest.gov.uk)

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# AGENDA

## **Apologies**

### **1. MINUTES**

To confirm the minutes of the meeting held on 3 November 2023 as a correct record.

### **2. DECLARATIONS OF INTEREST**

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

**3. PUBLIC PARTICIPATION**

To receive any public participation in accordance with the Council's public participation scheme.

**4. FEES AND CHARGES FOR 2024-2025 - LICENSING SERVICE (Pages 3 - 8)**

For Committee to agree the non-statutory licensing fees and charges for the forthcoming financial year

**5. REVIEW OF THE TAXI LICENSING POLICY (Pages 9 - 192)**

For the Committee to approve the draft Taxi Licensing Policy within Appendix 1 for public consultation from 15 January to 15 March 2024.

To:

**Councillors**

Neil Tungate (Chairman)  
Richard Young (Vice-Chairman)  
Steve Clarke  
Jack Davies  
Philip Dowd  
Allan Glass  
David Harrison

**Councillors**

David Hawkins  
Nigel Linford  
Colm McCarthy  
Neil Millington  
Dave Penny  
Alvin Reid

## GENERAL PURPOSES AND LICENSING COMMITTEE – 5 JANUARY 2024

### FEES AND CHARGES FOR 2024-2025 - LICENSING SERVICE

#### 1. RECOMMENDATIONS

- 1.1 That the taxi licensing fees within Appendix 1 be approved for public consultation.
- 1.2 That it be a recommendation that the Council:
  - i. Approves the proposed fees (with the exception of taxi licence fees) for financial year 2024/25 as set out in Appendix 1;
  - ii. Approves the taxi licensing fees as proposed within Appendix 1 if no objections are raised during the public consultation period;
  - iii. Delegates authority to General Purposes and Licensing Committee to make the decision as to the level of taxi licensing fees for 2024/25 should objections to the proposed fees be raised during the public consultation period.

#### 2. INTRODUCTION

- 2.1 As part of the annual review of budgets, decisions are required by the General Purposes and Licensing Committee, to agree any non-statutory licensing fees and charges for the forthcoming financial year.

#### 3. BACKGROUND

- 3.1 The Council has a statutory responsibility for the administration and enforcement of a wide range of licences, registrations and permits. Many of these allow the Council to set and charge a fee, to cover the costs of the administration and issue of these permissions.
- 3.2 The key principle for setting licensing fees, is that they should be reasonable and relate to the costs of performing the function, including staffing, administration, testing, inspections, hearings, regulation and appeals.
- 3.3 The basis in setting these fees is to ensure cost recovery, or as close to it as possible. Legal cases over the years have confirmed that licensing fees may not be used to generate a profit for councils and that fees should be reviewed regularly to ensure that neither a significant surplus nor deficit is created.
- 3.4 Fees set under the Licensing Act 2003 are set centrally by Government and the Council has no discretion to review or amend these. The current fee structure was set when the Act came into force in November 2005 and the fee regime has not been revised since this date.
- 3.5 However, the Council is able to set fees for a number of other licence types:

taxis and private hire (drivers, vehicles and operators), animal welfare (boarding, home boarding, dog breeding, riding establishments, pet shops and zoos), residential caravan sites, skin piercing (tattooing, acupuncture, electrolysis, cosmetic piercing) and pleasure boats (boatmen and vessels).

#### **4. ISSUES FOR CONSIDERATION**

- 4.1 The setting of discretionary fees for licensing, is not a Portfolio Holder decision and fees and charges must be formally approved by the Council's General Purposes and Licensing Committee before they may be applied.
- 4.2 In addition, any proposed increase to taxi licensing fees must be advertised and open to consultation.
- 4.3 The proposed fees for licences and permits have been increased following a detailed review of the cost to deliver each function as well as benchmarking our charges against similar local authorities.

#### **5. TAXI AND PRIVATE HIRE FEES**

- 5.1 The proposed amendments to the taxi and private hire fees follow a comprehensive review of the service including officer time taken to process and issue permissions and the increased cost of consumables (vehicle plates, brackets, driver badges etc).
- 5.2 In addition, the review has taken into account the updated Department for Transport Statutory Taxi and Private Hire Vehicle Standards which requires Licensing Authorities to perform additional checks to promote public safety and best practice. These enhanced procedures require additional staff resource and have increased processing costs.
- 5.3 As a result of the Covid 19 pandemic and to support the local trade in recovery, taxi fees had not been increased since April 2017. However, following the review, increasing charges to some of the licensing fees are proposed to address rising costs of consumables and resource to implement processes.

#### **6. IMPLEMENTATION OF ANY FEE CHANGES FOR TAXI LICENSING**

- 6.1 Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 requires that any proposed increase to taxi licensing fees must be subject to a 28 day consultation period, following an advertisement.
- 6.2 As delegation for fee setting is given to General Purposes and Licensing Committee, if there are no objections to the proposed taxi and private hire fees, General Purposes and Licensing Committee are asked to recommend approval of the fees and charges to Full Council for implementation on 1 April 2024.
- 6.3 If objections are received to any of the taxi and private hire fees, responses must be considered by the General Purposes and Licensing Committee at the meeting on 8 March 2024, prior to implementation on 1 April 2024.

#### **7. GAMBLING FEES**

- 7.1 Gambling premises licence fees are capped, but there is discretion for fee setting up to this level. Permit and lottery fees are fixed under the Gambling Act 2005.

#### **8. ANIMAL WELFARE, CARAVAN SITES AND SKIN PIERCING**

- 8.1 Animal welfare, caravan site and skin piercing fees can be charged to recover the cost of providing the service only. These proposed fees in **Appendix 1** have also been set following a full review of the costs of providing the services, as well as benchmarking of fees charged by other local authorities in Hampshire and the area.

## **9. CONCLUSIONS**

- 9.1 The setting of the proposed licensing fees and charges has been through a rigorous process, to cost the delivery of the service to businesses and members of the public.
- 9.2 The increased fees are proposed to take effect from 1 April 2024 with taxi and private hire fees effective from the same date, subject to advertising and consultation.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 Any financial implications have been reported for budgetary control and as part of the financial plan.

## **11. CRIME & DISORDER AND DATA PROTECTION IMPLICATIONS**

- 11.1 There are none.

## **12. APPENDICES**

**Appendix 1** - Proposed fees for 2024/25

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### **Background Papers:**

None

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# APPENDIX 1

## ENVIRONMENTAL AND REGULATION-LICENSING SERVICES PROPOSED SCALE OF FEES AND CHARGES FOR 2024/25

## Proposed Charges

### All annual fees unless stated

### Charges

2023/24  
£

2024/25  
£

### HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES

#### Hackney Carriage / Private Hire Drivers dual licence

New or Renewal (3 year licence)	142.00	162.00
Driver Awareness Test	37.00	50.00
Duplicate driver's badge	12.50	12.50

#### Private Hire Operator Licence

New or Renewal (5 year licence) (or pro rata if applicable)	509.00	520.00
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#### Vehicle Licence

Hackney Carriage or Private Hire Vehicle - 1 year licence- (includes vehicle plate)	142.00	167.00
Vehicle test or re-test	55.00	60.00
Vehicle - private plate registration (includes vehicle plate)	63.00	63.00
Vehicle plate - replacement (bracket and insert)	24.00	24.00
Vehicle plate - replacement of insert	12.00	12.00
Vehicle plate - replacement of bracket and fixings	12.00	12.00
Vehicle stepped plate	25.00	30.00
Executive vehicle exemption (includes vehicle plate)		55.00

### ANIMAL WELFARE LICENCE FEES

Pet shops (1, 2 or 3 year licence)	301.00	338.00
Dog breeding (plus vet inspection fees ) (1, 2 or 3 year licence)	345.00	388.00
Dog/cat boarding (1, 2 or 3 year licence)	322.00	360.00
Home dog boarding (1, 2 or 3 year licence)	246.00	275.00
Dog day care (1, 2 or 3 year licence)	246.00	360.00
Keeping animals for exhibition (3 year licence)	301.00	341.00
Horse riding-0 to 9 horses (plus vet inspection fees ) (1, 2 or 3 year licence)	480.00	538.00
Horse riding-10 to 19 horses (plus vet inspection fees ) (1, 2 or 3 year licence)	547.00	613.00
Horse riding-20 + (plus vet inspection fees ) (1, 2 or 3 year licence)	590.00	660.00
Request for re-rating	205.00	226.00
Variation of licence (plus £40 per hour for additional work as agreed)	40/hr	45/hr
Unsuccessful Appeal brought by applicant	Actual cost	Actual cost
Dangerous Wild Animals Act Licence (plus actual cost of vet fees) (3 year licence)	169.00	190.00
Zoo Licence (6 year licence)	Actual cost	Actual cost

### OTHER LICENCE AND REGISTRATION FEES

Sex Shop Licence	Actual cost	Actual cost
Pleasure Boat (1 year licence)	100.00	115.00
Boatman Licences - new and renewal (3 year licence)	104.00	116.00

#### Skin Piercing (one-off fee)

Registration of Premises	155.00	186.00
Registration of Practitioners	63.00	76.00
Minor Variation - Reissue of registration certificate	19.00	23.00
Application to include additional activities	63.00	76.00

### LICENSING ACT 2003

Statutory fees apply

### GAMBLING ACT 2005

Permits and Small Society Lottery licences-Statutory fees apply

#### Bingo Premises

New Application	1,750.00	2,500.00
Annual Fee	500.00	750.00
Provisional Statement New	3,500.00	3,675.00
Premises licence fee for holders of Provisional Statements	600.00	630.00
Variation Fee	875.00	920.00
Transfer Fee	600.00	630.00
Reinstatement of Licence	1,200.00	1,260.00

**Betting premises**

New Application	1,500.00	1,750.00
Annual Fee	300.00	400.00
Provisional Statement New	1,500.00	1,575.00
Premises licence fee for holders of Provisional Statements	600.00	630.00
Variation Fee	750.00	790.00
Transfer Fee	475.00	550.00
Reinstatement of Licence	600.00	630.00

**Adult Gaming Centre (AGC)**

New Application	800.00	900.00
Annual Fee	400.00	500.00
Provisional Statement New	800.00	840.00
Premises licence fee for holders of Provisional Statements	480.00	505.00
Variation Fee	400.00	500.00
Transfer Fee	480.00	505.00
Reinstatement of Licence	480.00	505.00

**Family Entertainment Centre(FEC)**

New Application	800.00	1,000.00
Annual Fee	300.00	500.00
Provisional Statement New	800.00	840.00
Premises licence fee for holders of Provisional Statements	380.00	400.00
Variation Fee	400.00	500.00
Transfer Fee	380.00	400.00
Reinstatement of Licence	380.00	400.00

**Track**

New Application	1,250.00	1,320.00
Annual Fee	500.00	525.00
Provisional Statement New	1,250.00	1,320.00
Premises licence fee for holders of Provisional Statements	475.00	500.00
Variation Fee	625.00	655.00
Transfer Fee	475.00	500.00
Reinstatement of Licence	475.00	500.00

**RELEVANT PROTECTED CARAVAN SITE LICENCE FEES**

Application for a new site -single pitch	505.00	565.00
Application for a new multiple licensed site	715.00	800.00
Multiple licensed site - Annual fee for each permitted caravan	12.50	14.00
Transfer of site licence	171.00	192.00
Alteration of conditions attached to an existing site licence	350.00	392.00
Depositing site rules	84.00	94.00
Fit and Proper Person Application	233.00	260.00

**Licence Fees are not subject to VAT unless otherwise stated**



## GENERAL PURPOSES AND LICENSING COMMITTEE – 5 JANUARY 2024

### REVIEW OF THE TAXI LICENSING POLICY

#### 1. RECOMMENDATIONS

- 1.1 That the draft Taxi Licensing Policy within **Appendix 1** be approved for public consultation from 15 January to 15 March 2024.

#### 2. INTRODUCTION

- 2.1 The purpose of this report is to provide background information on the revision of the Licensing Authority's Taxi Policy and ask Members to agree consultation of the draft policy.

#### 3. BACKGROUND

- 3.1 The Taxi Licensing Policy should provide a clear statement of how this Licensing Authority intends to carry out its' statutory duty with regard to the licensing of drivers, vehicles and operators and providing transport to members of the public. It is also a guide for officers and Elected Members with responsibility for licensing matters; the licensed trade and new applicants. In addition, the policy will support any hearings at Magistrates Court, following decisions made by New Forest District Council (NFDC).
- 3.2 The Policy sets out standards and boundaries that the Licensing Authority considers acceptable. The Policy is an integral part of a Local Authority's decision-making process; informing and guiding decision makers and providing a valuable aid to consistency.
- 3.3 The policy is intended to promote public safety and ensure that the requirements of the district, in respect of the taxi and private hire trade, are met.
- 3.4 Prior to the issue of a revised policy, the Council must consult with those who will be affected by the new policy. This will include taxi and private hire licence holders, neighbouring authorities, Unions representing drivers, Councillors, Town and Parish Councils and the public. The draft Policy will also be published on the NFDC website.
- 3.5 Legislation governing taxi and private hire licensing (Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976) is outdated and has fallen behind modern communication and vehicle standards. However, the government has issued revised statutory guidance with enhanced requirements to further protect those who travel in licensed vehicles and this policy takes into account this guidance.
- 3.6 The Council's Policy for Taxi and Private Hire Licensing was reviewed a number of years ago and has only had minor changes, as required. This is the first wholesale revision of the Policy which includes recent changes to statutory guidance and secondary legislation. In the absence of new legislation, it is important that policies are current, fit for purpose and reflect local issues. The current policy is provided as **Appendix 2**.
- 3.7 Policy documents should be dynamic and reviewed periodically (statutory guidance suggests at least every five years) to ensure it reflects current best practice and recent case law, and changes in technology, social climate, and vehicle specifications. A review should also be considered where specific issues arise in our area or there are significant changes to legislation or guidance.

