

Key Changes to New Forest District Council Taxi Policy 2018

Reference	Addition/change/replacement wording
Drivers	
Appendix C	<p>Clear definition to confirm that a medical certificate must be received from drivers before a renewal is considered. This ensures the Council receive a positive medical clearance for all applicants/drivers that are licensed by NFDC.</p> <p><i>No licence shall be issued until medical clearance (if required) has been established, this includes renewal applications.</i></p>
Appendix C 4.26	<p>Display of exemptions to provide clear sight for passengers where the driver is exempt from certain responsibilities.</p> <p><i>Exemption Certificates</i> <i>The notice of exemption must be displayed in the internal plate pouch where it is visible to passengers in each vehicle the exempted driver is driving.</i></p>
Appendix G	<p>Code of conduct - New Appendix to address professional responsibilities for licence holders and to confirm the expectations of the Licensing Authority. This will promote and maintain good standards of the trade.</p>
4.2.1	<p>Addition of cautions that are required to be disclosed.</p> <p><i>Applicants are expected to act with honesty and integrity throughout the application process. There is an expectation that the information requested, for example previous convictions and cautions, will be fully and accurately disclosed. Applicants are required to disclose all convictions and cautions including those that would normally be considered spent as both hackney carriage and private hire drivers are included as exceptions within the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.</i></p>
4.2.6	<p>Explanation of what applicants can expect from a NFDC driver knowledge test which will assist with preparation and research prior to the test.</p> <p><i>Applicants for a new licence are required to pass the Council's driver knowledge test. This test will ensure that the applicant has sufficient knowledge in relation to:</i></p> <ul style="list-style-type: none"> <i>• a basic level of English language;</i> <i>• child/adult safeguarding awareness;</i> <i>• Highway Code;</i>

	<ul style="list-style-type: none"> • <i>taxi and private hire law;</i> • <i>Geographic knowledge of the New Forest District. The test will include questions on the unique road traffic issues in the New Forest i.e. animals and their safety.</i>
4.2.6	<p>The number of failed tests permitted has been raised to four, as it is recognised that some applicants do have problems passing the test for a variety of reasons. However, once passed 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.</p> <p><i>If an applicant fails four successive knowledge tests, their application will be rejected and a period of 12 months must elapse before a new application is submitted. Four attempts and failures will be an indication that the applicant is not committed to the application.</i></p> <p><i>The file will be closed for four 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.</i></p>
4.2.7	<p>Enhanced safeguarding requirements to promote awareness of this subject and the challenges that can be faced by the trade.</p> <p><i>It is a requirement that all applicants undertake and pass the safeguarding test module before an application can be considered.</i></p> <p><i>Existing drivers may be required to undertake safeguarding training or awareness sessions from time to time during the currency of their licence.</i></p>
4.2.9	<p>Applicants should apply in a timely manner when renewal letters are issued in order to allow sufficient time for drivers to obtain the DBS and a medical if required.</p> <p><i>If a driver has allowed his/her driver licence to expire for a period of more than two months, the application will be treated as a new application and the applicant will be required to pass the driver knowledge test in addition to submitting the other requisite documents.</i></p>
Appendix F	Dress code - New Appendix to promote a professional image for the trade in the New Forest District, particularly as this is a tourist destination.
Appendix H	Code of Conduct when working with vulnerable passengers- New Appendix to assist in setting and maintaining standards

	within the trade.
Vehicles	
Appendix I 5.1.4	<p>Additional provision to address a poor quality vehicle presented for the test. Fewer failed vehicles allows for more vehicle test appointments for driver/proprietors and therefore a shorter waiting period for appointments. This also assists with the quality of vehicles in the fleet and ensures that unsuitable vehicles are not being used.</p> <p><i>Vehicles that are eight years and older 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 will issue a notice to suspend the licence until the fault(s) has been rectified and the vehicle re-tested successfully.</i></p>
Appendix M	<p>This ensures that journeys in a private hire vehicles not being carried out under the terms of the executive contract on which the exemption is granted and have plates displayed as per licence conditions.</p> <p><i>Once exempted, the licensed vehicle may only 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.</i></p>
5.1.5	<p>The additional front plate makes NFDC vehicles more visible to the public and officers. This has safeguarding and compliance advantages.</p> <p>Signage <i>All NFDC licensed vehicles are required to display plates on both the front and rear of the vehicle. Full size plates on the rear and half size plates on the front of each vehicle. This is a key feature in helping the public to identify vehicles that are properly licensed, particularly when carrying passengers outside the District.</i></p>
5.1.5	<p>The door sticker further identifies a licensed vehicle to the public. It confirms that the vehicle may not be hailed or flagged down, and that all journeys must be booked through a licensed operator. This has safeguarding and compliance advantages.</p> <p>Private Hire <i>Private hire vehicles (unless benefitting from an exemption to displaying signage) must display the Council supplied signage on both the front doors of each private hire vehicle.</i></p>
5.1.6 Appendix K	Calibrated and sealed taxi-meters must be fitted in hackney carriages and that at this time GPS/phone devices are not

