

# Licensing Policy

## Taxi and Private Hire



**Oldham**  
Council

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# 1. Introduction

## 1.1 Powers and Duties

- 1.1.1 The Licensing of hackney carriages dates back to 1847 and for private hire vehicles (outside London) to 1976.
- 1.1.2 The Local Government (Miscellaneous Provisions) Act 1976, as amended ('the 1976 Act') places on Oldham Council, as the Licensing Authority ('The Council'), the duty to carry out its licensing functions in respect of the hackney carriage and private hire trades.
- 1.1.3 In carrying out its regulatory functions relating to private hire and hackney carriage licensing, the Council will have regard to this policy document. Notwithstanding the existence of this policy, each application, or enforcement action, will be considered on its own merits.
- 1.1.4 This policy has been formed from a number of previous documents, combining them into one informative and comprehensive guide. It sets out the requirements and standards which are expected of all those involved in Oldham's hackney carriage and private hire trades.
- 1.1.5 Applicants for licences are particularly encouraged to read the contents carefully.

## 1.2 Objectives

- 1.2.1 The Council has set the following objectives in relation to the licensing of the private hire and hackney carriage trades and aims to regulate the trades in order to promote these objectives: -
- ensuring passengers have safe journeys at a transparent price;
  - ensuring that vehicles are safe, accessible and reducing their impact on the environment;
  - ensuring drivers are safe and know what they are doing; and
  - the provide a quality service to the public within the borough.
  - the protection of children and vulnerable adults

## 1.3 Implementation

- 1.3.1 This policy shall take effect from 1<sup>st</sup> December 2021 in its revised form and the Council expects licence-holders to comply with its terms immediately.
- 1.3.2 The Council will keep this policy under review and will, where appropriate, consult on any proposed revisions.
- 1.3.3 From the effective date, this policy will override and supersede all existing policies in relation to hackney carriage and private hire licensing.

## 1.4 Partnership working

- 1.4.1 The Council will work in partnership with the following agencies to promote the policy objectives: -
- local hackney carriage and private hire trades;
  - private hire and hackney carriage trade associations;
  - Greater Manchester Police;
  - local residents;
  - disability groups;
  - service users;

- Vehicle Operator Services Agency (VOSA);
- HM Revenue and Customs;
- Department of Works and Pensions;
- Other Greater Manchester Councils;
- other Council departments;

## **1.5 Licensing Profile**

- 1.5.1 Hackney carriage and private hire vehicles are vehicles licensed to carry no more than 8 passengers, but may be licensed to carry less.
- 1.5.2 Hackney carriages may be used to ply for hire in the street, at ranks or stands and may take bookings over the telephone. Private hire vehicles must be booked in advance, by the customer, through a private hire operator; and cannot be hailed in the street or stand at a rank.
- 1.5.3 Strictly speaking a 'taxi' is a licensed Hackney Carriage but in this policy, it is used more informally, as are the expressions the 'taxi trade' and 'taxi licensing'.
- 1.5.4 The Council currently licences 85 hackney carriage vehicles and approximately 1000 private hire vehicles as well as 28 private hire operators. It has approximately 1300 dual drivers.

## **1.6 Application Procedure**

- 1.6.1 For specific details of the application procedures for any of the licences mentioned in this policy please visit the Licensing web pages at – [www.oldham.gov.uk/taxis](http://www.oldham.gov.uk/taxis)

## **1.7 Timescales for Issuing Licences**

- 1.7.1 Licences, identification plates and badges will be issued within 5 working days once granted.

## **1.8 Power to Refuse Inactive Applications**

- 1.8.1 Where an application has been dormant for a period of six months or more where the applicant has either not progressed his application or has failed to submit required documents a Delegated Officer may refuse an application on the grounds that we cannot be satisfied they are a fit and proper person to hold a licence. A decision will only be made once the applicant has been given notice of the intention to refuse and given 14 days to respond.
- 1.8.2 The Council at its discretion may undertake such checks, deemed relevant and necessary, on the suitability of applicants. This may include, but is not limited to, Police, DVLA, Government departments, multi-agency partners and councils. The Council reserves the right to request updated or additional information in relation to an applicant's fitness and suitability to hold a licence.

# **2. Vehicles**

## **2.1 Limitations of Numbers**

- 2.1.1 No powers exist for licensing authorities to limit the number of private hire vehicles they licence.
- 2.1.2 In relation to hackney carriage vehicles, the current legal provision on quantity restrictions is set out in section 16 of the Transport Act 1985. This provides that the grant of a hackney carriage licence may be refused, for the purpose of limiting the number of licensed hackney carriages 'if, but only if, the local authority is satisfied that

there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet.'

2.1.3 The Council is satisfied that there is no significant unmet demand for the services of hackney carriages; therefore, the Council shall limit the number of hackney carriages it licences to 85. The Council will determine whether there is any significant unmet demand at regular intervals.

## **2.2 Exemptions from Control**

2.2.1 The 1976 Act exempts the following vehicles from control under the Act: -

a) vehicles while being used in conjunction with a funeral or used wholly or mainly for the purpose of funerals by a funeral director;

b) vehicles while being used in connection with a wedding;

**Vehicle Age Limits \*Awaiting policy decision on 30.11.2021**

## **2.3 Vehicle Specification Awaiting policy decision on 30.11.2021**

2.3.1 Local licensing authorities have a wide range of discretion over the types of vehicle that they can licence as hackney carriage or private hire vehicles.

2.3.2 The Council have differing vehicle specifications for hackney carriage vehicles, private hire vehicles, stretched limousines and highly adapted vehicles. The following outline those specifications: -

2.3.3 Both hackney and private hire vehicles are not allowed to have towing bars on their vehicles.

### **Private Hire**

Vehicles may be a saloon, estate, hatch or a vehicle designed to carry no more than 8 passengers. No purpose-built taxi can be licensed as a private hire vehicle.

All vehicles to have 4 doors and vehicles designed to carry up to 8 passengers to have at least two means of egress.

Access - passengers must have access to the vehicles rear seats without having to move or fold down any other passenger seat.

Egress – passengers must be able exit the vehicle, via the relevant means of egress, without having to move or fold down any other passenger seat.

All vehicles must be suitable to be licensed to carry at least 4 passengers.

### **Hackney Carriage - Awaiting policy decision on 30.11.2021**

[Insert colour and vehicle type]

A purpose built Hackney Carriage is a vehicle that as been manufactured and sold by the relevant Manufacturer as a Hackney Carriage. A vehicle that has been manufactured and registered, but subsequently converted is not considered to be purpose built. Whilst vehicles converted by an approved company post manufacturing process may be permitted onto the fleet, it does not meet the definition of purpose built.

All hackney carriage vehicles, except purpose built taxis, to be [insert] in colour. Purpose built taxis may be of manufacturers colour.