## 4. KEY UPDATES

- 4.1 The draft policy and appendices to the policy are provided as **Appendix 1**. The Key Changes document provided as **Appendix 3**, indicates the main changes proposed and the rationale for these changes.
- 4.2 A number of documents have been taken into account when drafting the policy, including the Statutory Taxi and Private Hire Vehicle Standards, produced by the Department for Transport.
- 4.3 Proposals in the draft policy require that diesel and petrol vehicles being licensed by NFDC for the first time, are less than 5 years old and hybrid vehicles are less than 7 years old. The age policy will not apply to fully electric vehicles. These standards are either consistent with neighbouring authorities or higher than a few. The new fleet standards will reduce the impact of emissions from our vehicles on the air quality, in both the new Forest and other areas where our licensed vehicles work.
- 4.4 It is proposed that all existing NFDC licensed vehicles remain on the fleet until 1 January 2026. After this date, only those less than 10 years old will be renewed. This lead in time will assist our trade in planning vehicle replacements to comply with the increased standards. Replacement vehicles will then need to meet the age policy at 4.3 above. The age policy will not apply to fully electric vehicles.
- 4.5 During the three-month consultation period, objections could be expected in respect of the tighter restrictions on vehicles. However, benchmarking with all Hampshire (and BCP and Wiltshire) authorities indicates that most have a higher specification for at least new vehicles, with various measures in place for existing vehicles on the fleet.
- 4.6 The proposal for door signage on private hire vehicles is included in the draft policy, to aid the identification of vehicles for the public and also to support any investigation or enforcement, when drivers are working in other areas. This has also been recognised as good practice in the guidance.
- 4.7 There is a proposal to amend the frequency of interim mechanical assessments for vehicles. Currently all new and renewal vehicles must pass the mechanical assessment, with those eight years and older, having an additional test halfway through the licence period, at six months. The proposal is to lower the age when the six-monthly test is required, to those vehicles five years and older. This will raise the standard across the fleet and ensure that older vehicles remain suitable to be licensed for the duration of the twelve-month licence period.
- 4.8 The Licensing Service has always applied stringent checks for applicants and drivers to ascertain an applicant's fitness and propriety to work including enhanced DBS checks). A new proposal (in line with statutory guidance) will require the Authority to check the licence holder's DBS record every six months. This will highlight any new convictions the driver may have received during the term of their licence.
- 4.9 There are further changes outlined in the Key Changes document (in addition to those highlighted above), which are reflected in the draft policy and these include:
- Enhanced fit and proper checks for drivers and operators.
  - A clear convictions policy.
  - A code of conduct for behaviour and appearance of drivers.
  - Revised conditions for licence holders.
  - Recognition of the increased use of technology
  - Clear requirements for licence holders on reporting matters.
  - Technical standards used for the assessment and testing of vehicles.

- Requirements based on the unique nature of the Forest regarding roaming wildlife on the roads and the lack of lighting.
- Reference to the new statutory guidance and secondary legislation.
- Requirements to increase safety for passengers.
- Greater consistency with neighbouring authorities.

## **5. CONSULTATION**

- 5.1 A consultation process must take place with key stakeholders prior to introducing a new policy and it is proposed that the consultation takes place between 15 January to 15 March 2024, following agreement by Members at this meeting.
- 5.2 All responses received will be collated, reviewed and presented to Members at a General Purposes and Licensing Committee following the end of the consultation period. Members will discuss and agree any changes based on the responses.
- 5.3 The updated policy will be presented to Full Council for Members to agree the adoption of the final policy.
- 5.4 The proposed timeline for the review of the policy is:

5 Jan 2024	Draft policy presented to GP&L Committee and approval sought for consultation.
15 Jan – 15 Mar 2024	Consultation.
21 June 2024 (or special meeting)	GP&L to discuss consultation responses and agree changes.
8 July 2024	Final policy adopted by Full Council for circulation.
9 July 2024	Final Policy published.

## **6. CONCLUSION**

- 6.1 The policy states the principles the Licensing Authority will apply to taxi licensing as authorised under statutory legislation. It references relevant guidance and case law and acts as a basis for decision making.
- 6.2 The policy has been updated to reflect changes in statutory guidance, technology, best practice and to provide consistent approach with other Licensing Authorities, whilst also reflecting local requirements. The policy may be departed from, on occasion, as each case will continue to be judged on its own merits. Once adopted the policy will be reviewed when required, but no later than five years.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 Any costs associated with this review will be met through the taxi licensing income.

## **8. CRIME & DISORDER IMPLICATIONS**

- 8.1 The Policy will address the approach taken by the Council to address crime and disorder implications.

## **9. ENVIRONMENTAL IMPLICATIONS**

- 9.1 The Policy will address the approach taken by the Council to address environmental implications.

## **10. EQUALITY & DIVERSITY IMPLICATIONS**

10.1 An Equality Impact Assessment will be completed for the introduction of this policy.

## **11. APPENDICES**

Appendix 1 - Draft Policy  
Appendix 2 - Current Taxi Policy  
Appendix 3 - Key changes document

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### **Background Papers:**



## **DRAFT Taxi Licensing Policy**

**Private hire and hackney carriage vehicles, drivers  
and operators**

**Dated TBC**

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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 within the New Forest District. Regulation is determined by 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.

Whilst the general public do not always know the difference between a Hackney Carriage and a Private Hire vehicle, and often refer to both as taxis, there are significant distinctions in law, on how they are allowed to operate. However, both have equal importance.

The purpose of this policy and its related procedures, is to guide the Licensing Authority in the manner in which 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.

When developing this policy a number of statutory guidance documents and Legislation have been taken into consideration. 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 the following licensing objectives.

1. The safety and health of the public and drivers.
2. Vehicle safety, comfort and access.
3. The prevention of crime and disorder and the protection of consumers.
4. Encouraging environmental sustainability.
5. Promoting the vision of New Forest District Council.



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 industry, neighbouring authorities, the police and other agencies, in addition to local businesses and resident.

### **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 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 aged 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 vision 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 particular regard for a number of statutory guidance documents and legislation. A list is 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, 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.

## **1.0 Drivers**

### **1.1 Application Process**

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.

In order 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
- 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 who is a British Citizen, 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.

This is also a requirement for those applicants who are non-UK citizens.

## **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 tickets. 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 a licence suspended will be held on the National Register of Refusals and Revocations (NR3S database). This information is shared, in order 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 a duration of three years, which permits the holder to drive a hackney carriage or a private hire vehicle. However, the Licensing Authority does have discretion to issues 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 Medical exemption**

Licensed drivers are under a legal duty under the Equality Act 2010 (amended by the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 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. To be granted an exemption certificate, the driver is required to provide medical evidence from their GP/consultant.

## **1.12 Code of Conduct**

As required by the driver licence conditions, 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**.

## **1.13 Driver duties for disabled passengers**

The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 amends 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 PHVs 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 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.

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 the 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.

#### **1.14 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.

Safeguarding of the public and passengers is the key priority of the Licensing Authority and it is essential drivers and operators remain fully informed of developments in this area.

#### **1.15 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.

#### **1.16 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, the fee will not be returned in lieu of administration costs.

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



### **1.17 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.

### **1.18 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.

### **1.19 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.

### **1.20 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.

## **2.0 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 2.11 and for hackney carriages set out in 2.12.

### **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 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 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 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**

Environmental Protection legislation requires local authorities to review and assess air quality on a regular basis. Where air quality falls below the national standards, the local authority is required to declare an Air Quality Management Area (AQMA) and develop a plan which identifies how air quality standards will be improved.

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. Therefore, twice yearly testing of vehicles which are five years and older will be introduced, to ensure that these vehicles remain fit for purpose during the licensed period.

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. There is an interim time period for older existing vehicles to continue to be licensed before new requirements are introduced.

The age restrictions are as follows:

All petrol or diesel vehicles must be less than five (5) years from the date of first registration, at the time of initial licensing.

All hybrid vehicles must be less than seven (7) years from the date of first registration, at the time of initial licensing.

No change for current fleet, but after 1 January 2026, only those vehicles less than ten (10) years old will be renewed.

The age policy does not apply to fully electric vehicles.

Twice yearly testing will be required for vehicles that are five (5) 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 use of magnets, sticky tape or velcro. As a licensed vehicle 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 carry 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" or "hackney".

## **Private hire vehicles-door stickers**

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 affixed 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 may 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 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 vehicle at all times to assist in the case of break down or emergency. Large sections of the Forest 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 garage facilities.

Failure to wear a high visibility vest/jacket when attending the garage facility for a vehicle test will result in a failed test and a re-test must be booked which will incur a further fee.

## **2.11 Vehicle examination and testing requirements**

All vehicles are subject to an annual 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 five 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 re-instated.

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 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.

## 3.0 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 has a 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 policy 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 courteous and professional at all times when carrying passengers. In addition, professional behaviour is expected at all times 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 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 ask 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.

## **4.0 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.

## **5.0 Compliance and Enforcement**

## **5.1 Principles**

The principle 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 and it should 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**

**5.5.1** 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.

**5.5.2** 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. 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 licence will be restored with no financial penalty to the applicant.

## **5.6 National Anti-Fraud Network (NAFN) NR3S Register**

Details of those drivers who have had their driver licences suspended or revoked, together with those applicants who have been refused a driver licence will be included on the NR3S database. This information will enable all authorities to check the background of applicants and drivers as part of their fit and proper checks.

## **5.7 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 alleged offender (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 to allow further training to take place,
- Revocation of the driver licence which may have immediate effect, or
- Other conditions or stipulations attached to the decision as Members see fit.

## **APPENDIX A – Application Process**

### **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.

#### **1.0 Disclosure and Barring Service (DBS) check**

All applicants/licensees are required to obtain an enhanced DBS certificate to include a check on the barred list. 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.

From the implementation date of this policy, applicants and drivers 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 licenced 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.

## **2.0 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, who is a British Citizen, 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.

### **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 Certificates 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>

### **3.0 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.

### **4.0 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.

### **5.0 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.

### **6.0 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.

## **7.0 HMRC Tax Conditionality**

The Licensing Authority are required to check that drivers 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.

## **Vehicles**

### **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.

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.

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.

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. 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. Introduction**

1.1 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.

1.2 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.

1.3 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.

1.4 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**

2.1 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.

- 2.2 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**

- 3.1 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.

- 3.2 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**

- 4.1 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 look into all matters disclosed and any other matters that may be relevant.

- 4.2 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.

- 4.4 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).
- 4.5 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.
- 4.6 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.
- 4.7 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.
- 4.8 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**

- 5.1 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.*

This document has 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.

## **5.2 Crimes 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.

## **5.3 Exploitation**

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.

#### **5.4 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.

#### **5.5 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.

#### **5.6 Sex and indecency offences**

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.

#### **5.8 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.

#### **5.9 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.



#### 5.10 **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.

#### 5.11 **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. 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.

#### 5.12 **Drink driving/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.

#### 5.13 **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.

#### 5.14 **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, 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.

#### **5.15 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 (excluding vehicle use), a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

#### **5.16 Vehicle use offences.**

Where an applicant has a conviction for any offence which involved the use of a vehicle (including hackney carriages and private hire vehicles), 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**

6.1 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**

7.1 If an applicant has, on more than one occasion, been arrested or charged, but not convicted, for a serious offence which falls within the policy which suggests he could be a danger to the public, consideration should be given to refusing the application.

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

### **8.0 Cautions**

8.1 An admission of guilt is required before a caution can be issued. Every case will be considered on its own merits including the details and nature of the offence.

### **9.0 Licences issued by other licensing authorities**

- 9.1 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.
- 9.2 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.
- 9.3 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, or had a licence revoked.

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 or revocation and provide those to other authorities as appropriate under the terms and conditions of the database.

- 9.4 Where this Licensing Authority has refused to grant a driver licence to an applicant or 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 who will consider the applicant's history and background. Where the application is refused, the fee will not be returned in lieu of administration costs.

## **10.0 Summary**

- 10.1 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 a number of 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.

All question papers will be provided in English only and no translation or interpretation of questions papers 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 48 hour's 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.

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. In order 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 in this section.

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, in order 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 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 unlikely to be 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, is also unlikely to 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, current 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

#### **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 or illegal drugs whilst working or prior to working,
- comply with any direction given to them by an authorised officer of the Council, Police or other agency and treat all officers with respect.

#### **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.

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

- not sound the vehicle horn illegally,

- 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 officers, garage mechanics, administration staff, compliance officers and police officers and will consider taking action against any individual who is abusive.

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.

### **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.

### **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 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, a responsible person should be informed so that alternative arrangements can be made.

#### **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. This means drivers must not:

- make discriminatory remarks relating 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 internal door locks.
- 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 Testing 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**

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

Vehicles that are five 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 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. 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**

3.1 All new petrol or diesel vehicles must be less than five (5) years from the date of first registration, at the time of initial licensing.

All new hybrid or electric vehicles must be less than seven (7) years from the date of first registration, at the time of initial licensing.

3.2 From 1 January 2026 for existing licensed vehicles, only those vehicles less than twelve (12) years old will be renewed.

Vehicles that are five (5) years and older from date of first registration will require twice yearly testing.

#### **4.0 Doors**

4.1 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**

5.1 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 licence and test will be charged.

## **6.0 Seats**

- 6.1 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).
- 6.2 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.
- 6.3 Head rests must be fitted to all forward or rear facing seats.
- 6.4 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.
- 6.5 Side facing seating is not permitted.

## **7.0 Seat belts**

- 7.1 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.
- 7.2 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**

- 8.1 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.

8.2

- all windows must be free of dirt, grime and marks.

8.3

- 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 affixed 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**

**9.1.1 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.

## 9.2 Engine

9.2.1 **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.

**Emissions** – must be discharging a clear emission.

## 9.3 Steering

9.3.1 **Box and idler** – units should be securely mounted to the chassis frame or body shell with no free play or oil leaks.

**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**

9.4.1 **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.

**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**

9.5.1 **Cleanliness and condition** – the exterior should be clean and polished. It must not have visible dents, tears, flaking paint, rust or 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**

9.6.1 **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-lastic 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**

9.8.1 **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

### 9.9.1 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.

### 9.9.2

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 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.

### 9.9.3

#### **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

- 9.10.1 **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.

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

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

9.10.4 **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**

9.10.5

A high vis 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.

**9.11 Luggage**

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

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

**9.12 Maintenance and condition of the vehicle**

9.12.1 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**

9.13.1 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**



- 9.14.1 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, signage and door stickers**

- 9.15.1 Unless an individual vehicle exemption has been granted for a private hire vehicle, Council licence plates must be securely affixed 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 affixed to the vehicle indicating that smoking is not permitted in the vehicle.

### **9.15.2 Additional signage-private hire vehicles**

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 affixed 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 may result in suspension of the vehicle until the matter is rectified.

### 9.15.3 **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.

## 9.16 **Roof signs**

- 9.16.1 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.

## 9.17 **Disability access**

- 9.17.1 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.

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.

## **9.18 Vehicles powered by liquid petroleum gas (LPG)**

9.18.1 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.

## **9.19 Tinted windows**

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

Any window tint must comply with relevant UK legislation.