	<p>acceptable alternative, as they may be altered.</p> <p><i>It is the view of the Council that at the time of writing, GPS devices are not considered to be a suitable replacement for taxi meters, but NFDC has no objection to them being used alongside conventional taxi meters.</i></p>
5.1.8	<p>There are varying vehicle standards 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. In addition many authorities insist on door stickers for private hire vehicles and these are not readily removed without leaving damage.</p> <p><i>Vehicle licences will only be issued on the condition that the vehicle to which it relates is not licensed by another Council as either a hackney carriage or private hire vehicle.</i></p>
5.1.9	<p>Removal of requirement for WAV drivers to receive training in wheel chair handling. Due to the low number of drivers requiring this course the provider is unable to run sufficient courses, therefore it is not feasible to ask drivers to undertake the training as there may be an unacceptable wait for places.</p> <p><i>Drivers of wheelchair accessible vehicles must undertake and pass a training course specified by the Council.</i></p>
5.2	<p>In order to be fair, it is important that any upward change in tariff is supported by the majority of the trade as they will be most affected by the change. Any review of fares is complex and involves consultation with a number of organisations.</p> <p><i>The Licensing Authority's Table of Fares will be reviewed when a request for a review is received and is supported by more than 50% of Proprietors.</i></p> <p><i>Any review of fares will be subject to public consultation, as required by the relevant legislation and will be approved by the Council's General Purposes & Licensing Committee.</i></p> <p><i>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.</i></p>
Appendix I Re-wording	<p>Wording to bring the policy in line with current developments in manufacturers specifications</p> <p><i>Spare Wheel – The proprietor shall ensure that the vehicle is</i></p>

	<p><i>equipped with:</i></p> <p>a) a legal spare wheel or 'space saver' tyre, or b) a serviceable emergency tyre inflation kit in accordance with the manufacturer's specification for that vehicle.</p>
Appendix J	<p>Wording of conditions modernised, clear and meaningful, addresses compliance requirements. This will assist proprietors, drivers and officers.</p> <p><i>Revised private hire vehicle licence conditions.</i></p>
Appendix K	<p>Wording of conditions modernised, clear and meaningful, addresses compliance requirements. This will assist proprietors, drivers and officers</p> <p><i>Revised hackney carriage vehicle licence conditions.</i></p>
Appendix I Re-wording	<p>Additional specifications to address issues that have been raised during the currency of the previous policy. This provided a clear defined requirement for the trade, officers and testing facility.</p> <p><i>Windows – should operate to specification. Windscreens should not be cracked, starred, or have any visual deformity, so as to impair driver vision.</i></p>
7.2.2	<p>Provides a clear framework for the trade and officers when dealing with transgressions.</p> <p><i>Warnings</i> <i>These may be issued for minor 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.</i></p> <p>Should three warnings be issued to any driver or vehicle proprietor the licence holder will be asked to appear before a Member of the Licensing Sub-Committee to explain their actions and pattern of behaviour.</p>
Appendix I	<p>This promotes a clear guide on these vehicles guidelines and safety of the public and leaves no doubt for proprietors or passengers.</p> <p><i>Insurance write offs</i> <i>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.</i></p>

Appendix I	<p>This provision will help the clean air policy and enhance the quality of the fleet i.e. younger vehicles, less emissions.</p> <p><i>Vehicles will not generally be licensed beyond 12 years of age.</i></p>
5.3	<p>New addition to ensure that accidents are reported and dealt with in a consistent and timely manner.</p> <p><i>The driver/proprietor of a licensed vehicle shall report the accident to Licensing Services as soon as is reasonably practicable and in any case within 72 hours of any occurrence or accident which causes any of the following:</i></p> <ul style="list-style-type: none"> <i>• damage materially affecting the safety, performance or appearance of the vehicle;</i> <i>• damage affecting the comfort or convenience of persons using the vehicle;</i> <i>• damage rendering the vehicle in contravention of the licensed vehicle guidelines.</i> <p><i>Following appropriate repairs, the vehicle must undergo and pass a mechanical inspection before it may be allowed to be used as a licensed vehicle.</i></p>
Operators	
Appendix O	<p>Amended operator licence conditions to highlight record keeping and communication with the authority</p>
Appendix E	<p>Amendment to address lost property and operator's responsibility.</p> <p><i>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</i></p> <p><i>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.</i></p>
6.2.4	<p>Addition to policy to provide confirmation with reference to premises addresses.</p> <p><i>The Council will specify in the licence the address from which the operator may operate.</i></p> <p><i>The Authority will not grant an operator's licence for an operator with an operating base that is outside the New Forest District Council area. This is to ensure that proper regulation and enforcement</i></p>

	<p><i>measures may be taken by the Authority and is in no way intended to be a restraint of trade.</i></p> <p><i>Applicants must ensure that the property that they intend to operate from has the correct planning permission to enable the business to operate from. During the application process the planning authority will be consulted to ascertain that the business may operate from there. In the first instance applicants are expected to contact the planning authority to ensure that their business will/can comply.</i></p> <p><i>The operator shall, within seven days, notify the Council, in writing of any change of address. Any new address will be the subject of a consultation with the planning authority and licence holders must ensure that the new address has the correct planning permission to allow the business to operate from there.</i></p>
6.2.5	<p>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.</p> <p><i>Transfer of licence</i> <i>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.</i></p> <p><i>Should an operator wish to re-locate to a new premises, a new operator application must be made and the planning authority consulted.</i></p>
6.3	<p>Operators should ensure that vehicles that are road-worthy and meet the conditions at all times. Vehicles that are presented for tests must also be capable of a positive test. This should result in less failed vehicle tests.</p> <p><i>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 that are clean and well maintained and the operator who has taken the booking and despatched the vehicle must bear a level of responsibility for this.</i></p> <p><i>Operators will also be 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).</i></p>