All vehicles to have four doors and vehicles designed to carry up to 8 passengers to have two means of egress.

Access - passengers must have access to the vehicles rear seats without having to move or fold down any other passenger seat.

Egress – passengers must be able exit the vehicle, via the relevant means of egress, without having to move or fold down any other passenger seat.

### **Stretched Limousines**

A stretch limousine shall be required to have a Certificate of Single Vehicle Approval issued by the Vehicle and Operator Services Agency (VOSA) or another competent national authority of an EEA member state.

A stretch limousine shall be permitted to have left-hand drive and tinted glass in the passenger compartment (not the driver compartment).

A stretch limousine shall be fitted with tyres that meet both the size and weight specification for the vehicle as determined by VOSA.

The seating capacity of a stretch limousine shall not exceed eight passengers, excluding the driver's seat and a front seat in the driver's compartment, which must not be used for carrying passengers.

A stretch limousine shall only be licensed to carry up to eight passengers (an infant counts as a passenger regardless of age) and that any advertisements placed for the services of the limousine shall state that it is restricted to carrying a maximum of eight passengers.

All seatbelt requirements in the Road Vehicles (Construction and Use) Regulations 1986 as amended must be complied with.

## **2.4 Emissions Awaiting policy decision on 30.11.2021**

### 2.4.1

## **2.5 Vehicle Testing**

2.5.1 All licensed vehicles are tested at the Councils Moorhey Street testing station. Tests are conducted at the time of being licensed and midyear depending on the age of the vehicle.

2.5.2 Tests are conducted once a year for vehicles up to 3 years of age.

2.5.3 Once a vehicle reaches 3 it will require testing twice per year. If a vehicle turns 3, within its current licensing period, it will not be due two tests until its next renewal.

2.5.4 A private hire vehicle will then require two tests per year up to 8 years or up to 12 years of age for purpose built hackneys. Once a vehicle is 8 or 12 (according to the vehicle type above) and up to the maximum age limit it will require three tests per year. If a vehicle turns 8 or 12, during the current licensed period, it will not require 3 tests until its next renewal.

Drivers are required to book their own vehicle tests using the online booking system. Details of this can be found at [www.oldham.gov.uk/taxis](http://www.oldham.gov.uk/taxis)

2.5.5 Failure to attend a test without notification 48 hours in advance will result in a further payment for a test being charged.

2.5.6 Where the Council is not satisfied with the roadworthiness of a vehicle it may request an HPI check or require the vehicle to undergo an independent inspection and an 'Autolign' report produced at the cost of the applicant. This is to provide information and guidance relating to the proposed licensing of the vehicle.

2.5.7 Where a vehicle fails its test and the vehicle tester is not satisfied as to the roadworthiness of the vehicle, the vehicle may be suspended by an Authorised officer of the Council.

2.5.8 Where a vehicle has passed a vehicle test, the plates must be applied for within 30 days. Failure to do so will result in needing a new test.

2.5.9 Where a vehicle is suspended the identification plates must be removed and returned to the Council. The identification plates may be handed to an officer immediately upon suspension otherwise a notice will be placed over the plates and you will have 7 days to return them. Where a notice is placed on the plates the proprietor of the vehicle will be required to pay for new plates upon re-licensing the vehicle.

2.5.10 The Licensing Authority will issue a document outlining the criteria upon which a vehicle will be tested. This criteria does not form part of the policy document, although it may be referred to within it. The testing criteria may be subject to change during the duration of this policy, but such amendments may not result in a review of this policy.

2.5.11 Copies of the testing criteria can be obtained via the licensing web pages at [www.oldham.gov.uk/taxis](http://www.oldham.gov.uk/taxis)

## 2.6 Insurance Write Offs

2.6.1 Update with revised policy following meeting on 30.11.21

## 2.7 Accidents

2.7.1 In accordance with section 50 (3) of the 1976 Act, the proprietor of a hackney carriage or a private hire vehicle shall report to the Authority as soon as reasonably practicable and in any case within seventy-two hours any accident causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers.

2.7.2 Following the reporting of an accident an Authorised officer will examine the vehicle to ascertain its fitness to be a licensed vehicle.

2.7.3 Where the officer is not satisfied as to the fitness of the vehicle the officer may suspend it from use under s68 of the Local Government (Miscellaneous Provisions) Act 1976. In order to ascertain its fitness, the authorised officer may require the vehicle to be examined by the Councils vehicle testers, located at the Councils Moorhey Street Depot

2.7.4 Where a vehicle is suspended the identification plates must be removed and returned to the Council. The identification plates may be handed to an officer immediately upon suspension otherwise a notice will be placed over the plates and you will have 7 days to return them. Where a notice is placed on the plates the proprietor of the vehicle will be required to pay for new plates upon re-licensing the vehicle.

2.7.5 If an officer is not satisfied as to the fitness of the vehicle before the expiration of a period of two months from this suspension, the vehicle licence shall be deemed to have been revoked and a new licence would have to be applied for if wanting to re-licence the vehicle.

## 2.8 Signage and Advertising

2.8.1 It is important that the public are be able to identify and understand the difference between a hackney carriage and private hire vehicle.



- 2.8.2 Private hire vehicles shall not be permitted to display roof-mounted signs and any signs that include the words 'taxi' or 'cab' or 'for hire'
- 2.8.3 Vehicle identification plates are a key feature in helping to identify vehicles that are properly licensed. With the exception of stretched limousines and approved executive hire vehicles, all other licensed vehicles shall display the identification plates on both the front and rear of the vehicle.
- 2.8.4 All private hire vehicles must display a mandatory door sign containing the words 'Advance Bookings Only'. The design of such sign must also include the name and telephone number of the private hire company and the words 'Private Hire'. All signs must be a minimum size of 600mm x 200mm.
- 2.8.5 The words "Advance Bookings Only" shall be in block capitals coloured black on a yellow background strip and each letter shall be not less than 60mm (in height) x 6mm (in thickness). All other individual lettering shall not exceed 50mm (in height) x 5mm (in thickness) but may be of any other colour. The background of any other lettering must be a different colour to the background of the 'Advance booking' strip.
- 2.8.6 The mandatory door signs shall be permanently affixed to the top half of the door panels by way of adhesive rather than magnetic means. Such signs are to be displayed at all times whilst the vehicle is licensed.
- 2.8.7 The Council will be bringing in a new policy relating to vehicle livery in 2022 and details will be provided in this policy.
- 2.8.8 Hackney carriage vehicles must display a mandatory door sign which must be affixed by way of adhesive rather than by way of magnetic means, to the upper door panels of both front doors at all times whilst the vehicle is licensed. Such signs must include the word 'TAXI' and the name of the Council together with its specified logo.
- 2.8.9 All non-purpose built hackney carriage vehicles must display a roof sign of the following design angle design, showing white to the front and red to the rear, of size 90cm x 15cm x 15cm high.
- 2.8.10 The Council, by way of conditions, restricts the advertising that can be placed on any licensed vehicle. Further details

## **2.9 Byelaws**

- 2.9.1 The Council has made Byelaws under the 1847 Act which apply to hackney carriages. Some of the byelaws have been modified by the 1976 Act. See Appendix E

## **2.10 Duration of Licences**

- 2.10.1 Vehicles will be licensed for a period of 12 months. Renewal of the licence will be subject to the vehicle undertaking and passing a further test at the appointed test station.