## **9.20 Changes**

- 9.20.1 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 and surrender the licence. (notification by email is accepted). The driver badge must be returned to the Licensing Authority.
- 2.2 Any change of address must be notified in writing (email is acceptable) within seven days.

- 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 or not 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
- 6.6 Drivers must assist with identification of the vehicle, if this is requested by the disabled passenger, be this verbally or visually.  
  
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 Not without the express consent of the hirer play any radio or sound producing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
- 10.8 At no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving, to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- 10.9 Be punctual and on time for bookings unless delayed/prevented from doing so by some sufficient/reasonable cause.
- 10.10 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 hackney carriage 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. No material alteration or change in the specification, design, condition, or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force.
20. Advertisements for both self and third parties is permitted on hackney carriage vehicles, subject to approval by the Licensing Manager.
21. 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.
22. 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.
23. 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.
24. 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.

25. Any passenger wishing to be accompanied by their assistance dog must not be refused or charged an additional fee.
26. This licence cannot be transferred without the consent of the Licensing Authority.
27. At all times the licensed vehicle may only be driven by a person who holds a New Forest District Council driver licence.
28. 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 private hire 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. No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force.
19. 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. The sign should clearly indicate whether or not the carriage is for hire.
20. 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
21. The roof sign must not be illuminated when the vehicle is outside the New Forest District boundary.
22. 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.
23. A calendar-controlled taximeter must be fitted and must be correctly calibrated, sealed and fully functional and easily visible to passengers.
24. 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.
25. Any passenger wishing to be accompanied by their assistance dog must not be refused or charged an additional fee.
26. This licence cannot be transferred without the consent of the Licensing Authority.
27. At all times the licensed vehicle may only be driven by a person who holds a New Forest District Council driver licence.

28. 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 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 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, 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 ie:

- 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 may be considered where the following vehicle requirements are met:

- The vehicle must be of a high quality both in terms of 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 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 journey's 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.

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 NDFC 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 premise, they shall ensure that 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.

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

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 'taxi's' or 'cab' or any words of a similar meaning or construction that may suggest the overall appearance of the vehicle is a hackney carriage.

7.4 Any private hire vehicle operated by a licensed operator must not display the words "For Hire" or any words of similar meaning or appearance.

## **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.

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.

8.2 The Operator must record details of all lost or found property and retain those records for examination for a period of 6 months.

## **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, ie. dangerous driving or drink driving).

## APPENDIX N – Information sharing and data protection

- 1.1 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.
- 1.2 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](http://www.nfdc.gov.uk/privacy)
- 1.3 The Council will share information (which may include personal data) internally within the Council and externally with partner organisations including the Police, Environmental Health, 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.
- 1.4 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.
- 1.5 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.

1.6 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.

1.7 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

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

1.2 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

1.3 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)

## **1.0 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

They will only be rejected if the font is obviously incorrect.

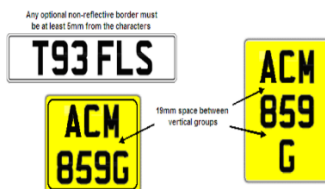
**I234567890**  
**ABCDEFGHIJKLMN OPQRSTUVWXYZ**

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 'l' 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

## 2.0 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.

## 3.0 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

## **4.0 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, idler, 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

## **5.0 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

## **6.0 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:

- Taxi 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

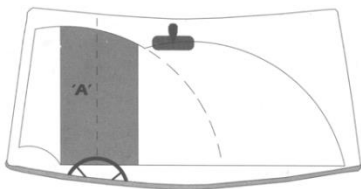
**Condition of glass**

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 not providing fluid to both zone A and B

### **7.0 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 position lamps
- 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 lens 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

**8.0 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

## **9.0 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.

## **10.0 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 bar

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.

**11.0 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 the:**

- 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

## **12.0 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

**13.0 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

**14.0 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

### **15.0 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

### **16.0 Road test**

On road test you must check 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. You will also check excessive smoke from the exhaust

**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

### **17.0 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'.

## **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

New Forest District Council  
Licensing Services  
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**New Forest**  
DISTRICT COUNCIL

**HACKNEY CARRIAGE  
AND  
PRIVATE HIRE  
LICENSING**

**STATEMENT OF  
PRINCIPLES**

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## **PART A**

### **Overview**

#### **Introduction**

The content of this document is provided as information on the policy and principles of New Forest District Council (NFDC) in carrying out its functions in relation to the regulation of hackney carriages, private hire vehicles and driver licensing. The document is not a full and authoritative statement of the law and does not constitute professional or legal advice.

This statement of principles will be kept under regular review. NFDC will consult with all interested parties before making such revisions to it, at such times as it considers appropriate.

#### **Principle Aims**

- Public safety;
- The protection of children and other vulnerable persons.

#### **Methodology**

NFDC will check and where appropriate test the suitability of Operators, Drivers and Vehicles and only issue licences if satisfied that the Principle Aims above will be met. Conditions will apply to licences to ensure that these aims are achieved. Applicants are not authorised to operate prior to the appropriate licences being issued or renewed and may be committing criminal offences should they do so.

#### **Legislation**

- Town Police Clauses Act 1847 & 1889
- Local Government (Miscellaneous Provisions) Act 1976
- Public Health Act 1875 & 1936
- Local Government Act 1972
- Rehabilitation of Offenders Act 1974
- Transport Act 1980, 1981 & 1985
- Disability Discrimination Act 1995
- Equality Act 2010

#### **Licences**

Conditions apply to licences for:

- Vehicles as either hackney carriage or private hire;
- Drivers of licensed vehicles;
- Operators of private hire vehicles.

NFDC will maintain a database of licensed vehicles and drivers and applications.

## General Conditions for Drivers

Before applying for a combined hackney carriage and private hire drivers licence issued by NFDC all applicants must satisfy the pre-qualifying conditions set out in Part J.

**Knowledge Tests** – are required to be undertaken and passed by applicants for a combined hackney carriage and private hire driver’s licence. It will comprise both written and oral test covering four main elements consisting of; geographical knowledge, driving standards, licence conditions and communication skills.

Satellite navigation and other similar aids will not be considered a substitute for the geographical knowledge component as they can malfunction or breakdown.

It is important that drivers can communicate effectively with their customers and others. Applicants will be expected to show good competence in the English language and this will be tested in the communications skills part of the test.

If the applicant fails the test or any section, they may re-take the relevant section or the test within two weeks but will be charged for the re-take and any other subsequent test.

Applicants are only able to take 3 tests in total in any one rolling calendar year.

A successful pass of the driver’s awareness test is only valid for a period of 6 months.

**Previous convictions** – all applicants for the combined hackney carriage and private hire driver’s licence must obtain a satisfactory Enhanced Certificate from the Disclosure and Barring Service (DBS), prior to the granting of the initial licence. This process must be repeated for all subsequent licence applications. Refusal to complete the DBS form will mean that no licence will be issued.

On completing the driver licence application form all convictions and motoring offences (whether spent or not) must be declared.

All past convictions will be considered against the NFDC guidelines (see Part J). In every case the individual facts will be considered with the overriding consideration being the Principle Aims of the statement of principles policy.

## General Conditions for Vehicles

Applications for vehicle licences will be conditional on the vehicle being tested as follows:-

- Vehicles up to eight years of age – Tested once a year;
- Vehicle over eight years of age which have been deemed to be in satisfactory condition by the Licensing Authority – Tested twice a year;

Normally the age of the vehicle will be calculated from the day of its first registration at the DVLA.

Before any licence is granted the vehicle must have been inspected and approved by NFDC appointed vehicle tester, together with the completion and submission of the NFDC vehicle inspection report.

New technology that makes a contribution to achieving the aims of the licensing principles will be considered as and when it becomes available.

This licensing authority will allow advertisements to be placed upon hackney carriages and private hire vehicles for both self and third party advertising with no restrictions providing that no possible road or passenger safety is compromised. All advertising is subject to the approval of NFDC licensing officer.

Although a vehicle may comply with conditions, approval may be withheld if NFDC is of the opinion that the particular vehicle is unsuitable for public use.

Vehicles aged over 8 years will need to be in suitable condition and approved by NFDC licensing officer.

All new hackney carriage licence numbers (nos.89 and above) issued on or after 1 April 2006 and which were not in existence prior to that date will be wheelchair accessible vehicles (WAV).

All types of vehicle which conform to NFDC specification and requirements will be licensed where application is made to change a vehicle on a licence number which was issued on or prior to 31 March 2006 (nos. 1 to 88) whether or not the vehicle is a WAV.

### **Responsibility of Proprietors or Operators**

NFDC will hold the owner or proprietor of a licensed hackney carriage or the operators of a private hire vehicles responsible for the general condition and roadworthiness of the vehicle and for ensuring that their drivers are familiar with all conditions, legislation and by-laws regulating the operation of vehicles.

In certain instances therefore the proprietor or operator may be subject to enforcement action as a result of an offence committed by their driver. NFDC will however take into account the circumstances of the offence and how far the proprietor or operator is also culpable.

### **Guide and Assistance Dogs**

It is an offence for a licensed driver to refuse to carry guide and assistance dogs unless the driver has a medical exemption certificate.

Private hire operators may also commit an offence if they do not accept bookings by or on behalf of a disabled person who is accompanied by a guide, hearing or other assistance dog. Or make an additional charge for carrying the dog.

Drivers in making an application for a medical exemption will need to provide supporting medical evidence. An independent medical practitioner, other than their General Practitioner must provide this. If the exemption is being applied for on the grounds of a chronic phobia to dogs the report must be provided by a psychiatrist or clinical psychologist.

## **Enforcement**

Enforcement will be applied in accordance with NFDC enforcement policy which adopts a reasonable, impartial and proportionate approach to enforcement. NFDC will attempt to balance the rights of all parties and in particular have regards to:

- Human Rights
- Discrimination
- Other legislation which covers the way in which investigations are conducted

NFDC will carry out enforcement duties in line with the principles that business should:

- Receive clear explanations of what they need to do
- Have opportunities to resolve differences before enforcement action is taken
- Be told how to appeal against any decisions
- Be told the reasons for particular decisions

An authorised officer of NFDC has the power at all reasonable times to inspect and test for fitness any hackney carriage or private hire vehicle licensed by the Council or any taximeter affixed to the vehicle. If they are not satisfied as to the fitness of the vehicle or as to the accuracy of the taximeter they may, by notice, require the proprietor or driver to make the vehicle or taximeter available for further inspection and testing and may suspend the vehicle licence until such time as they are satisfied as to its fitness.

If the vehicle is not made fit within two months, the vehicle licence can be automatically revoked.

It is an offence to obstruct an authorised officer or fail to give such assistance or information as may be required or to comply with any reasonable requirement. It is also an offence to give false information.

## **Taxi Rank Provision**

The provision of taxi rank stands will be reviewed at the request of the trade and representation will be made to NFDC Transportation to consider new areas where necessary and appropriate.

## **Fees and Charges**

Fees and charges will be set with the intention of covering NFDC costs in administering the whole service. They will generally be reviewed as part of the normal budget process and come into force from the 1 April each year. If the demands on the service make it necessary, then fees may be amended during the financial year.

## **Appeals Procedures**

Where a licence application is refused, or an existing licence is suspended or revoked, the applicant or licence holder may have a right to appeal in the first instance to NFDC Licensing Committee and also to the local Magistrates Court. An appeal to either the Licensing Committee or the Magistrates Court must be lodged in writing within 21 days of notification of the refusal, suspension or revocation.



## **PART B**

### **General Conditions of Fitness and Design of Vehicles**

#### **General**

All licensed vehicles must comply in all respects with the requirements of any Acts and Regulations relating to motor vehicles in general or in particular and in force at the time of licensing and with any retrospective changes introduced during the life of the licence.

#### **Hackney Carriage & Private Hire Vehicles**

A vehicle licence will be granted or renewed only where:

- If a hackney carriage, the vehicle is a purpose built London FX4 taxi or any four or five door saloon, estate car or mini-bus type vehicle with an engine capacity as set out below;
- If a private hire vehicle, the vehicle is a 4 or 5 door family saloon, estate car or mini-bus type vehicle with an engine capacity as set out below;
- Where a vehicle is licensed to carry a maximum of 4 passengers an engine capacity of not less than 1200cc in respect of a petrol engine and not less than 1400cc in respect of a diesel engine shall apply;
- Where a vehicle is licensed to carry 5 to 8 passengers an engine capacity of not less than 1500cc in respect of a petrol engine and not less than 1695cc in respect of a diesel engine shall apply;
- **Provided:** - the Licensing Officer is satisfied in relation to the size, design and safety standards of the vehicle.

The following conditions for both taxis and private hire vehicles shall apply:-

- **Steering** – the steering wheel should be on the offside (however see additional conditions relating to Stretch Limousines).
- **Doors** – a minimum of four doors, two on each side of saloon and estate cars. A rear door only counting on mini-buses and only used as a direct exit for a row of seats. Converted van type vehicles are not acceptable, nor are vehicles with exits which are sited over petrol tanks. Door should open to an angle of 80° to the body of the vehicle, except in the case of sliding doors.
- **Seat Dimensions** – the length of the rear seat measured in a straight line lengthwise on the front of the seat must be such as will allow adequate sitting accommodation to the extent of at least sixteen inches per person. The width of the back seat from the squab to the front edge must not be less than 18 inches.
- **Seated Headroom** – from the top of the seat cushions to the roof at the lowest part must not be less than 32 inches.

- **Rear Knee Space** – the measurement from the back of the front seat to the front of the rear seat must not be less than 7 inches when the front seat is fully pushed back.
- **Luggage** – suitable dedicated provision for the secure carriage of luggage must be made, separate from the passenger compartment and proportionate in size to the number of passengers carried.
- **MOT Examinations** – are required for:

PHV over three years old

HCV over one year old

- **Age Policy** – vehicles over eight years old are subjected to inspections by the Council twice each year and will need to be in suitable condition and approved by the Licensing Officer.

## **PART C**

### **The Examination & Assessment of Vehicles**

#### **Vehicle Assessment**

This part of the document has been produced in order to assist licensed drivers, hackney carriage proprietors and private hire operators. It sets out in clear and simple terms the items which are assessed and tested and the minimum standards which must be reached for licensed vehicles to pass the mandatory NFDC vehicle inspection(s).

Licensed vehicles are working vehicles which are liable to cover large mileages over short periods whilst carrying fare paying passengers. As a consequence the Council sets high standards for those vehicles which it does licence and it expects vehicle owners to ensure that the standards are maintained throughout the licensed period. Vehicles eight years and older are tested on application and thereafter at six monthly intervals.