## **2.11 Ownership of Multiple Vehicles**

- 2.11.1 There is no limit on the number of vehicle licences an individual or company can hold.

## **2.12 Security Cameras / Audio Recording Equipment in Vehicles**

- 2.12.1 Security cameras are permissible in vehicles subject to certain safeguards. In addition, there are limited circumstances in which audio recording may be justified, for example, where recording is triggered due to a specific threat, e.g. a 'panic button' in a taxi cab.
- 2.12.2 Equipment should not be used to record conversations between members of the public. If possible, a system without this facility should be used. If your system comes equipped with a sound recording facility, then you should turn this off or disable it in some other way.

2.12.3 No vehicle equipped with a security camera, and / or audio recording facilities, shall be used unless the existence of the camera and / or audio recording is clearly indicated by a notice displayed.

2.12.4 The Council recognises the sensitive nature of security surveillance in general but also recognises the legitimate concerns of licensed drivers. Equipment should be available to be inspected and images downloaded by Authorised Officer or Constable.

### **2.13 Smoking**

2.13.1 It is an offence to smoke or allow another person to smoke in a licensed vehicle at any time when it is a licensed vehicle. This applies even if you are not working.

2.13.2 The use of e-cigarettes and / or vaping in a licensed vehicle by the driver and / or passenger(s) is not permitted.

### **2.14 Style of Plates and Badges**

2.14.1 The style of plates and badges is likely to change from time to time. The Authority will keep up to date with new developments and current Health & Safety best practice, image, value for money and recognition will always be a high priority.

2.14.2 Plates, window discs and badges must be displayed/worn at all times.

2.14.3 The Council has specified that the vehicle licence number, make, model and licence expiry date, together with the number of passengers it is licensed to carry shall be placed on the vehicle identification plate. This identification plate must not be tampered with, or amended by, anyone other than an authorised officer.

### **2.15 Transfer of Owner**

2.15.1 Should a vehicle be sold to a new owner the existing licence holder must notify the Authority within 14 days. Failure to do so renders the licence holder liable for prosecution.

### **2.16 Conditions**

2.16.1 The Council is permitted to impose such conditions, as it considers reasonably necessary, on hackney carriage and private hire vehicles licences. Appendix A sets out the conditions attached to private hire vehicle licences and Appendix B sets out the conditions attached to hackney carriage vehicle licences.

2.16.2 The conditions at Appendix A and Appendix B do not form part of the policy document, although they may be referred to within it. These conditions could be subject to change during the duration of this policy, but such amendments may not result in a review of this policy.

### **2.17 LPG & Electric Vehicles**

2.17.1 The Council's testing station at Moorhey Street does not currently have the facilities to test the fuel systems of LPG and Electric Cars, therefore the proprietor of such vehicles must obtain the relevant certificates from a VOSA approved testing station.

### **2.18 Carrying of Assistance Dogs**

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

2.18.2 Convey the disabled passenger's dog and allow it to remain under the physical control of the owner; and

2.18.3 Not to make any additional charge for doing so.

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

## **2.19 Enforcement**

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

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

- a) Have a zero-tolerance policy to access refusals - investigating all reported violations of the Act with a view to pursuing a conviction.
- b) Undertake periodic test purchasing with assistance dog owners on licenced vehicles to ensure that licensing requirements are being complied with.
- c) Make it a condition of taxi and private hire vehicle drivers licences that they have undertaken disability equality training, which includes information regarding the carriage of assistance dogs.

## **2.20 Medical Exemption Certificates**

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

2.20.2 The Licensing Authority will:

- a) Make it a condition to the licence that the notice of exemption must be exhibited in the vehicle by fixing it in an easily accessible place, for example on the windscreen or in a prominent position on the dashboard.
- b) Seek to use tactile medical exemption certificates so that guide dog owners are able to identify the certificate, which should be presented to the guide dog owner upon request; with the cost of this certificate being borne by the driver being granted the exemption.
- c) Only issue an exemption certificate when it is authorised by the driver's GP and is accompanied by medical evidence, for example a blood test, a skin prick test or clinical history.

## **2.21 National Database of Vehicle Licences**

2.21.1 The Government (DEFRA) have issued regulations which require licensing authorities to upload and regularly update details of all licensed vehicles onto a central register for the purposes of creating a register to use when creating clean air zones across the country.

## **2.22 Seat Belts – Driver Exemption**

2.22.1 Generally speaking, every person driving a motor vehicle must wear a seat belt. However, this requirement does not apply to: -

2.22.2 The driver of a Hackney Carriage while it is being used for seeking hire or answering a call for hire, or carrying a passenger for hire;

2.22.3 A Private Hire Driver while they are using a Private Hire Vehicle to carry passengers for hire.

## **2.23 Converted Vehicles**

- 2.23.1 Vehicles converted from vans which have a type approval other than M1 will not be acceptable unless they are presented with approved certification for that vehicle.
- 2.23.2 Typically, the type of vehicles adapted or modified are small vans (N1 vehicles) and larger vehicles, such as minibus type vehicles (M2 vehicles). Where vehicles have been converted, applicants need to provide additional certification to satisfy the Authority that the conversion has been carried out to the proper and safe standard.
- 2.23.3 If a vehicle has been registered with DVLA and issued with an appropriate registration index number, no change, structural alteration or rearrangement of detail shall be carried out to the vehicle unless such change shall have been subsequently granted M1 Whole Type Approval.
- 2.23.4 Any vehicles which have had their seating capacity reduced or increased in order to obtain a licence must have a Voluntary Individual Vehicle Approval (VIVA) test (as opposed to Statutory IVA test which cannot be used if the vehicle has already been registered in the UK) carried out. (where seating is reduced all bolt holes where seats have been removed must be covered over.) Before a licence is granted the applicant must produce to the Council an updated log book to reflect seating capacity.
- 2.23.5 In the first instance applicants must contact the Driver & Vehicle Standards Agency (DVSA) to obtain the correct type of Individual Vehicle Approval (IVA) application form. For further information or advice applicants must contact DVSA on 0300 123 9000 or alternatively e-mail; [approvals@dvs.gov.uk](mailto:approvals@dvs.gov.uk)
- 2.23.6 Any seats that have been added must be fitted to the manufacturer's specification and pass the IVA test and have all the necessary documentation in place. Any limousines, imported and converted vehicles from outside the UK will require an IVA test irrespective of age.
- 2.23.7 Further Information with respect to vehicle approvals can be found at: <https://www.gov.uk/vehicle-approval>

## **2.24 Executive Hire**

- 2.24.1 The main distinction between private hire and executive hire is the type of client, service offered and cost of the service.
- 2.24.2 When determining if a booking is executive hire, consideration will be given to the following factors; how the booking is made, how payment is made, type of vehicle used, dress code of the driver, business plan of the operator.
- 2.24.3 Executive hire vehicles must be of an executive prestige standard and less than 3 years old when first licensed for executive hire. The vehicle will not be permitted to display any form of advertising including company details. A full list of vehicle requirements can be found at: [www.oldham.gov.uk/taxis](http://www.oldham.gov.uk/taxis)

### 3. Drivers

#### 3.1 Parallel Procedures

3.1.1 The statutory and practical criteria; and qualifications for private hire and hackney carriage drivers licences are similar. Therefore, the sections below, apply equally to hackney carriage and private hire drivers unless indicated.

#### 3.2 Application Requirements

3.2.1 The Council will not grant a licence unless it is satisfied that the applicant is fit and proper.

3.2.2 An applicant must be at least 21 years of age at the time they make an application.

3.2.3 Criminal offences are checked through the Disclosure & Barring Service via the Council's contractor whose details are on our website. They will process the applicants online DBS application and submit it. The Council requires applicants for driver licences to disclose all convictions whether spent or not; and in addition, disclose any fixed penalties, cautions, bind-overs or anti-social behaviour orders. Other applicants need only declare unspent convictions etc.

3.2.4 All applicants are required to sign up with the DBS update service within 30 days of the issue date on the certificate. Failure to do so will result in a new DBS certificate being required. As part of the application for a licence they, by making that application, agree to a check of the DBS update service being carried out. It is the licence holders responsibility to keep the update service live by paying the annual amount to the DBS which will be charged to the card they have registered. If card details change licence holders must contact the DBS. Where an update service registration lapses a new DBS certificate will be required and a licence will not be issued until that certificate is assessed by the Council.

3.2.5 Where an applicant has lived outside the United Kingdom for more than three continuous months since the age of 18 they must obtain a Certificate of Good conduct authenticated and translated into English by the relevant Embassy or Consulate in order to assess suitability and review any previous convictions.

3.2.6 All applicants must by law prove to the satisfaction of the Council that they are **legally entitled to work** in the United Kingdom prior to a licence being granted.

3.2.7 All new applicants must undertake an **English language assessment**. Details of the implementation date and requirements will be inserted here once approved.

3.2.8 All drivers and operators who are renewing licences after the 1<sup>st</sup> April 2022 must prove that they are **registered with HMRC to pay UK tax**. Full details of this new scheme will be updated in this policy. In the meantime information can be viewed at:

<https://www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022>

3.2.9 The applicant must lodge a standard passport size photograph with the application to be used on the Council's database and on their Council issued ID badge if a licence is issued. The photo must resemble their usual appearance as it would be seen by the public. No sunglasses are to be worn nor any hats not required by way of religion that may otherwise obscure the face or usual appearance.

3.2.10 Should an applicant who has an application pending have any change in circumstances during the application including medical, driving record or conviction/arrest he should notify the Council in writing immediately to enable this information to be assessed for relevance.

3.2.11 Should an applicant who has an application pending have any change in circumstances during the application period including medical issues, driving record or arrest/conviction for an offence they must notify the Council in

writing immediately to enable this information to be considered. The Council will consider carefully the application/licence of any person who does not notify the Council of matters that they should under the application criteria or licence conditions.

3.2.12 A copy of the Council's guidance on the suitability of applicants can be obtained at: [www.oldham.gov.uk/taxis](http://www.oldham.gov.uk/taxis)

### **3.3 Drivers Knowledge Tests**

3.3.1 Applicants must pass a Driving Standards driven test to assess your driving ability. Please go to [www.oldham.gov.uk/licensing](http://www.oldham.gov.uk/licensing) for more information on how to book and pay.

3.3.2 The second stage is that applicants will book in for the written test which contains 30 questions which will comprise of the following: -

#### Section A

15 questions on driver & vehicle conditions, basic maths questions and Child Sexual Exploitation

#### Section B

15 questions on destinations

3.3.3 To successfully pass the test applicants must get at least 10 questions correct in each of the two sections.

3.3.4 The test will last one hour.

3.3.5 A list of destinations for the written tests is available online.

3.3.6 If an applicant fails **six** attempts at the test paper they will be referred to an Authorised Officer who will consider refusing their application.

3.3.7 If an existing licence lapses and is not renewed the applicant will have to demonstrate his/her knowledge of conditions if a licence has been in force in the last six months. Outside this time a full test will be conducted.

### **3.4 Driving Licence Requirements**

3.4.1 Applicants must have held a full GB or EU driving licence for at least two years when you apply for a licence. If you do not fall into the category above and you have a foreign driving licence you must have held a valid licence for at least two years of which twelve months must have been GB or EU. The two years commences from the date of issue of the licence rather than the date of test passed.

### **3.5 Applications taking a period of time**

3.5.1 Where an application is submitted for a dual drivers licence and that licence is not granted within 6-months from the date of the DBS certificate, an online status check will be undertaken. If that fails a new DBS will have to be applied for and returned before a licence can be granted.

3.5.2 Where a 'new' application is submitted for a dual drivers licence and that licence is not granted within 6-months from the date of the Medical certificate, then a medical self-declaration form will need to be returned before a licence can be granted.

3.5.3 Where a 'renewal' application is submitted for a dual drivers licence and that licence is not granted within 3 months from the date of application, due to incomplete supporting information/documentation then a new application will have to be applied for and returned before a licence can be granted.

### **3.6 Duration of Licences**

3.6.1 Driver's licences are to be granted for a period of up-to 3 years. There may be circumstances where a licence cannot be issued for 3 years this may include:

- The applicant is due to retire or cease being a licensed driver;
- The driver is being given a trial following a hearing/assessment of their fitness to hold a licence.
- In the case of a situation where the licence is not in sync with the DBS certificate a licence may be granted until the end of the 3-year term of the current DBS certificate.
- Other cases that may arise from time to time that the Licensing Panel or an Authorised Officer feel requires a licence to be issued for a period of less than 3 years.

### **3.7 Medical Standards**

3.7.1 The Council has adopted the Group 2 licence medical standard for licensed drivers.

3.7.2 The medical certificate required by the Council requests medical practitioners to have regard to the guidelines issued by the DVLA on fitness to drive.

3.7.3 Medical certificates must be issued by a registered Doctor who has had full access to the applicant's medical notes and history. This rule is designed to ensure that full disclosure is made of the applicant's medical condition.