The items marked with an asterisk (\*) are also examined during the MOT test and further requirements for assessment can be found in the current MOT Testers Manual. Where items are not subject to MOT examination then NFDC requirements are set out in the following document.

Inevitably some check items will be open to subjective judgement on the part of the NFDC examiner. NFDC will whenever possible minimise any possible variances by using the same, usually two, experienced and qualified technicians.

The vehicles test fee is included in the licence fee; therefore, providing the vehicle is in satisfactory condition and passes the test no further payment is necessary. However should the vehicle fail the test then a re-test fee will be charged at the current published rate. This fee must be paid before a re-test is carried out. The garage will require sight of the re-test fee payment prior to examining the vehicle. Re-tests are not encouraged as the vehicle should be presented in a satisfactory condition at the initial test.

#### **Taxi Meter**

The meter should accurately record the time and distance covered. It should be set to charge at the prevailing rate and this should be accurately reflected by way of charges. The meter should be sealed.

#### **Interior**

- **Trim** – clean, properly fixed in place with no rough or jagged edges. Window and door handles properly fixed in place and working effectively.
- **Seat Belts** – clean, not stretched, ripped, torn or worn. Properly fixed to allowable anchorage points with locks and buckles that operate smoothly and effectively. Belts must be available for the driver and front passenger, and in vehicles first registered from 1987 onwards, for passengers in rear seats.
- **Seats** – properly and securely bolted in place, on smoothly operating runners as applicable. Coverings should be clean and not worn, damaged or split.

- **Carpets** – clean and properly fitted. No holes or loose flapping ends or edges.
- **Cleanliness** – clean and polished interior and glasswork.

### **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. White or 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** – 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 or red 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.

## 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.
- **Emissions** – must be discharging a clear emission.

## Steering

- **Box & Idler** – units should be securely mounted to the chassis frame or body shell with no free play or oil leaks.
- **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 & 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 & 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** – 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)** – vehicle should drive in a straight line and not pull or veer to the left or to the right.

### 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.
- **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.

### Bodywork

- **Cleanliness & Condition** – exterior should be clean and polished. It must not have any bad dents or tears. Bumpers, number plates and vehicle ID plates should be securely fixed to the rear of the vehicle (not displayed in window).
- **Chassis** – must be of sound condition with no undue corrosion or visible distortions.

### 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 & 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-Lastic Units** – should be securely fixed and in good serviceable condition, functioning normally and with no fluid leaks or cracked, perished pipes.

## Gearbox & Transmission

- **Clutch** – 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.
- **Syncromesh** – 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 bad oil leaks.
- **Automatic Transmission Inhibitor Switch** – must only be able to start vehicle when Park or Neutral has been selected.

## Braking System

- **Hydraulic Fluid** – filled to correct level and with no air bubbles when footbrake operated.
- **Master Cylinder** – firmly fixed to vehicle and in good working order with no leaks or excessive corrosion.
- **Pipelines & Unions** – 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 & 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.

## Tyres

- **Tyres** – all tyres must be ‘first life’, not retreaded or remoulded. It must be of the correct size, in good condition with no bulges, cracks or cuts and not have any steel showing. The tread depth should be a minimum of 2mm over the whole of the tread area. The pressure of which must be as per manufacturer’s instructions.
- **Spare Tyre** – the tyre must be ‘first life’, not retreaded or remoulded. It must be of the correct size, in good condition with no bulges, cracks or cuts and not have any steel showing. The tread depth should be a minimum of 2mm over the whole of the tread area. The pressure of which must be as per manufacturer’s instructions.
- **Spare Wheel** – must be the original option as designed and delivered by the vehicle manufacturer. In the event of the need arising for the fitting of a space saver tyre or the use of a run flat tyre or an inflation kit then the appropriate remedial action to replace with ‘new’, as per original specification, must be undertaken upon completion of the journey.

## General

- **Door Locks & 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 or starred so as to impair driver vision.
- **Oil Leaks** – vehicle must not suffer from serious oil leaks.
- **Fire Extinguisher** – should conform to the current recognised standard and minimum rating for a public service vehicle. It must be located and fixed in an appropriate position within the vehicle.
- **Mirrors** – 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.



## **PART D**

### **Licence Conditions Relating to Hackney Carriage Vehicles**

1. In this licence and in these conditions, unless the subject or context otherwise requires:-
  - "the Council" means the New Forest District Council
  - "authorised officer" means an officer of the Council authorised in writing by the Head of Public Health & Community Safety of the Council for the purposes of these conditions
  - "Hackney Carriage" has the same meaning as in the Town Police Clauses Act 1847
  - "licence plate" means the plate issued by the Council for the purposes of identifying the vehicle as a Hackney Carriage duly licensed by the Council
  - "proprietor" means the person or persons or body named in this licence as the proprietor of the vehicle, includes a part proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire purchase agreement, means the person in possession of the vehicle under that agreement
  - "the vehicle" means the Hackney Carriage in respect of which this licence is issued
  - "Table of fares" means the table issued by the Council.
  
2. The Hackney Carriage shall be subject to the Council's byelaws made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 with respect to Hackney Carriages in the district of New Forest in so far as they do not conflict with these conditions in which case these conditions shall prevail.
  
3. The proprietor shall observe and perform the following terms and conditions in respect of Hackney Carriages:-
  - 3.1 the proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position and in a manner as issued by the Council so as to be visible at all times to persons conveyed therein the number of this licence and the number of passengers prescribed in this licence;
  - 3.2 the licence plate shall be fixed and displayed outside and on the rear of the Hackney Carriage in a position which shall be approved by an authorised officer, so as to ensure that the Hackney Carriage's registration mark is not obscured, with the particulars thereon facing outwards and in such a manner and place that the licence plate is clearly visible by daylight from the road at the rear of the Hackney Carriage;
  - 3.3 the licence plate shall remain the property of the Council and shall be returned to the Council by the proprietor within seven days after the service on him of an appropriate notice by the Head of Public Health & Community Safety in the event of the Hackney Carriage licence ceasing to be in force in respect of the vehicle;
  - 3.4 the proprietor shall permit an authorised officer of the Council or a police officer to inspect and test a Hackney Carriage or any taximeter affixed to such Hackney Carriage at all reasonable times. If the authorised officer or police officer is not satisfied as to the fitness of the Hackney Carriage or as to the accuracy of the taximeter he shall give notice in writing to the proprietor and the proprietor shall make the Hackney Carriage or taximeter available for further inspection and testing at such reasonable time and place as specified in the notice, and the licence shall be suspended until such time as the officer is satisfied with the vehicle or the meter; provided that if the authorised officer is not so satisfied within a period of two months, the said licence shall be revoked. The licence plate shall on suspension of the licence be handed to the authorised officer but will be returned upon re-instatement of the licence
  - 3.5 without prejudice to the aforementioned provisions, on receipt of a notice in writing from the Head of Public Health & Community Safety, the proprietor shall present the Hackney Carriage for inspection and testing by or on behalf of the Council

- within such period and at such place as specified by the Council. Such inspections and tests shall not exceed three in number in any one period of 12 months and a test shall not be required within two months of a previous test when the Hackney Carriage was found to be satisfactory, except in the case of vehicular damage or alteration under condition 3.13 hereof;
- 3.6 the vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in Motor Vehicles (Construction and Use) Regulations) shall be fully complied with;
  - 3.7 the proprietor shall, at all times during the currency of the licence, keep in force in relation to the use of the Hackney Carriage a policy of insurance issued by an approved insurance company or such security as complies with the requirements of Part VI of the Road Traffic Act 1972 and he shall at all times comply with the conditions thereof;
  - 3.8 on being required by an authorised officer, the proprietor shall produce to that authorised officer for examination such certificate of insurance as is required under condition 3.7 hereof, provided that if the proprietor fails to produce such certificate to the authorised officer on request, the proprietor shall within five days produce it to that officer or to any other authorised officer at the Council Offices, Appletree Court, Lyndhurst;
  - 3.9 the proprietor shall not cause or suffer or permit to be conveyed in the vehicle a greater number of persons exclusive of the driver than the number of persons specified in the licence ;
  - 3.10 the proprietor shall cause to be carried in the Hackney Carriage a B.C.F. Fire Extinguisher conforming and maintained to BS.5423, at least 1.5kg, suitable for use on a motor vehicle, must be fixed inside the passenger/driver compartment of the vehicle in such a position as to be readily available for use. The glove compartment is acceptable provided the extinguisher is fixed and its location is clearly marked in a prominent position on the dashboard;
  - 3.11 the proprietor of a Hackney Carriage shall cause the Table of Fares provided by the Council to be exhibited inside the carriage in such a manner and place that the particulars thereon are clear and visible to any passenger being conveyed in the Hackney Carriage;
  - 3.12 the proprietor shall not assign or in any way part with the benefit of the licence, without the prior consent in writing of the Council and such consent will not be binding on the Council in respect of the renewal of the licence;
  - 3.13 no material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force;
  - 3.14 the proprietor shall inform the Council within 48 hours of any occasion of more than 24 hours when the Hackney Carriage is not available for hire;
  - 3.15 the licence plate shall be returned to the Council by the proprietor if, for any reason, the Hackney Carriage is not available for hire for a period of more than 14 days. The plate will be returned to the proprietor within 48 hours of notice being received by the Council of the vehicle's availability for hire;
  - 3.16 (1) advertisements for both self and third parties is permitted on hackney carriage vehicles, subject to approval by the Licensing Officer. Also permitted is the indication on a taximeter fitted to the vehicle or to a sign which contains the name of the hirer or passenger or passengers to be carried in the vehicle and is displayed in pursuance of a prior arrangement made for the carriage of a passenger or passengers named in the sign;  
(2) the proprietor shall cause to be affixed and maintained a sign so constructed as to comply with the following requirements, that is to say:-
    - (a) the sign shall bear the words "FOR HIRE" in plain letters at least 1.5 inches in height;

- (b) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire;
  - 3.17 the proprietor shall within seven days disclose to the Council in writing details of any conviction imposed on him (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence;
  - 3.18 Sub-sections (2) to (5) of Section 233 of the Local Government Act 1972 shall have effect and are incorporated in these conditions in relation to any notices required or authorised by these conditions to be given or served on the proprietor or on behalf of the Council by an authorised officer;
  - 3.19 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 taximeter and by no other method.
4. The Council may suspend, revoke or refuse any licence in respect of a Hackney Carriage for any reasonable cause, including that the Hackney Carriage is unfit for use as a Hackney Carriage.

**NOTE: Licensees are advised to acquaint themselves with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976, and the Town Police Clauses Act 1847.**

## **PART E**

### **Licence Conditions Relating to Private Hire Vehicles**

1. In this licence and in these conditions, unless the subject or context otherwise requires:-
  - "the Council" means the New Forest District Council
  - "authorised officer" means an officer of the Council authorised in writing by the Head of Public Health & Community Safety of the Council for the purposes of these conditions
  - "Private Hire Vehicle" means a motor vehicle constructed or adapted to seat fewer than nine passengers, other than a Hackney Carriage or public service vehicle, which is provided for hire with the services of a driver for the purposes of carrying passengers
  - "Hackney Carriage" has the same meaning as in the Town Police Clauses Act 1847
  - "licence plate" means the plate issued by the Council for the purpose of identifying the vehicle as a Private Hire Vehicle duly licensed by the Council
  - "proprietor" means the person or persons or body named in this licence as the proprietor of the vehicle and includes a part proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire purchase agreement, means the person in possession of the vehicle under that agreement
  - "the vehicle" means the Private Hire Vehicle in respect of which this licence is issued
  
2. The proprietor shall observe and perform the following terms and conditions in respect of Private Hire vehicles:-
  - 2.1 the proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position and in a manner as issued by the Council so as to be visible at all times to persons conveyed therein the number of this licence and the number of passengers prescribed in this licence;
  - 2.2 the licence plate shall be fixed and displayed outside and on the rear of the vehicle in a position which shall be approved by an authorised officer, so as to ensure that the vehicle's registration mark is not obscured, with the particulars thereon facing outwards and in such a manner and place that the licence plate is clearly visible by daylight from the road at the rear of the vehicle;
  - 2.3 the licence plate shall remain the property of the Council and shall be returned to the Council by the proprietor within seven days after the service on him of an appropriate notice by the Head of Public Health & Community Safety in the event of the Private Hire Vehicle licence ceasing to be in force in respect of the vehicle;
  - 2.4 the proprietor shall permit an authorised officer of the Council or a police officer to inspect and test the vehicle at all reasonable times. If the authorised officer or police officer is not satisfied as to the fitness or condition of the Private Hire Vehicle he shall give notice in writing to the proprietor and the proprietor shall make the Private Hire Vehicle available for further inspection and testing at such reasonable time and place as specified in the notice, and the licence shall be suspended until such time as the authorised officer is so satisfied; provided that if the authorised officer is not so satisfied before the expiration of a period of two months, the licence shall be revoked. The licence plate shall on suspension of the licence be handed to the authorised officer but will be returned upon reinstatement of the licence;
  - 2.5 without prejudice to the aforementioned provisions, on receipt of a notice in writing from the Head of Public Health & Community Safety, the proprietor shall present the Private Hire Vehicle for inspection and testing by or on behalf of the Council within such period and at such place as specified by the Council. Such inspections and tests shall not exceed three in number in any one period of 12 months and a test shall not be required within two months of a previous test