3.7.4 Group 2 medical forms must be dated within the last three months.

3.7.5 Any licence holder must, as soon as is reasonably practicable, notify the Council of any newly diagnosed medical condition which may restrict their entitlement to a driver's licence requiring a DVLA Group 2 medical standard.

3.7.6 Medicals are required upon application, then every 6 years until the age of 65 and annually thereafter. The medical expiry date will tie in with every other drivers licence issued.

### **3.8 Conditions**

3.8.1 The Council is permitted to impose such conditions, as it considers reasonably necessary, on private hire drivers Appendix C sets out the conditions attached to private hire drivers licences.

### **3.9 Online Applications**

3.9.1 Online applications must now be made via the main licensing webpages: - [www.oldham.gov.uk/taxis](http://www.oldham.gov.uk/taxis)

If you are an existing licence holder please contact the licensing team to obtain a registration code. Guidance on applying for a licence online can be found on our website above.

### **3.10 Driver Awareness Training**

3.10.1 All new applicants must attend the mandatory Driver Awareness Training session prior to being able to sit their Driver Knowledge Test. This is run by the Council.

### **3.11 Database of Refusals and Revocation**

3.11.1 The sharing of information, within the rules governing data protection, is an essential part of our role in protecting the public. By sharing information on our decisions, it helps other licensing authorities make informed decisions.

3.11.2 Applicants and licence holders should be aware that Oldham Council has adopted to use the NR3 register of refusals and revocations which is a portal where licensing authorities can share decisions. All applicants will be checked against this database to check whether another licensing authority holds information about that applicant that may be useful the decision making process. The Council also maintains its own records of such decisions.

### **3.12 VRQ/NVQ Qualification**

3.12.1 All new applicants are required to register and undertake a VRQ in Road Passenger Transport as part of their application. Once licensed the driver must undertake the Level 2 NVQ in Road Passenger Transport within 2 years. This is subject to the relevant funding being available so there is no cost to the applicant.

### **3.13 Dress Code**

3.13.1 The purpose of the dress code is to set a standard that provides a positive image of the licensed hackney carriage and private hire trade in Greater Manchester, Promoting public and driver safety.

#### **Dress Standard**

- All clothing worn by those working as private hire or hackney carriage drivers must be in good condition and the driver must keep good standards of personal hygiene.
- As a minimum standard whilst working a licensed driver, males should wear trousers and a shirt/t-shirt or polo shirt which has a full body and short/long sleeves. Knee length shorts are acceptable. Exceptions related to faith or disability are accepted.
- As a minimum standard whilst working as a licensed driver, females should wear trousers, or a knee length skirt or dress, and a shirt/blouse/t-shirt or polo shirt which have a full body and a short/long sleeve. Knee length shorts are also acceptable. Exceptions related to faith or disability are accepted.
- Footwear whilst working as a licensed driver shall fit (i.e. be secure) around the toe and heel.

#### **Examples of unacceptable standard of dress**

- Clothing that is not kept in a clean condition, free from holes, rips or other damage.
- Words or graphics on any clothing that is of an offensive or suggestive nature which might offend.
- Sportswear e.g. football/rugby kits including team shirts or beachwear (tracksuits are accepted)
- Sandals with no heel straps, flip flops or any other footwear not secure around the heel.
- The wearing of any hood or any other type of clothing that may obscure the driver's vision or their identity.

### **3.14 Uniforms**

3.14.1 The Council recognises the positive image that uniforms can create. This dress code does not require a licensed driver to wear a distinct uniform. The Council acknowledges that many private hire and hackney carriage companies do require licensed drivers to wear appropriate corporate branded uniform and this is a practice that the Council would encourage licensed drivers to support.





## **4. Operators**

4.1.1 Operators of private hire vehicles are required to be licensed under the 1976 Act. No person may operate a vehicle as a private hire vehicle if the vehicle or the driver is unlicensed. "Operate" means, in the course of business, to make provision for the invitation or acceptance of bookings for a private hire vehicle.

4.1.2 The Council must grant an operator's licence unless the applicant is not a fit and proper person to hold one.

4.1.3 The Council may refuse to grant an operators licence where the trading name is the same or similar to an existing operator.

### **4.2 Conditions**

4.2.1 Operators must comply with the conditions set out in Appendix D

4.2.2 The Council is permitted to impose such conditions, as it considers reasonably necessary, on private hire operators Appendix D sets out the conditions attached to private hire operator licences.

4.2.3 The conditions at Appendix D do not form part of the policy document, although they may be referred to within it. These conditions could be subject to change during the duration of this policy, but such amendments may not result in a review of this policy.

### **4.3 Duration of Licences**

4.3.1 Operator licences are granted for 5 years, unless circumstances dictate it should be granted for a lesser period.

### **4.4 Insurance**

4.4.1 As a private hire operator you may be required to obtain 'public liability' insurance and / or 'employee' liability insurance. You should seek advice from the Authority as to whether you do require such insurance.

### **4.5 Criminal Check**

4.5.1 An operator requires an annual basic check if not already an authorised driver with the council.

4.5.2 The operator must ensure all staff, paid and unpaid, who have access to booking and despatch records are subject to a 'Basic' Criminal Records Check, conducted by the Disclosure Barring Service.

4.5.3 Such checks will need to be carried before initial employment commences and then every year after for both operators and staff.

4.5.4 For existing staff already in employment at the time this policy came into effect, checks will need to be carried out within 3-months of commencement of this policy and then every three years thereafter.

### **4.6 Operators Policies**

4.6.1 Operators are required by virtue of the Private Hire Operator Licence conditions to adopt, implement, review and update as is necessary the policies as outlined in section 11 of the above conditions.

### **4.7 CSE & Licensing Training**

4.7.1 All base / office staff will be required to attend the Council's CSE and Licensing Training Course.

## **4.8 Data Protection**

4.8.1 Operators must ensure that they are registered with the Office of the Information Commissioner for the provision of handling and storing customers data. Furthermore, operators must ensure that customers personal data, i.e. phone numbers are not accessible or are shared with individual drivers without the express consent of the hirer.

# **5. Enforcement**

## **5.1 Authorised Officers**

5.1.1 'Authorised Officers' are officers appointed by the Council to fulfil duties and carry out licensing functions on its behalf.

5.1.2 The 1976 Act defines an "authorised officer" as "an officer of a district council authorised in writing by the Council for the purposes of this Part of the Act". Authorised Officers have the right to do the following: -

- require drivers to produce licences, insurance certificates and other documents;
- require operators to produce records;
- to remove plates and discs from vehicles;
- to inspect and test vehicles.
- suspend vehicles from use;
- suspend or revoke a drivers licence.

5.1.3 Obstruction of authorised officers is a criminal offence.

5.1.4 The Council employs Licensing Officers who have the authority to exercise the powers set out in the 1847 and 1976 Acts.

## **5.2 Complaints**

5.2.1 Should a complaint be received about a driver, operator or vehicle proprietor it will be investigated fully. Ideally complaints should be put in writing and emailed to [licensing@oldham.gov.uk](mailto:licensing@oldham.gov.uk)

## **5.3 Enforcement**

5.3.1 Many rules and regulations apply to taxi licensing and a system of enforcement exists to oversee the process.

5.3.2 If a criminal offence is committed prosecutions may be brought by either the Council or the Police.

## **6. Offences**

### **6.1 Criminal Offences**

- 6.1.1 There are several specific offences that apply to the hackney carriage and private hire trades. The 1847 Act and Byelaws made under it together with the 1976 Act all have offences contained in them and are the ones to be aware of. Copies of the above-mentioned Acts are available on request or can be downloaded from our website. Copies of the offences can be viewed at Appendix F
- 6.1.2 In addition, all those concerned with the private hire and hackney carriage trades should make themselves aware of the relevant provisions of the Road Traffic Act 1988 e.g. speeding, traffic signs, insurance and defective vehicles.

### **6.2 Driving Whilst Unlicensed**

- 6.2.1 It is very important to note that offences can be committed by the driving of a Hackney Carriage or Private Hire Vehicle by un-licensed drivers.
- 6.2.2 Hackney Carriage and Private Hire Vehicles remain licensed at all times they have a licence in force and cannot be driven otherwise than by the appropriate driver. This extends to any unlicensed driver including members of the family of the licensed driver.
- 6.2.3 Contravention of this rule may also result in the offence of driving whilst un-insured (an/or permitting another to drive while uninsured).

### **6.3 Rights of Appeal**

- 6.3.1 Any person aggrieved by a requirement, refusal, or other decision of a decision of the Council, including authorised officers, may appeal to the Magistrates' Court.
- 6.3.2 The 1976 Act makes special provisions relation to rights of appeal. Certain decisions in relation to applications being refused etc are suspended until the 21-day appeal period has expired and if an appeal is lodged until such appeal is disposed of. On public safety grounds certain decisions may take immediate effect. There are also further rights of appeal to the Crown Court under the Public Health Act 1936.

## **7. Delegated Powers**

### **7.1 Delegation Scheme**

- 7.1.1 The Council cannot take all decisions directly or through its Committees. An Executive Director is authorised to take all action on behalf of the Council that are not specifically reserved to the Council or a Committee. The Executive Director can then further delegate functions to Officers who carry out the daily tasks and actions under that authority.

## **8. Fares**

### **8.1 General**

- 8.1.1 The Council is not able to set the fares for private hire vehicles; this is a matter for the operator of the firm the vehicle works from.
- 8.1.2 In relation to hackney carriage vehicles, the 'Hackney carriage Table of Fares' is set by the Council and are a maximum fare that can be charged by hackney carriage drivers, which can be negotiated downwards, by the hirer, for journeys within the Borough.

## **9. Fees**

### **9.1 Fees**

9.1.1 The Council is entitled to charge fees in respect of the various licences it administers, and legislation provides that the fees charged to applicants should cover the cost of application and administration; and in relation to vehicles this extends to inspection, creation / maintenance of hackney stands, administration and enforcement and training.

Licences surrendered prior to their expiry shall not be eligible for a refund of the unexpired portion of the licence.

9.1.2 Fees are reviewed annually in accordance with Council policy and GM Licensing fees model.

## **10. Hackney Carriage Stands**

### **10.1 Taxi Ranks**

10.1.1 The purpose of hackney carriage stands (taxi ranks) is to provide the public with a set location at which they can hire a licensed hackney carriage. Only Hackney Carriages licensed by Oldham Council can stand on a taxi rank or stand as they are sometimes referred to. A list of ranks is available on our web page.

10.1.2 There is an obligation on drivers when plying for hire in any street and not actually hired to proceed to one of the ranks designated under the 1976 Act. The 1847 Act defines a street as extending to any “road, square, court, alley and thoroughfare, or public passage”. Land will only be a street if the public have a right to be there.

## **11. Public Registers**

### **11.1 Registers**

11.1.1 The Council is required by the 1847 Act to maintain a register of licences it issues. These and other information can be viewed on our web page.

**Appendix A**

**Private Hire Vehicle Conditions**

## Appendix B

### Hackney Carriage Vehicle Conditions

## Appendix C

### Private Hire Drivers Licence Conditions

The licensee shall at all times comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 and the conditions hereinafter provided.

#### Definitions

In this licence:

"the Act" means the Local Government (Miscellaneous Provisions) Act 1976.

"the Council" means Oldham Council

"the Operator" means a person holding a licence to operate private hire vehicles issued pursuant to Section 55 of the Act.

"private hire vehicle" has the same meaning as in Section 80 of the Act.

"the proprietor" has the same meaning as in Section 80 of the Act.

"the meter" means any device for calculating the fare to be charged in respect of any journey in a private hire vehicle by reference to the distance travelled or time elapsed since the start of the journey or a combination of both.

"authorised officer" has the same meaning as in section 80 of the Act.

"licensee" means the person who holds the private hire drivers' licence.

"hirer" means the customer that has made the booking, who could also be the passenger

"passenger" means the person(s) travelling in the booked vehicle. For the avoidance of doubt, all children (including babies) count as individual passengers.

'Sexual Activity' includes but not limited to touching, kissing, inappropriate comments or conversation or propositioning.

"Owner" means a person to whom any lost property belongs to

"Drivers badge" has the same meaning as in Section 80 of the Act.

Words importing the masculine gender such as "he" and "him" shall include the feminine gender and be construed accordingly.

Where any condition below requires the Licensee to communicate with the Council, all communication must be to the Council's Licensing Department unless otherwise stated. Reference to the Council's email address means the email address of the Council's Licensing Department.



## **1. Licence Administration**

- 1.1 The licensee shall notify the Council in writing of any change of their address and contact details during the period of the licence within 7 days of such change taking place.
- 1.2 The licensee shall notify the Council in writing within 7 days of commencing work with a private hire operator.
- 1.3 The licensee shall notify the Council in writing within 7 days of any subsequent change of operator.
- 1.4 The licensee shall provide a copy of his private hire driver's licence with the Operator through which the Private Hire Vehicle is being used.
- 1.5 The licensee shall ensure that relevant documentation (including DBS certificate/status, Medical Certificate, and right to work documentation) required by the Council to assess their fit and proper status, is kept up to date and remains 'valid' in line with the Council's policies.
- 1.6 For the duration of the licence, the licensee shall attend (as required) and pay the reasonable administration charge or fee attached to any requirement for training or to produce a relevant certificate (i.e. new medical certificate), assessment, validation check or other administration process.
- 1.7 The licensee will register and remain registered with the DBS Update Service to enable the Council to undertake regular checks of the DBS certificate status as necessary.