- when the vehicle was found to be satisfactory, except in the case of vehicular damage or alteration under condition 2.12 hereof;
- 2.6 the vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in Motor Vehicles (Construction and Use) Regulations shall be fully complied with;
  - 2.7 the proprietor shall, at all times during the currency of the licence, keep in force in relation to the use of the vehicle as a Private Hire Vehicle a policy of insurance issued by an approved insurance company or such security as complies with the requirement of Part VI of the Road Traffic Act 1972 and he shall at all times comply with the conditions thereof;
  - 2.8 on being so required by an authorised officer, the proprietor shall produce to that authorised officer for examination such certificate of insurance as is required under condition 2.7 hereof, provided that if the proprietor fails to produce such certificate to the authorised officer on request, the proprietor shall within five days produce it to that officer or to any other authorised officer at the Council Offices, Appletree Court, Lyndhurst;
  - 2.9 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:
    - 2.9.1 the word "Taxi" or "Cab" whether in the singular or plural or "For Hire" or any word of similar meaning or appearance to any of these words, whether alone or as part of another word;
  - 2.10 without prejudice to the preceding condition 2.9 and conditions 2.11 and 2.12 below, the proprietor shall not display or suffer or permit to be displayed on or from the Private Hire Vehicle, any sign, notice, mark, illumination or other feature which, having regard to the time and place at which it is displayed and to any other circumstances, may suggest to a person seeking to hire a Hackney Carriage that the vehicle is used for the purpose of carrying passengers for hire and reward;
  - 2.11 no signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed conspicuously on, in or from the vehicle except as may be required by any statutory provision (including byelaws) or required or permitted by these conditions provided however that this condition shall not apply to a sign which contains the name of the hirer or a passenger or passengers to be carried in the vehicle and is displayed in pursuance of a prior arrangement made for the carriage of a passenger or passengers named in the sign;
  - 2.12 advertisements for both self and third parties is permitted on Private Hire Vehicles, subject to approved by the Licensing Officer;
  - 2.13 no material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force;
  - 2.14 the proprietor shall cause to be carried in the Private Hire Vehicle a B.C.F. Fire Extinguisher conforming and maintained to BS.5423, at least 1.5kg, suitable for use on a motor vehicle, must be fixed inside the passenger/driver compartment of the vehicle in such a position as to be readily available for use. The glove compartment is acceptable provided the extinguisher is fixed and its location is clearly marked in a prominent position on the dashboard;
  - 2.15 the proprietor shall not cause or suffer or permit to be conveyed in the vehicle a greater number of persons exclusive of the driver than the number of persons specified in the licence;
  - 2.16 the proprietor shall notify the Council in writing of any change of his address during the period of the licence within seven days of such change taking place;
  - 2.17 the proprietor shall within seven days disclose to the Council in writing details of any conviction imposed on him (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence;
  - 2.18 if the proprietor permits or employs any other persons to drive the vehicle as a private hire vehicle, he shall before that person commences to drive the vehicle

- cause the driver to deliver to him his private hire driver's licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his;
- 2.19 the proprietor shall not assign or in any way part with the benefit of the licence without the prior written consent of the Council and such consent shall not be binding on the Council in respect of the renewal of the licence;
- 2.20 the licence plate shall be returned to the Council by the proprietor if, for any reason, the vehicle is not available for hire for a period of more than 14 days. The plate will be returned within 48 hours of notice being received by the Council of the vehicle's availability for hire;
- 2.21 Sub-sections (2) to (5) of Section 233 of the Local Government Act 1972 shall have effect and are incorporated in these conditions in relation to any notices required or authorised by these conditions to be given or served on the proprietor or on behalf of the Council by an authorised officer;
3. The Council may suspend, revoke or refuse to renew any licence in respect of a Private Hire Vehicle for any reasonable cause, including that the Private Hire Vehicle is unfit for use as a Private Hire Vehicle.

**NOTE: Licensees are advised to acquaint themselves with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.**

## **PART F**

### **Additional Conditions Relating to Multi Purpose Vehicles (MPV's)**

In respect of multipurpose vehicles (MPV's), all passengers should have direct access to a door without the need to climb over the rear of any seat or the need to lower the back of the seat. Unless the vehicle has in place a quick release mechanism, which allows suitable access and egress, of a type approved by the Licensing Officer.

Seats should not be sideways to the direction of travel and should all comply with the seat belt regulations.

## **PART G**

### **Additional Conditions Relating to Mini Buses**

In respect of mini buses, all passengers should have direct access to a door without the need to climb over the rear of any seat or the need to lower the back of the seat. Unless the vehicle has in place a quick release mechanism, which allows suitable access and egress, of a type approved by the Licensing Officer.

Seats should not be sideways to the direction of travel and should all comply with the seat belt regulations.

## PART H

### **Additional Conditions relating to Stretched Limousines**

#### **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; and that prior to the introduction of this policy could not currently be licensed by the Council as a Private Hire Vehicle”.

#### **Additional Licensing Requirements for Stretched Limousines**

1. 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.
2. **PHV Operators Licence**
  - 2.1 No changes to standard PHV policy. Persons taking bookings for private hire work using a stretched limousine will be required to hold a private hire operators’ licence with the Authority.
  - 2.2 All bookings for a limousine as a private hire vehicle must be booked through the licensed private hire operator. Any stretch limousine licensed by New Forest District Council will only be used for hire under the terms of a private hire operator’s licence either already issued or granted to an operator within the District or to any new licensed operator.
3. **PHV Drivers Licence**
  - 3.1 Any person driving a stretch limousine for PHV work will be required to be licensed as a PHV driver with New Forest District Council.
4. **PHV Stretched Limousine Vehicles**
  - 4.1 A stretched limousine will be defined as a motor vehicle that has been lengthened by the insertion of an additional body section and modified by an authorised coachbuilder to contain luxury fixtures and facilities that is capable of carrying up to but not exceeding 8 passengers. This will apply to authentic Ford & 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.
  - 4.2 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
  - 4.3 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 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.

- 4.4 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.
- 4.5 Full proof of Department for Transport (DfT) Single Vehicle Type Approval (SVA) will be required at the time of testing
- 4.6 Where applicable, the Vehicle Identification Number (VIN) plate shall display '1L1' to confirm conversion completed by an authorised dealer.
- 4.7 Where applicable, the applicant shall confirm, by a badge or other appropriate documentation the conversion dealer.
- 4.8 A plate on the door pillar shall confirm the total weight of the vehicle
- 4.9 DVLA V5 or equivalent shall be produced to authenticate registration.
- 4.10 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).
- 4.11 Vehicles may either be left or right hand drive
- 4.12 Vehicles must be fitted with at least 4 doors
- 4.13 The limousine's seating capacity must have been reduced where necessary to a maximum of 8 passengers.
- 4.14 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
- 4.15 There shall be no passengers carried in the front compartment
- 4.16 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.
- 4.17 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.

- 4.18 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).
- 4.19 An appropriate insurance policy must be in place which covers use of the vehicle for hire and reward.
- 4.20 No intoxicating liquor shall be provided in the vehicle unless there is in force an appropriate licence under the Licensing Act 2003 permitting the sale or supply of the same.
- 4.21 Alcohol shall only be served while the vehicle is stationary and afterwards, all bottles shall be placed in a secure receptacle.
- 4.22 If any passenger is below the age of 18, there shall be no alcohol on the vehicle.
- 4.23 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).
- 4.24 No signs, notices or any other markings will be displayed on or in the vehicle without the written permission of the Council.
- 4.25 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.

## **PART I**

### **Additional Policy for the Determination of Applications for Private Hire Vehicle Plate Exemption**

Applications should be made on the appropriate form. Each application will be considered on its individual merits by an appropriately authorised officer of the Council. Each vehicle will be inspected by the officer determining the application.

#### **Vehicles**

In view of the vast numbers of makes and models of vehicles available it is preferred not to produce a definitive list of vehicle makes and models that might be approved has not been prepared. The granting of an exemption will be based on the cost, reputation, specification, appearance, perception and superior comfort levels of a vehicle. However, the following will be minimum requirements in relation to any vehicle in respect of which an exemption is sought:

1. Executive saloon, hatchback or estate vehicles designed to be licensed for 4 passengers, allowing sufficient space for adult passengers to travel comfortably.
2. Engine size 1900cc or greater.
3. A range of vehicles capable of carrying in excess of 4 passengers will be considered provided they meet a higher specification for that make and model.
4. An exemption will only be considered for a vehicle that can seat more than 4 passengers only where this is provided with comfort. Each seat must be of adequate dimensions and must permit direct access into and out of the vehicle without the need to move, remove, fold down, pass over or slide any seat. No vehicle modifications from the manufacturer's specification are acceptable.
5. The vehicle must have a minimum specification of at least air conditioning, climate control, electric windows, central locking and headrests for each passenger.
6. The vehicle must be in immaculate condition, without damage, dents, defects or blemishes to the external bodywork, trim or seating.

#### **Type of work**

Applications will only be considered from the proprietors of vehicles which undertake exclusively "executive" type work, with all bookings to be of an executive nature and made under written contract (which may include bookings made electronically and by email). For example:

1. Corporate bookings to transport employees and/or clients on corporate business journeys; and/or
2. Airport and other 'special' journeys where the client specifically requests a vehicle of a prestige specification at the time of booking and pays a recognisable higher fee for that service compared to that charged for a non exempt vehicle.

### Additional Conditions Relating to Private Hire Vehicles with a Plate Exemption

The following conditions will apply to any private hire vehicle which is granted an exemption from the requirement to display the rear licence plate, and are in addition to the standard private hire vehicle licensing conditions applying at the time:

1. The vehicle will only be used for “executive” work, where the booking has been made by written contract and not for any other type of private hire work.
2. The following 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:
  - A) The exemption notice.
  - B) The private hire vehicle licence plate.
  - C) The vehicle licence conditions.
3. The (small) internal vehicle identification badge will be displayed in the front window of the vehicle at all times.
4. The vehicle will NOT have a meter fitted.
5. The vehicle will not display any company or third party numbers, adverts or promotional material of any type.

### Additional Conditions for Drivers of Exempted Private Hire Vehicles

1. Male drivers are required to wear a suit or jacket and trousers plus shirt and a tie at all times. Female drivers must follow an equivalent dress code, generally recognised as ‘smart office’. This dress code must be followed at all times the vehicle is used to undertake a booking or contract. Jackets may be removed where weather conditions require it.
2. The driver of an exempted vehicle is not required to wear their driver’s identification badge, but must carry their badge with them at all times.

**Please Note:** Drivers of private hire vehicles that do not display a private hire vehicle plate are not exempt from the seat belt legislation and MUST wear a seat belt while driving the vehicle at all times.

## **PART J**

### **Licence Conditions Relating to Private Hire Operators**

1.
  - 1.1 The record required to be kept by the operator under Section 56(2) of the Local Government (Miscellaneous Provisions) Act 1976 shall be kept in a suitable book, the pages of which are numbered consecutively, and the operator shall enter or cause to be entered therein, before the commencement of each journey, the following particulars of every booking of a private hire vehicle invited or accepted by him:-
    - (a) The time and date of the booking.
    - (b) The name and address of the hirer.
    - (c) How the booking was made (i.e. by telephone, personal call etc).
    - (d) The time of pick-up.
    - (e) The point of pick-up.
    - (f) The destination.
    - (g) The time at which a driver was allocated to the booking.
    - (h) The registration number of the vehicle allocated for the booking.
    - (i) Remarks (including details of any sub-contract).
  - 1.2 The operator shall also keep records of the particulars of all private hire vehicles operated by him, which particulars shall include details of the owners, registration numbers and drivers of such vehicles, together with any radio call sign used.
  - 1.3 All records kept by the operator shall be preserved for a period of not less than six months following the date of the last entry.
  - 1.4 The operator shall also inform the hirer when their booking has been sub-contracted to another operator. The (original) operator is required to provide the name and contact details of the sub-contracted operator to the hirer.
2. The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular:-
  - 2.1 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, punctually attend at that appointed time and place.

- 2.2 Keep clean, 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.
  - 2.3 Ensure that any waiting area provided by the operator has adequate seating facilities.
3. The operator shall not cause or knowingly permit there to be displayed:-
- 3.1 In and from his premises or on or from any Private Hire Vehicle operated by him or on any advertising material provided by him or on his behalf the word "Taxi" or "Cab" whether in the singular or plural, or any word of similar meaning or appearance whether alone or as part of another word, unless that operator is also the proprietor of a Hackney Carriage licensed by the Council, or;
  - 3.2 In respect of any Private Hire Vehicle operated by him the words "For Hire" or any words of similar meaning or appearance or any telephone number or address, or any numbers or words which appear to be or resemble a telephone number or address.

## PART K

### **Pre-Qualifying Conditions for a Combined Hackney Carriage & Private Hire Drivers Licence**

Before applying for a combined hackney carriage and private hire drivers licence the applicant must:

- Be 21 years of age or over;
- Applicants who are 70 years of age or over will have to undertake a driving assessment at their own expense with a NFDC approved assessor;
- Be a holder of a licence (not provisional) for at least 2 years prior to the date of application, granted under Part III of the Road Traffic 1972. The DVLA licence must show your current name and address. It is an offence not to have updated your licence which may jeopardise its issue or continuity;
- A non UK licence should be registered with the DVLA;
- Be able to produce evidence of eligibility to work in this country;
- British Citizens have to produce evidence of 'Good Conduct' for any country other than the UK that they have lived during the past 5 years;
- Non British Citizens have to produce evidence of 'Good Conduct' for all the countries in which they have lived;
- **PASS** – the Council's Driver Awareness Test (DAT). A successful pass of the driver's awareness test is only valid for a period of 6 months;

On application NFDC will request that the following are completed in addition to the above:

- **Application form** – fully completed and signed;
- **Character Reference form** – requires the details of two persons of standing in the community who have been known to the applicant for a minimum period of two years. They should not be a relative and whenever possible one should be a previous employer.
- **DVLA Mandate form** – to enable NFDC to undertake a full check of the applicants driving licence;
- **Photograph** – a passport style and size (45mm x 35mm), in colour, taken recently and being a true likeness. It should show the full face, with no hat, helmet or sunglasses;
- **Photograph Certification form** – (only required) if the applicant is unable to provide a DVLA photo-card driving licence or a valid current passport;

- **Medical Examination form** – which must be signed by the applicants own General Practitioner or another Doctor from the same practise, to confirm that the applicant has attained DVLA Group 2 driving standard of fitness. Alternatively the applicant may provide an HGV or PCV licence as proof of medical fitness. The requirement to produce a medical certificate shall be repeated at the age of 45 years and every 5 years thereafter becoming annually at the age of 65. A suitable medical is only valid for a period of 3 months;
- **DBS disclosure certificate form** – which must be correctly completed along with the necessary documentation to support the application. The applicant must satisfy NFDC that they are a 'fit & proper' person to hold a driver's licence. A DBS disclosure certificate is only valid for 1 calendar month;
- **Fees** – as current when the application is received by NFDC;
- **Original documents** – must be produced. Photocopies, faxes or other types of copying will not be accepted.
- **Timeframe** – if any part of the application is incomplete the entire application will be rejected. It is the sole responsibility of the applicant to comply with the timeframe for the completion of the application.
- **Incomplete information** – NFDC may suspend, revoke or refuse a licence where false, misleading or omitted information is made. NFDC is entitled to make further enquiries relating to an application if it thinks that it is necessary;
- **Duration** – all combined drivers licences are issued for 3 years.
- **Limitations** – when working as a driver licensed by NFDC the driver must only drive vehicles which are also licensed with NFDC. An NFDC licensed driver of a private hire vehicle cannot take private hire bookings unless they are also an NFDC licensed operator.
- **Definitions** – a **private hire vehicle** is a vehicle that can carry passengers for hire and reward, but only by being pre-booked. It is not allowed to stand or ply for hire on a taxi rank stand or in the streets of the New Forest District. A **hackney carriage** is a vehicle that can stand on the taxi ranks or ply for hire in the street of the New Forest District.