## **2. Convictions and Suitability Matters**

- 2.1 The licensee shall notify the Council immediately in writing (or in any case within 24 hours) if they are subject to any of the following;

- arrest or criminal investigation,
- summons,
- charge,
- conviction,
- formal/simple caution,
- fixed penalty or speed awareness course,
- criminal court order,
- criminal behaviour order or anti-social behaviour injunction,
- domestic violence related order,
- warning or bind over
- any matter of restorative justice

And shall provide such further information about the circumstances as the council may require.

### **3. Notification of Medical Conditions**

- 3.1 The licensee shall notify the council of any newly diagnosed or change to a current medical condition which may restrict their entitlement to a driver's licence requiring a DVSA Group 2 medical standard. Notification must be sent to the Council's email address immediately (or in any case within 48 hours) of the relevant diagnosis or change to medical condition.
- 3.2 The licensee shall at any time (or at such intervals as the council may reasonably require) produce a certificate in the form prescribed by the council signed by an appropriate Doctor/Consultant who has access to the driver's full medical records to the effect that he/she is or continues to be fit to be a driver of a private hire vehicle.

### **4. Driver Badge**

- 4.1 The licensee shall at all times when driving a private hire vehicle wear the driver's badge issued to them by the Council so that it is plainly and distinctly visible and show it to any passenger(s) if requested.
- 4.2 The badge shall be returned to the council immediately upon request by an Authorised Officer (i.e. the licence is suspended, revoked or becomes invalid for any reason).
- 4.3 The licensee must wear any lanyard, clip or hold issues to them by the Council.

### **5. Driver Conduct and Dealing with Passengers**

- 5.1 The licensee shall behave and drive in a civil, professional and responsible manner to passengers, other road users, members of the public, Council officers and other agencies.
- 5.2 The licensee shall comply with any reasonable request made by an Authorised Officer, Testing Mechanic or Police Officer. The licensee will also comply with any reasonable request of the passenger regarding their comfort during the journey (e.g. heating/ventilation)
- 5.3 The licensee shall, unless delayed or prevented by some sufficient cause, punctually attend with the private hire vehicle at the appointed time and place as required by the operator booking or as instructed by an Authorised Officer.
- 5.4 The licensee shall stop or park the private hire vehicle considerately and legally (not in contravention of any road traffic orders) and shall switch off engine if required to wait (no idling).
- 5.5 The licensee shall not use the vehicle's horn to attract customer attention. The horn must only be used in an emergency.
- 5.6 The licensee shall comply with the Council's Licensed Drivers Dress Code.
- 5.7 The licensee shall provide reasonable assistance to passengers as required by the hirer (e.g. mobility assistance and loading/unloading luggage). The licensee shall not provide mobility assistance to passengers by physically touching without consent to do so.
- 5.8 The licensee shall ensure that luggage (including shopping and other large objects) are safely and properly secured in the vehicle.
- 5.9 The licensee and passengers are not permitted to smoke in the vehicle. The licensee also must not;
  - a) vape or use an e-cigarette in the vehicle
  - b) drink or eat whilst driving

- c) use any hand held device whilst driving or allow themselves to be distracted in any other way
  - d) display any moving images or have any form of visual display screen fitted to the licensed vehicle other than satellite navigation
  - e) conduct lengthy telephone conversations whilst driving passengers
  - f) play a radio or sound reproducing instrument or equipment in the vehicle (other than for communicating with the operator) without the express permission of the passenger(s)
  - g) cause or permit the noise emitted from any radio or sound reproducing instrument or equipment in the private hire vehicle to cause nuisance or annoyance to any person
- 5.10 The licensee when hire shall, (subject to any directions given by the passenger), take the shortest route bearing in mind likely traffic problems and known diversions and explain to the passenger any diversion from the most direct route. Alternative routes must be discussed with the passengers before being taken.
  - 5.11 The licensee shall at all times when a vehicle is hired take all reasonable steps to ensure the safety of the passengers within, entering or alighting from the vehicle.
  - 5.12 The licensee shall report immediately to the operator any incident of concern including accidents where hurt or distress has been caused, customer disputes or passenger conduct concerns.
  - 5.13 The licensee shall be vigilant regarding vulnerable passengers and safeguarding concerns when carrying out his duties and shall report any concerns immediately or in any event within 24 hours in accordance with council guidance.
  - 5.14 The licensee shall report (on the conclusion of the booking to the operator any complaints a passenger/member of the public has made to the licensee regarding their conduct or the conduct of other personnel/drivers.
  - 5.15 The licensee shall not engage in any sexual activity in a licensed vehicle, even if consensual.
  - 5.16 The licensee shall not, except with the express consent of the hirer/passenger or approved ride share journey, carry any person (other than the hirer/passenger) in the private hire vehicle.
  - 5.17 The licensee shall not carry a greater number of passengers than is prescribed on the vehicle licence and shall not allow any unaccompanied child to be carried in the front seat of the vehicle.
  - 5.18 The licensee will ensure that the vehicle is clean for passengers and the plate clearly visible at all times he is on control of the vehicle.
  - 5.19 The licensee will ensure that he is aware of all the workings and mechanics of the vehicles before undertaking bookings.
  - 5.19 The licensee will ensure that he is aware of all the workings and mechanics of the vehicles before undertaking bookings.
  - 5.20 The licensee shall report any accidents involving a licensed vehicle they are driving within 72 hours to the Licensing Department and must comply with any request thereafter by an Authorised Officer.
  - 5.21 The licensee shall ensure that a daily vehicle check log has been completed (either by himself or the vehicle proprietor) at the beginning of each shift. The check to be carried out are as follows:

- lights and indicators
- tyre condition, pressures and tread
- Wipers, washers and washer fluid levels
- Cleanliness inside and out
- Bodywork – no dents or sharp edges
- Licence plates present and fixed in accordance with these conditions
- Any internal discs on display and facing inwards so customers can see
- Door and bonnet stickers on display
- Tariff sheet on display
- Horn in working order

The licensee shall ensure a record of the above information is kept in the vehicle at all times and will ensure the information is available to an Authorised Officer or Police Officer upon request.

## **6. Assistance Dogs**

- 6.1 The licensee shall carry a disabled passenger's assistance dog with the passenger. The licensee will follow the advice of the passenger as to the exact position and location for the assistance dog to travel, to best suit their needs.
- 6.2 Where the licensee has been granted a medical exemption so as to exempt them from any requirement under the Equality Act 2010; the notice of the exemption must be displayed in the vehicle so that it is visible by fixing it in an easily accessible place (for example on the dashboard) or as prescribed by the Council.
- 6.3 The licensee must notify their operator of any medical exemption they hold in relation to the requirements under the Equality Act 2010.