**PART K (cont.)**

**Licence Conditions to be Observed by all Drivers Licensed by New Forest District Council**

1. In these Conditions:  
'Authorised Officer' means any officer of the Council authorised in writing by the Head of Public Health and Community Safety for the purposes of these Conditions.  
'The Council' means the New Forest District Council.  
'Wireless Telegraphy' has the meaning assigned to it in Section 19 of the Wireless Telegraphy Act 1949.  
'Road' means any highway and any other road to which the public has access, and includes bridges over which a road passes.
2. The Licensee shall observe and perform the following Conditions:-
  - 2.1 The Licensee shall not assign or in any way part with the benefit of the Licence, which is personal to the Licensee.
3. The Licensee shall:-
  - 3.1 Afford all reasonable assistance with passengers' luggage.
  - 3.2 At all times be clean and respectable in his dress and person and behave in a civil and orderly manner.
  - 3.3 Take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him.
  - 3.4 Not without the express consent of the hirer whilst he is being conveyed in the vehicle drink or eat in the vehicle.
  - 3.5 Not without the express consent of the hirer whilst he is being conveyed in the vehicle play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
  - 3.6 At no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person whether inside or outside the vehicle.
4. The Licensee shall not:-
  - 4.1 Convey or permit to be conveyed in the vehicle a greater number of persons than that prescribed in the licence for the vehicle.
  - 4.2 Allow there to be conveyed in the front seat of the vehicle:
    - (a) more than one child below the age of ten years; or
    - (b) more than one person above that age.
  - 4.3 Without the consent of the hirer of a vehicle convey or permit to be conveyed any other person in that vehicle.
5. Lost Property:-
  - 5.1 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; and
  - 5.2 If any property accidentally left in a licensed vehicle by any person who may have been conveyed therein is found by or handed to the Licensee, take the same to any Police Station.
6. The Licensee shall if requested by the hirer of a licensed vehicle provide him with a written receipt for the fare paid.

7. The Licensee of a licensed vehicle shall, if he is aware that the vehicle has been hired to be in attendance at an appointed time and place or he has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at that appointed time and place, unless delayed or prevented by sufficient cause.
8. The Licensee shall at all times when driving a licensed vehicle carry with him a copy of these conditions and shall make it available for inspection by the hirer or any other passenger on request.
9. If the Licensee is permitted or employed to drive a licensed vehicle of which the proprietor is someone other than himself, he shall before commencing to drive that vehicle deposit this licence with that proprietor for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.
10. The Licensee shall notify the Council in writing of any change of his address during the period of the licence within seven days of such change taking place.
11. The Licensee shall, when driving a licensed vehicle wear in a conspicuous position the driver's identity licence badge issued to the Licensee by the Council bearing the number corresponding with the number assigned to the Licensee in the register kept by the Council for that purpose. The identity licence badge which is provided by the Council, must be returned to the Council immediately the driver ceases to be licensed by the Council.
12. The driver's identity licence badge referred to in Condition 11 shall remain the property of the Council and if the driver's licence is not renewed, or is otherwise revoked or suspended such badge shall be returned by the Licensee to the Council within seven days of a notice by the Head of Public Health & Community Safety requesting the Licensee so to do.
13. The Licensee shall at the request of any authorised officer of the Council or any police officer produce for inspection his driver's licence either forthwith or before the expiration of 5 days beginning with the day following the date of request:-
  - (a) in the case of a request of an authorised officer, at the Council Offices, Lyndhurst;
  - (b) in the case of a request of a police officer at any Police Station within the Council's area.
14. The Licensee shall within seven days disclose to the Council in writing details of any conviction, police caution, or fixed penalties, imposed or issued on him during the period of the licence.

**PART K (cont.)**

**Additional Licence Conditions to be observed when driving a Hackney Carriage Vehicle**

15. The driver of a Hackney Carriage Vehicle shall:-
- 15.1 If the taximeter is fitted with a flag or device bearing the words 'FOR HIRE':-
- (a) when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible;
  - (b) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter in action by moving the flag or other device so that the words are not conveniently legible and keep the machinery of the taximeter in action until the termination of the hiring;
- 15.2 If the taximeter is not fitted with a flag or other device bearing the words 'FOR HIRE':-
- (a) when standing or plying for hire keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of byelaw 5 so that the words 'FOR HIRE' are clearly and conveniently legible by persons outside the carriage;
  - (b) as soon as the carriage is hired whether by distance or by time operate the said sign so that the words 'FOR HIRE' are not conveniently legible by persons outside the carriage;
  - (c) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the key or other device fitted for the purpose so that the word 'HIRED' is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring.
- 15.3 Cause the dial of the taximeter to be kept properly illuminated throughout any part of the hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972, and also at any other time at the request of the hirer.
16. The Licensee shall not demand from any hirer of a Hackney Carriage vehicle a fare in excess of that shown on the taximeter and there has been no previous agreement as to the fare.

**PART K (cont.)**

**Additional Licence Conditions to be observed when driving a Private Hire Vehicle**

17. The Licensee shall observe and perform the following Conditions:-
  - 17.1 The Licensee shall not while driving or in charge of a Private Hire Vehicle:-
    - (a) offer that vehicle for immediate hire while the Licensee of that vehicle is on a road or other public place provided that merely parking that vehicle on a road or other public place shall not of itself be deemed to be a breach of this condition, or
    - (b) accept an offer for the immediate hire of that vehicle while the Licensee of that vehicle is on a road or other public place except where such offer is first communicated to the Licensee by telephone or by apparatus for wireless telegraphy fitted to that vehicle.
18. The Licensee shall not demand from any hirer of a Private Hire Vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator 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.
19. The Licensee shall not while driving or in charge of a Private Hire licensed vehicle:-
  - (a) tout or solicit on a road or other public place any person to hire or be carried for hire in any Private Hire licensed vehicle, or
  - (b) cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried for hire in any Private Hire licensed vehicle.

**PART K (cont.)**

**Additional Licence Conditions that apply to all licensed drivers when driving a Wheel Chair Accessible Vehicle (WAV)**

From September 2013:

All new and existing drivers in charge of wheelchair accessible vehicles {Private Hire Vehicle or Hackney Carriage Vehicle} are required to undertake a minimum competency certificate from a recognised training provider which has been approved by the Council.

The course must include the following elements:

- Disability awareness;
- Types of wheelchairs;
- Vehicle restraint techniques for wheelchairs;
- Practical session.

**Please Note: Where any reference has been made in these conditions to gender the masculine shall include the feminine and neuter genders and vice versa.**

## PART L

### **Guideline Relating to the Relevance of Convictions**

Each case will be decided on its own merits. A person with a current conviction for serious crime need not be permanently barred from holding/obtaining a licence but will be expected to remain free of conviction for 3 to 5 years, according to the circumstances, before an application is entertained. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. However, the overriding consideration will be the protection of the public. The following is a general guide where convictions are admitted. This guidance applies where applications for a new private hire or hackney carriage vehicle driver's licence and revoking an existing licence are considered.

#### **(a) Minor Traffic Offences**

Convictions for minor traffic offences, e.g. obstruction, waiting in a restricted street, speeding etc., should not prevent a person from proceeding with an application and should not normally lead to the revocation of an existing licence. If sufficient points have been accrued to lead to a period of disqualification of the applicant's/licence-holder's driving licence then a licence may be granted after its restoration, but a warning will be issued as to future conduct.

#### **(b) Major Traffic Offences**

An isolated conviction for reckless driving without due care and attention etc. will normally merit a warning as to future driving and advice on the standard expected of HCV and PHV drivers. More than one conviction for this type of offence within the last two years will usually merit refusal/revocation and no further application will be considered until a period of 1 to 3 years free from convictions has elapsed.

#### **(c) Drunkenness/Intoxication/Alcohol Abuse**

A serious view will be taken of convictions for driving a motor vehicle with excess alcohol, being in charge of a vehicle with excess alcohol, failing to provide a specimen of blood, breath or urine as required, causing death by dangerous driving under the influence of alcohol, or any similar offence (referred to in this guidance as "drink driving offences").

Where an existing licence holder is convicted of a drink driving offence, they can expect to have their licence revoked.

An applicant with a conviction for a drink driving offence shall not normally be granted a licence: -

- (i) When the applicant has been disqualified for any period, until at least three years have elapsed from the date of conviction, or from restoration to him/her of a full United Kingdom driving licence, whichever is the longer period;
- (ii) Where the applicant was not disqualified from driving, until at least three years from the date of conviction.

Any alcohol related conviction (whether or not for a drink driving offence) may be deemed prima facie evidence of an alcohol problem and the Licensing Committee may require the applicant or existing licence-holder to provide medical or other evidence to enable the Committee to determine whether or not it is appropriate to issue a licence, or to revoke an existing licence.

**Where an existing licence holder is convicted of an alcohol-related offence, the licence may be suspended pending a final decision about whether to revoke the licence.**

**(NOTE:** Applicants/existing licence-holders who have been medically diagnosed as having an alcohol related problem cannot ordinarily expect to be licensed without medical evidence supporting their fitness)

#### **(d) Drugs**

A serious view will be taken of convictions of driving or attempting to drive a motor vehicle while under the influence of drugs, being in charge of a motor vehicle whilst unfit, failing to provide an evidential specimen, or causing death by dangerous driving under the influence of drugs (referred to in this guidance as “drug driving offences”).

Where an existing licence holder is convicted of a drug driving offence they can expect to have their licence revoked.

In the event of a conviction for a drug driving offence, an applicant should normally be able to show a period of at least three years free from conviction before an application is granted.

Any drug related conviction (whether or not for a drug driving offence) may be deemed prima facie evidence of a drug problem and the Committee may require the applicant or existing licence-holder to provide medical or other evidence to enable the Committee to determine whether or not it is appropriate to issue a licence, or to revoke an existing licence.

Where an existing licence holder is convicted of a drug related offence, the licence may be suspended pending a final decision about whether to revoke the licence.

**(NOTE:** Applicants who have been medically diagnosed as addicts cannot ordinarily expect to be licensed within five years of completion of treatment).

#### **(e) Indecency Offences**

As hackney carriage and PHV drivers often carry unaccompanied passengers, applicants with convictions for any sexual offence, will be refused until they can show a substantial period (at least 3 to 5 years from the date of conviction) free of such offences. Existing licence holders who are convicted of any sexual offence can expect their licence to be revoked. More than one conviction for a sexual offence will preclude consideration for a licence for at least 5 years. In either case if a licence is granted a strict warning as to future conduct will be issued.

#### **(f) Violence**

As hackney carriage and PHV drivers maintain close contact with the public, a firm line will be taken with applicants who have convictions for violent offences. An applicant should normally be able to show a period of at least three years free from conviction for a violent offence before an application is granted. An existing licence-holder convicted of a violent offence can expect to have their licence revoked.

#### **(g) Dishonesty**

Hackney carriage and PHV drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare etc. Overseas visitors can be confused by the change in currency and become “fair game” for an unscrupulous driver. For these reasons a serious view will be taken of any conviction involving dishonesty. In general, a period of 3 to 5 years free of conviction will be required before entertaining an application. An existing licence holder, who is convicted of an offence involving dishonesty, can expect to have their licence revoked.

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## Key changes to New Forest taxi Policy 2024

Reference	Addition/change/replacement wording in the policy/Appendix <i>Rationale for change or addition</i>
<b>Drivers</b>	
Appendix A	<p><b>Drivers are required to sign up for the DVLA (Driver and Vehicle Licensing Agency) online check service and submit the check code with the driver application.</b></p> <p><b>For both new and renewal applicants 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.</b></p> <p><i>An initial check on the DVLA driver licence will be made and then repeated on renewal.</i></p>
Appendix A 1.2 policy	<p><b>DBS</b></p> <p><b>Checks must be made to ensure that applicants and drivers can be considered as fit and proper and suitable to hold a driver licence.</b></p> <ul style="list-style-type: none"> <li>• <b>All drivers must be signed up to DBS update service</b></li> <li>• <b>Six monthly enhanced DBS driver checks will be carried out</b></li> <li>• <b>The licence may be suspended if the update service check cannot be carried out because the registration has lapsed or the driver has not signed up to it.</b></li> </ul> <p><b>Licensing Services do not take any responsibility for incorrectly completed DBS requests, that incur an additional charge.</b></p> <p><i>Drivers have an overall responsibility for completing the form correctly. Statutory guidance requires drivers sign up and maintain their registration to the DBS update Service. This will allow the licensing authority to carry out more frequent mid-term checks on the driver's DBS record, instead of the current three yearly, on renewal frequency.</i></p> <p><i>This is to ensure the authority is aware of any new convictions, occurring during the period of the licence.</i></p>
Appendix A	<i>Requirement for applicants to register their Tax Conditionality with HMRC added to application process.</i>
Appendix B	<i>IOL Convictions Policy</i>

	<p><i>The council has adopted the majority of “<b>The Institute of Licensing’s “Guidance on determining the suitability of applicants and licences in the hackney and private hire trades”</b> as attached as Appendix B.</i></p> <p><i>The original has been amended and adopted by other authorities and gives a clear indication of the standards the authority expects from applicants and drivers to ensure that they are fit and proper and safe and suitable to drive a licensed vehicle.</i></p>
Appendix B	<p><i>Addition of cautions which must be disclosed on application and also during the licence period. These may be relevant to the decision on the applicant’s or driver’s fitness and propriety.</i></p>
Appendix B  1.6 and 1.16 Policy	<p><b>National Anti-Fraud Network (NAFN) NR3S database</b></p> <p><b>Details for all drivers that have been refused a licence or had a driver licence revoked or a licence suspended will be held on the National Register of Refusals and Revocations (NR3S database). This information is shared in order 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.</b></p> <p><b>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.</b></p> <p><i>Additional statutory measure to assess the fitness and propriety of a driver/applicant, to ensure that the applicant has been truthful about previous licences held with other authorities and any enforcement action that has been taken against them. To ensure that licensing authorities are in possession of all the facts before a licence or enforcement action is determined.</i></p>
Appendix B  1.16 Policy	<p><b>Where this Licensing Authority has refused to grant a driver licence to an applicant, or 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.</b></p> <p><b>Any application subsequently received, application will be determined by members of a Licensing Sub-Committee and all the applicant’s history and background considered. Where the application is refused the fee will not be returned in lieu of administration costs.</b></p> <p><i>Addition and clarity on how to address drivers who have been previously revoked.</i></p>

Appendix C	<i>Explanation of what applicants can expect from a NFDC driver knowledge test which will assist with preparation and research prior to the test.</i>
Appendix C	<p><b>The 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 Licensing Services.</b></p> <p><i>Once an applicant has passed the driver knowledge test we will limit the length of time that applicants can wait to apply, to keep the momentum of the application and ensure that files are not kept for a long period.</i></p>
Appendix D  1.11 policy	<p><b>Exemption Certificates</b>  <b>The notice of exemption 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. This confirms that the driver is exempt from certain duties.</b></p> <p><b>The exemption will expire on the same date as the dual driver licence. If the driver wishes the exemption to continue on renewal, current evidence must be provided before the exemption can be re-issued.</b></p> <p><i>Clear policy on the issue of exemptions for drivers that cannot perform certain duties. Enhanced requirement for drivers under the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022).  Display of Exemption Notices to provide confirmation for passengers that the driver is exempt from certain responsibilities.</i></p>
Appendix D  1.8 policy	<p><b>No licence shall be issued until medical clearance (if required) has been established. This applies to new applications and renewals.</b></p> <p><i>Clear wording confirming to drivers that a medical certificate must be received before a new or renewal application is considered. This ensures that the Council receives a positive medical clearance for all applicants/drivers that are licensed by NFDC and that they have been medically assessed as such by a medical practitioner.</i></p>
Appendix D	<b>Licence holders must notify Licensing Services 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</b>

<p>Driver conditions</p>	<p><b>must be notified to the DVLA is provided on the DVLA website at <a href="https://www.gov.uk/driving-medical-conditions">https://www.gov.uk/driving-medical-conditions</a>. However, if a driver is in any doubt, they should contact Licensing Services for advice.</b></p> <p><b>Drivers who have a major medical event or diagnosis that may impact on their medical fitness to drive professionally, will have their licence suspended.</b></p> <p><b>In order to have their licence re-instated they must undergo a group 2 medical with their doctor to ensure that they are fit to drive in a licensed capacity. In most circumstances we will also request a letter and/or further information from their consultant.</b></p> <p><i>Clear requirements for drivers who have a change in their health. As professional drivers it is vital that health is maintained and changes treated accordingly to protect the safety of the driver, passengers and other road users.</i></p>
<p>Appendix D Driver conditions</p>	<p><b>Licensed drivers must inform the licensing department within seven days, of any change in their health, or any injury, that may affect their ability to drive or to meet the Group 2 standard.</b></p>
<p>Appendix D Driver conditions</p>	<p><b>Diabetic applicants</b></p> <p><b>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.</b></p> <p><i>Clear guidance for drivers who are diabetic, or newly diagnosed in relation to their condition. The Licensing Authority must ensure that drivers are fit to drive in a professional capacity and enlist the expertise of the medical profession to evidence this. Particularly when a person is transitioning from tablet controlled medication, to insulin.</i></p>
<p>Appendix E</p>	<p><b>Idling engines</b></p> <p><b>Idling engines contribute to air pollution problems and running the engine while 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.</b></p> <p><b>Engine idling and the law</b> It is illegal to leave your engine running when stationary and you could also risk a fixed penalty notice, under the Road</p>

	<p><b>Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002.</b>  <b>It is not illegal to have an idling vehicle engine if you are:</b></p> <ul style="list-style-type: none"> <li>• <b>Waiting at traffic lights</b></li> <li>• <b>Moving slowly through congestion</b></li> <li>• <b>Getting a repair or defrosting a windscreen</b></li> </ul> <p><b>Our compliance officers regularly advise drivers of idling taxi or private hire vehicles to move on or switch off their engine.</b>  <b>What to do:</b></p> <ul style="list-style-type: none"> <li>• <b>If stationary and waiting more than a couple of minutes for a customer, switch your engine off to avoid idling</b></li> <li>• <b>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</b></li> <li>• <b>Avoid an idling engine and you'll help to lower air pollution, improve air quality and save yourself money on fuel</b></li> </ul> <p><i>Included in code of conduct to address driving behaviour. To assist with improving air quality particularly outside schools, train stations and areas where the public congregate.</i></p>
Appendix F	<p><b>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.</b></p> <p><i>Clear instructions for drivers and operators</i></p>
Appendix F	<p><b>Code of conduct</b>  <i>New Appendix to address professional responsibilities for licence holders and to confirm the expectations of the Licensing Authority. To promote and maintain standards in addition to the requirement to treat officers, garage staff and Police officers correctly. Zero tolerance to abuse.</i></p> <p><i>Also addresses the standard of behaviour expected with regard to interaction with passengers. Clear guidelines.</i></p> <p><i>Dress code-New Appendix to promote a professional image for the trade in the New Forest District, particularly as this is a tourist destination.</i></p> <p><i>Inclusion of working with vulnerable passengers to assist in setting and maintaining standards within the trade.</i></p>

<p>Appendix G</p> <p>Driver conditions</p>	<p><b>Drivers must cooperate fully with requests from Police Officers, authorised officers and authorised Officers from other Licensing areas.</b></p> <p><i>Compliance with statutory guidance with regard to compliance with authorised officers when drivers are working in other districts.</i></p>
<p>Appendix G</p> <p>Driver conditions</p>	<p><b>The licence holder is required to provide disabled passengers with reasonable mobility assistance and carry their mobility aids at no extra charge.</b></p> <p><b>Drivers must assist with identification of the vehicle, if this is requested by the disabled passenger.</b></p> <p><i>Addition to comply with the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022, there are new requirements for drivers and Operators.</i></p> <p><i>The requirement for drivers to assist with identification may arise if a driver is picking up a passenger, who has sight issues.</i></p>
<p>Appendix O</p>	<p><i>New Appendix to reflect who, why and when we share our customer data with.</i></p>
<p>1.2 policy</p>	<p><b>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 then be subject to annual DBS checks. The result of each disclosure will be used to assist the licensing authority in deciding the fitness and propriety of the applicant/driver.</b></p> <p><b>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.</b></p> <p><b>Renewal applicants must apply in a timely manner, as renewal letters are issued in order to allow sufficient time for drivers to obtain the DBS and a medical if required. This may take longer than expected in some cases and Licensing Services cannot assist with the progress of a DBS enquiry.</b></p>

	<p><b>We will not issue any licence (either full or temporary), without receipt of a DBS certificate, or information from the update service.</b></p> <p><i>Statutory requirement for the authority to check if a driver has incurred any convictions or cautions during the licence period. The driver must be registered with the DBS update service (and continue to maintain the registration), as annual checks are required. If the driver is not registered then they will have to submit a full application each time and this will incur the full fee to the DBS. In addition this may lead to suspension of the licence as the authority are statutorily required to ensure the driver's conviction/caution status.</i></p>
1.14 policy	<p><b>All new and renewal applicants are required to undertake and pass the external safeguarding training provided by the Blue Lamp Trust. This is to ensure that driver's knowledge is kept current and safeguarding of the public and passengers remains a high priority for drivers.</b></p> <p><i>Protection of customers and awareness of safeguarding matters. Also required by statutory guidance. This is also a requirement for new driver applicants.</i></p>
1.15 policy	<p><b>LAPSED Drivers</b>  <b>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.</b></p> <p><i>Clear guidance for applicants and encourages timely renewal applications.</i></p>
1.17 policy  Appendix G	<p><b>Changing operators</b></p> <p><b>If a licensed driver begins working for another operator, the driver must notify the Licensing Authority (in writing) within seven days of the change.</b></p> <p><i>Current information is required, as the authority may need to contact the driver, or should a complaint be received the operator may also be contacted to assist.</i></p>
1.18 policy	<p><b>Applicants must complete forms accurately. Failure do so may be considered as a deliberate act to defraud the department and mislead decision makers.</b></p>

	<p><i>Failure to declare all relevant information will cause the fitness of the applicant into question. The declaration must be signed to confirm that the applicant has completed the form honestly. If information is subsequently received to the contrary, this indicates that the applicant cannot be regarded as fit and proper and the application is likely to be refused.</i></p> <p><i>Licence holders must also ensure that all convictions, cautions, pending actions/investigations and motoring convictions are declared.</i></p>
1.19 policy Appendix G Driver conditions	<p><b>Licensed drivers must report (in writing) any police investigations to the authority within 48 hours of police contact and provide updates if required.</b></p> <p><i>The authority may need to make further enquiries with regard to the driver's continuing suitability to hold a licence with this authority. (Fit and proper criteria).</i></p>
2.10 policy	<p><b>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.</b></p> <p><b>Large sections of the Forest are unlit and night -time breakdowns pose a high risk in such areas. High visibility wear is also required to be worn by all visitors to the Council's garage facilities.</b></p> <p><b>Failure to wear a hi-vis vest/jacket when attending the garage facility for a vehicle test will result in a failed test and a re-test must be booked and a further fee required.</b></p> <p><i>Drivers and passengers are at risk in the dark and unlit areas, of the New Forest district should a vehicle break down. In addition, all visitors to the Council's garage facilities and must wear a high -vis vest or jacket. Should they fail to do so, their test will be counted as a failure and will require a re-booking and further payment. If a hi-vis vest remains in the vehicle at all times, this will assist the driver at the vehicle test and also afford some protection in the case of breakdown or incident.</i></p>
2.12 policy	<p><b>Card machines</b> <b>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.</b></p> <p><i>To improve safety and access to licensed vehicles. To ensure that travelling by taxi is easier and a more attractive option to customers, keeping pace with technology and improving safety for drivers as they will carry less cash.</i></p>



	<p><i>Also improves customer access for passengers with disabilities who may not carry cash on a regular basis for reasons of security. Not mandatory as there is lack of signal and coverage in some areas, which makes this difficult.</i></p>
2.13 policy	<p><b>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.</b></p> <p><i>To provide clear guidance for driver as to where they are not permitted to wait. To assist customers who may inadvertently hail a private hire vehicle.</i></p>
5.2 policy	<p><b>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.</b></p> <p><b>If a third 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.</b></p> <p><i>Provides a clear framework for the trade and officers when dealing with transgressions.</i></p>
5.3 policy	<p><b>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 time-scale will be identified by the authority and taken at the driver's own expense.</b></p> <p><i>An additional measure to assist in keeping a suitable standard of driving in the fleet.</i></p>

<b>Vehicles</b>	
Appendix A	<p><b>Licensing authorities should require a basic DBS disclosure from a proprietor of a vehicle if they are not a driver licensed with NFDC. This should be checked annually</b></p> <p><i>Required under statutory guidance</i></p>
2.11 policy Appendix F	<p><b>Vehicles that are five years and older from the date of first registration must undertake an additional test six months after the licence grant date.</b></p> <p><b>Should the vehicle fail the six-monthly test, the Council's vehicle examiner may issue a notice to suspend the licence</b></p>

	<p><b>until the fault(s) has been rectified and the vehicle re-tested successfully. If a vehicle is suspended and the reason for failure is not rectified within two months, this will result in automatic revocation of licence.</b></p> <p><b>A vehicle may be mechanically inspected, at any time up to a maximum of three times per year. If a vehicle fails to meet the required standards the licence may be suspended or revoked.</b></p> <p><i>Additional provision to address a poor-quality vehicles presented for test. This will result in freeing up test appointments for drivers/proprietors and therefore decrease the waiting period for appointments. This also assists with the quality of vehicles in the fleet and ensures that unsuitable vehicles are not being used.</i></p>
2.2 policy	<p><b>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.</b></p> <p><b>If a new vehicle has a licence with another authority it must be surrendered before NFDC issue a vehicle licence. We will require proof of the surrender from the previous authority</b></p> <p><i>Dual plating not permitted. Makes enforcement difficult and Clean Air database requires all authorities to submit their fleet information weekly.</i></p> <p><i>There are varying vehicle standards and livery required by Councils across the UK. Vehicles that are licensed by different authorities may compromise NFDC standards and this can cause issues when vehicles are presented for testing.</i></p>
2.3 Policy Appendix F	<p><b>All petrol or diesel vehicles must be less than five (5) years from the date of first registration, at the time of initial licensing.</b></p> <p><b>All hybrid vehicles must be less than seven (7) years from the date of first registration, at the time of initial licensing.</b></p> <p><b>No change for current fleet, but after 1 January 2026 only those vehicles less than ten (10) years old will be renewed. The age policy does not apply to fully electric vehicles.</b></p> <p><b>Twice yearly testing of vehicles for those that are five (5) years and older (currently eight (8)).</b></p> <p><i>This is to ensure that NFDC do not have a policy favouring vehicles older than other neighbouring authorities. Falls in line with</i></p>

	<p><i>other authorities and assists our clean air strategy (currently in development) and climate change targets in relation to tailpipe emissions . Maintains a professional fleet for local customers and visitors to the area and raises standards.</i></p>
Appendix F	<p><b>Seating</b>  <b>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 400 mm(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.)</b></p> <p><b>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.</b></p> <p><b>Head rests must be fitted to all forward or rear facing seats.</b></p> <p><b>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.</b></p> <p><i>Removal of rear legroom and seat height dimensions to accommodate a variety of vehicles.</i></p> <p><i>Should an application be made for a vehicle that carries less than 4 passengers then this will be determined by Members of a Licensing Sub-Committee or the Licensing Manager.</i></p>
Appendix F	<p><b>Luggage</b>  <b>The boot or luggage compartment must be of sufficient size to carry a reasonable amount of luggage relative to the seating capacity.</b></p> <p><b>The boot or luggage compartment must be separated from the passenger compartment by a suitable barrier without obstructing any emergency exits.</b></p> <p><i>Dimensions/capacity not given as there are many different types of vehicles.</i></p>
Appendix F	<p><b>Engine size</b>  <b>Remove this requirement</b></p> <p><i>Remove all references to engine size, as newer vehicles are being manufactured with smaller engines (cc),which provide economic</i></p>

	<p><i>and environmental benefits, whilst still providing the same capability.</i></p> <p><i>Vehicle specifications have improved and evolved to enable those vehicles with smaller engines to perform adequately as licensed vehicles. Hybrid and electric vehicles are also acceptable.</i></p>
<p>Appendix F</p> <p>2.7 Policy</p> <p>Appendix H PHV conditions</p>	<p><b>Private hire vehicles-door stickers</b></p> <p><b>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 affixed to each of the rear passenger door panels of the vehicle. Only signage approved and supplied by the 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.</b></p> <p><b>These must 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.</b></p> <p><b>Failure to display the council door stickers in the approved manner may result in suspension of the vehicle until the matter is rectified.</b></p> <p><i>NFDC door signage further identifies licensed vehicles to the public and supports safeguarding. It confirms that the vehicle may only be hired through a booking with a licensed operator and not hailed on the street. The addition of door signage increases recognition and identification of NFDC private hire vehicles for police, other agencies and the public.</i></p> <p><i>They must be fixed using the adhesive on the signage, so that they cannot be taken off the vehicle and used on bogus vehicles. All vehicles used for private hire purposes depreciate due to high mileages and licence plate fixing requirements. Installation of further identification on doors provides Safeguarding and compliance advantages due to increased visibility especially if NFDC vehicles are operating outside the District.</i></p> <p><i>Vehicles granted a signage exemption may only carry out contract and executive work and not standard private hire work. All other private hire vehicles must display door signage and licence plates.</i></p> <p><i>The Council's identifying signage may be removed using the manufacturer's instructions when a vehicle ceases to be licensed.</i></p>
Appendix F	<p><b>Unless an individual vehicle exemption has been granted for a private hire vehicle, Council licence plates must be securely affixed to the licensed vehicle using Council supplied brackets</b></p>

<p>2.7 Policy Appendix H and I Vehicle licence conditions</p>	<p><b>at all times. Magnetic, adhesive or Velcro fittings must not be used.</b></p> <p><b>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.</b></p> <p><b>Failure to attach a licence plates in the approved manner may result in suspension of the vehicle, to allow the proprietor to correctly fix the issue.</b></p> <p><b>A sign must also be affixed to the vehicle indicating that smoking is not permitted in the vehicle.</b></p> <p><i>This is to prevent plates from being stolen from vehicles or drivers failing to replace the plates if they have removed them. A licensed vehicle remains a licensed vehicle at <b>all</b> times and the removal of a plate does not “un-licence” the vehicle, (unless an authorised NFDC Officer suspends the vehicle and removes the plate). There are also major safety consequences that may arise from the use of stolen plates on non-licensed vehicles.</i></p>
<p>Appendix F</p>	<p><b>Only windows tinted during the build of the vehicle (factory fitted) are permitted to be used on a licensed vehicle and only rearward of the driver. Film added post manufacturer must be removed.</b></p> <p><b>Any window tint must comply with relevant UK legislation.</b></p> <p><i>Clear guidance on what is acceptable</i></p>
<p>Appendix F</p>	<p><b>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.</b></p> <p><i>Vehicles designated as Wheelchair Accessible must be driven by drivers that have received training to ensure that they are competent in moving, securing and carrying such passengers safely. They will also be confident in their responsibilities and the equipment used.</i></p>
<p>Appendix F</p>	<p><b>Tyres</b></p>

**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 puncture repair kit, these must only be used in an emergency to complete a 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.**

*Clear information re standard of tyres expected at all times. This will clarify the standard expected at vehicle test and prevent unnecessary test failures.*

*The correct upkeep and replacement of worn tyres is vital for*

	<p><i>the protection of the public. The safety of licensed vehicles, carrying passengers for thousands of miles over their period of use, is paramount.</i></p>
<p>Appendix F 2.14 policy Appendix I HCV conditions</p>	<p><b>Calibrated and sealed meters must be fitted in hackney carriages and that at this time GPS/phone devices are not acceptable alternative, as they may be altered.</b></p> <p><i>The Licensing Authority do not consider GPS devices as suitable replacements for taxi meters for use in Hackney Carriages.</i></p>
Appendix F	<p><b>Windows – should operate to specification. Windscreens should not be cracked, starred, or have any visual deformity, so as to impair driver vision.</b></p> <p><i>Detailed specifications address issues that have been raised during the currency of the previous policy. This provides a clear defined requirement for the trade, officers and testing facilities.</i></p>
Appendix F	<p><b>Insurance write offs</b> <b>For reasons of public safety this Council will not licence or re-licence any vehicle that has been written off by an insurance company, regardless of the category of write-off.</b></p> <p><i>This provides clear guidance to support public safety and eliminates doubt for proprietors and passengers.</i></p>
Appendix F 2.9 policy	<p><b>A licensed vehicle which has suffered major accident damage or requires substantial mechanical repair may be replaced by a hire vehicle, provided:</b></p> <p><b>(i) the damage to, or defect in, the vehicle has been reported;</b> <b>(ii) application is made in the usual way for a change of vehicle (albeit temporarily);</b> <b>(iii) the replacement vehicle meets the licensing criteria and is suitable to be used for hire purposes;</b> <b>(iv) the hiring of the hire vehicle is organised and paid for by the affected licensed owner or operator.</b></p> <p><b>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 licence and test will be charged.</b></p> <p><i>New addition to ensure that accidents are reported and dealt with in a consistent and timely manner and that vehicles that have been repaired and safe to be driven again</i></p>

Appendix F	<p><b>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 affixed 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.</b></p> <p><i>Guidance for those that wish to use seat covers. Seat covers can be washed regularly to maintain cleanliness.</i></p>
Appendix F	<p><b>Cleanliness and condition – exterior should be clean and polished. It must not have visible dents, tears, flaking paint, rust or scratches. Number plates, vehicle licence plates and the internal windscreen plate must be securely and correctly fixed to the vehicle.</b></p> <p><i>Clear advice on expectations of vehicle test. Prevents vehicles from being presented in an unacceptable condition and resulting in a test failure.</i></p>
Appendix F	<p><b>Every vehicle presented 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.</b></p> <ul style="list-style-type: none"> <li>• <b>The upholstery, carpets, seats, trims and other interior fitments should be free from damage (including stains and burns) and significant wear.</b></li> <li>• <b>The floor of the vehicle must be covered with a suitable carpet, mat or other covering which can be readily cleaned.</b></li> <li>• <b>All plastic fascia, door linings, roof linings and trim to be kept free from marks, stains and damage.</b></li> <li>• <b>All interior lights and facia illumination to be maintained in good condition.</b></li> <li>• <b>All windows must be free of dirt, grime and marks.</b></li> <li>• <b>All door locks, levers and window winders to be operating efficiently.</b></li> </ul> <p><i>Specific requirements to ensure that vehicle proprietors are aware of the standard expected in our vehicles for passengers at all times and to prevent failures when the vehicle testing is carried out.</i></p>
Appendix H and I  Vehicle licence conditions	<p><b>At all times the licensed vehicle may only be driven by a person who holds a New Forest District Council driver licence.</b></p> <p><i>Once licensed, a private hire vehicle or a hackney carriage is licensed until it is surrendered or expires. Therefore, even if the vehicle is used for social and domestic use, it may <b>only</b> be driven</i></p>



	<i>by a driver licensed by the same council that licences the vehicle. Therefore family members or friends, may not drive the vehicle at any time, unless they are licensed as a driver with NFDC.</i>
Appendix H	<b>Private hire vehicle conditions</b> <i>Wording of conditions modernised, to provide clear and meaningful requirements , addresses compliance requirements. This will assist proprietors, drivers, officers and the travelling public.</i>
Appendix I	<b>Hackney carriage licence conditions</b> <i>Wording of conditions modernised, to provide clear and meaningful requirements , addresses compliance requirements. This will assist proprietors, drivers, officers and the travelling public.</i>
Vehicle conditions  REMOVE	<b>Requirement to carry a fire extinguisher</b> <b>REMOVE THE REQUIREMENT FROM POLICY</b>  <b>Rationale for removal</b>  <i>Advice given by fire officers is to get out of the vehicle, get passengers out, call the fire service out and maintain a safe distance from the vehicle in case it explodes.</i>  <i>Drivers are not trained in how to use a fire extinguisher and could place themselves and their passengers in greater danger, whilst trying to use the extinguisher and cause further delay in evacuation of the vehicle.</i>  <i>Dry powder extinguishers settle after a while and form a cake which renders the extinguisher inoperable.</i>
Appendix K	<b>Any private hire vehicle exempted from licence plate display (executive vehicles) may only carry passengers on the appropriate executive contracts.</b>  <i>Once exempted, the licensed vehicle may <b>only</b> convey passengers under the type of contracts outlined above. Should the operator wish to cease using the vehicle exclusively for such work, the exemption may be cancelled. They may not use the vehicle on a non-contract basis for non-contract passengers.</i>  <i>Rewrite of Appendix to provide clear restrictions that vehicle exemptions are granted under.</i>
2.14 policy  Appendix L	<b>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.</b>  <i>Ensures that vehicles are available on the fleet.</i>
2.11 policy	<b>Interim inspections</b>

	<p><b>A vehicle may be mechanically inspected, at any time up to a maximum of three times per year. 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.</b></p> <p><i>Clear indication of what can happen if the standard of the vehicle is not maintained.</i></p>
2.14 policy	<p><b>Hackney carriages</b>  <b>Since 2006, the licensing authority will only issue new hackney carriage licences to those vehicles that are fully wheelchair accessible (WAVs).</b></p> <p><b>These wheelchair accessible vehicles must be accessible for the carriage of passengers in their wheelchairs at all times. To clarify, 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.</b></p> <p><b>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 re-instated.</b></p> <p><b>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.</b></p> <p><i>All vehicles licensed as WAVs must be able to carry wheelchair passengers at any time. New policy wording is clear and prevents a proprietor from obtaining a hackney carriage licence, when they do not intend to carry wheelchair passengers.</i></p>
2.14 policy	<p><b>The table of fares (taxi tariff) will be reviewed following a request for a review, if the review is supported by at least 70% of proprietors. Any review is subject to public consultation and will take into account feedback received.</b></p> <p><b>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.</b></p> <p><b>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.</b></p>

	<i>To be fair to all parties it is important that any upward change in tariff is supported by the majority of the trade as they and their passengers will be affected by any change. Any review of fares is complex and involves consultation with a number of organisations and the public.</i>
Appendix O	<p><i>New guidance on the standards expected for any CCTV installed in vehicles. It is proposed that the installation of CCTV in vehicles is not mandatory for this Licensing Authority, but optional.</i></p> <p><i>However, this does not preclude future consultation and consideration.</i></p>

<b>Operators</b>	
Appendix M	<i>In line with statutory guidance, amended operator licence conditions highlighting the requirement for record keeping, communication with the authority, appropriate naming conventions and requirements for the safe and secure operation of the business. Includes the requirement for controllers (staff who take phone calls) to have a basic DBS. In addition, the conditions address the statutory obligations for disabled customers.</i>
Appendix M	<p><b>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; and</b></p> <p><b>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.</b></p> <p><i>Amendment to address lost property and operator's responsibility.</i></p>
Appendix M 3.3 policy	<p><b>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.</b></p> <p><i>This removes ambiguity and also involves the planning authority in the process for an operator's premises. It will also alleviate issues from neighbours and ensures the premises are fit for the purpose of running the business.</i></p>
Appendix M	<b>Transfer of operator licence</b>

3.6 policy	<p><b>The licence is not transferrable to another person nor does authorise the licence holder(s) to operate from any address other than that specified on the licence.</b></p> <p><i>Addition to policy to provide confirmation to operators who wish to change their operating address or sell their business to another. The operator licence is granted to a person or persons who must meet the fit and proper criteria at all times.</i></p>
Appendix M	<p><b>The operator must accept a booking for, or on behalf of any disabled person if they have a suitable vehicle available.</b></p> <p><i>To comply with the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022, there are new requirements for drivers and Operators.</i></p>
Appendix M	<p><b>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.</b></p> <p><b>In addition, all motoring convictions must be reported to the Licensing Authority within 48 hours of receiving written notification of the penalty.</b></p> <p><i>In line with statutory guidance. Ensures the licence authority has current information with regard to the licence holder's fitness and propriety.</i></p>
3.1 policy	<p><b>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 and have known the applicant for at least two years and can support the application.</b></p> <p><b>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 explain their application.</b></p> <p><i>Enhanced application process for new Private Hire Operator applicants to ensure background checks provide suitable fit and proper information. Requirement for detailed answers from business referees. The interview with the Compliance Officer will ensure that the applicant is made aware of the expectations and standards that the authority require for licensed operators.</i></p>
3.3 policy	<p><b>The Council will not grant an operator's licence for an operator with an operating base that is outside the New Forest District</b></p>

	<p><b>Council 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.</b></p> <p><b>Applicants must ensure that the property they intend to operate from has the correct planning permission.</b></p> <p><b>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.</b></p> <p><b>Nuisance must not be caused to neighbours from vehicles operated from a base. 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 issues.</b></p> <p><b>The compliance officer will expect records to be produced at the location stated as the business address on the licence.</b></p> <p><b>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.</b>  <b>A PO Box address is NOT acceptable.</b></p> <p><i>Clear guidance for NFDC operators and what is expected with regard to where the operator may be licensed from.</i>  <i>Prevents operators from using unsuitable address for their NFDC licensed operation.</i></p>
3.7 policy	<p><b>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.</b></p> <p>Operators are expected to ensure that drivers who fulfil journeys booked through the operator are courteous and professional at all times when carrying passengers. In addition, professional behaviour is expected at all times whilst communicating with authorised officers (Licensing, Police or Council mechanics).</p>

	<p><i>Operators must provide safe and road-worthy vehicles at all times. Operators have a responsibility to ensure that vehicles presented for tests must also meet the test criteria. This should result in less failed vehicles.</i></p> <p><i>The policy also outlines the responsibility on Operators to ensure their drivers treat officers professionally and courteously, in addition to the Operators themselves.</i></p>
3.8 policy	<p><b>We will not licence a private hire operator with the same or similar name as another existing operator. This causes confusion for the public, with potential safeguarding issues. It also creates identity problems for each business.</b></p> <p><b>Prior to submitting an application, please check the online public register for current operators and ask officers for advice.</b></p> <p><b>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.</b></p> <p><b>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.</b></p> <p><b>Email addresses used by customers and this Licensing Authority must reflect the name of the New Forest operator, to prevent confusion.</b></p> <p><b>If the operator also holds an operator licence with another Authority, all bookings, customers information and communications should be kept separate and easily identifiable.</b></p> <p><i>Prevents problems for customers with identifying companies and prevents safeguarding issues.</i></p>
3.9 policy	<p><b>Operators 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.</b></p>

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

**In addition Operators must keep records of all their drivers, their NFDC licence details, (ensuring they are aware of the expiry date of each driver) 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 authority and the DVLA.**

**The licensing authority requires that the operator hold a record of such checks.**

*Checks on employees limit the possibility of issues with data or security. Driver licences should also be checked periodically as a driver may not report the loss or suspension of their DVLA driver licence to the operator. Employment by the operator of an incorrectly licensed driver will risk the operator licence and/or prosecution. This will also affect the insurance of vehicles.*

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