## **7. Fares**

- 7.1 If the vehicle is fitted with a meter the licensee shall ensure it is always visible. The licensee shall ensure it is not cancelled or concealed until the passenger has paid the fare.
- 7.2 The licensee shall ensure a copy of the current fare table is always displayed and visible in the vehicle.
- 7.3 The licensee shall not demand from any passenger a fare in excess of that previously agreed, displayed on a fare card, or if the vehicle is fitted with a meter the fare shown on the face of the taximeter.
- 7.4 The licensee shall, if requested by the passenger, provide a written receipt for the fare paid.

## **8. Conduct relating to illegally plying or standing for hire**

- 8.1 The licensee shall ensure that the passenger(s) entering the vehicle is/are the correct person(s) for whom the vehicle has been pre-booked.
- 8.2 The licensee must take precautions against behaviour that may be deemed to be standing or plying for hire, by not plotting or waiting without a booking:

- a) in high footfall /high visible locations
- b) outside busy venues/businesses or in close proximity to events
- c) at the front or back of designated hackney ranks
- d) in groups or lines that present as a 'rank'
- e) in contravention of road traffic orders

8.3 The licensee shall not while driving or in charge of a private hire vehicle:

- (a) Tout or solicit any person to hire or be carried for hire in any private hire vehicle.
- (b) Cause or allow any other person to tout or solicit any person to hire or be carried for hire in any private hire vehicle.
- (c) Offer any Private Hire vehicle for immediate public hire (whether the journey was undertaken or not)
- (d) Accept, or consider accepting, an offer for the immediate hire of that vehicle, including any such hire that is then communicated to the Operator to be recorded on the Operator's booking system. For the avoidance of doubt, bookings can only be undertaken when first communicated to the licensee by the operator.

## **9. Responsibility for lost property**

- 9.1 The driver must immediately after the end of every hiring or as soon as is practical thereafter, search the vehicle for any property which may have been accidentally left there.
- 9.2 If any property accidentally left in a private hire vehicle is found by or handed to the licensee then all reasonable steps must be taken to return the property to its rightful owner. If the property cannot be returned to the owner, then the property should be reported to the operator through whom the passenger booked the vehicle at the earliest opportunity and handed to the Operator as soon as is practical and in any case within 24 hours of the property being found.

## **Appendix D**

### **Private Hire Operator Conditions**

**The Operator shall at all times comply with the provisions of Part II of the local Government (Miscellaneous Provisions) Act 1976 and the conditions hereinafter provided.**

#### **Definitions**

For a legal definition of these terms, see the Local Government (Miscellaneous Provisions) Act 1976. You can get a copy online.

"Authorised Officer" any Officer of the Council authorised in writing for the purposes of the Local Government (Miscellaneous Provisions) Act 1976

"The Council" means Oldham Council

"The Operator / PHO" a person who makes provisions for the invitation and acceptance of bookings/hiring for a Private Hire Vehicle.

"The Private Hire Vehicle" a motor vehicle constructed 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 purpose of carrying passengers

"District" means the area within the Licensing Authority boundary

Words importing the masculine or feminine gender such as 'his' and 'her' shall include a company and be construed accordingly.

Reference to the Council's email address means the email address for the Council's Licensing Department.

Where any condition below requires the Licensee to communicate with the Council, unless otherwise stipulated, all communication must be to the Council's Licensing Department.

#### **1. Premises & Equipment**

- 1.1 The Operator shall obtain any necessary planning permission required for his/her premises and shall comply with any conditions imposed.
- 1.2 The Operator shall provide adequate communication facilities and staff to provide an efficient service to the public using the operator's facilities.
- 1.3 The Operator's premises shall be kept clean and tidy, and adequately heated, ventilated and lit.
- 1.4 The Operator shall ensure that any waiting area for the use of prospective hirers shall be provided with adequate and comfortable seating.
- 1.5 The Operator's radio/electrical equipment where installed shall be regularly maintained in good working condition and any defects shall be repaired promptly.
- 1.6 The Operator shall at no time cause or permit any audio equipment to be a source of nuisance, annoyance or interference to any other person. In addition, all reasonable precautions are to be taken to ensure that activities within the Operator's office and from licensed vehicles do not create a nuisance to others.

- 1.7 The Operator shall obtain and maintain in force at all times a public liability insurance policy in respect of his/her premises and produce the same to an Authorised Officer or Constable on request.
- 1.8 The Operator must display the following at all times, at any premises that the general public have access to and/or on online booking sites and applications:
- a) A copy of the current Operator licence
  - b) A schedule of fares
  - c) A notice which provides information on how to complain to the Licensing Authority including email and phone number
  - d) A copy of the public liability insurance policy certificate

The above shall be displayed in a prominent position within the relevant premises where it can be easily read; or clearly marked on the relevant online site/app where it can be easily accessed.

- 2.9 If the Operator has a website and/or uses Application based technology to attract bookings, the notices listed at 2.8 above must also be available to view on the relevant web pages or application menu.
- 2.10 The Operator shall not allow their Licensed Operator Premises to be used to conduct business relating to licensees of other non-Greater Manchester local authorities.

## **2. Booking Fares**

- 2.1 When accepting the hiring, the Operator shall, unless prevented by some sufficient cause, ensure that a licensed private hire vehicle attends at the appointed time and place.
- 2.2 When accepting the hiring, the Operator shall, if requested by the person making the booking, specify the fare or the rate of the fare for the journey to be undertaken and, in every case, the Operator shall immediately enter all the details of the hiring legibly as required, by Condition 3.3.
- 2.3 The records of hiring accepted by the Operator as required under Section 56 of the Local Government (Miscellaneous Provisions) Act 1976, shall contain the following detail:
- Time and date booking received (using 24-hour clock)
  - Name and contact details (phone number or address) of person making the booking
  - How the booking was made e.g., Telephone/Online etc
  - Time and detailed pick up location
  - Specific destination (the use of the term 'as directed' or similar term should only be used exceptionally).
  - ID of dispatched driver (i.e., name and call sign)
  - ID of dispatched vehicle (Licence/fleet number)
  - ID of person taking booking (excludes electronic bookings)
  - Any special requirements e.g. wheelchair accessible or disability assistance
  - Details of any subcontracting to or from another PHO (Inc. any other Operator owned by the Operator subject to these conditions)
  - Any fare quoted at time of booking, if requested by the person making the booking.
- 2.4 The Operator shall not allow drivers to pass a booking on to the Operator on the passenger's behalf and will take all reasonable steps to ensure their drivers are aware that such practice is illegal.
- 2.5 Where a booking is sub-contracted the customer must be so advised and informed as to the sub-contracted Operator who will be undertaking the booking.

- 2.6 If a non – Oldham Council licensed driver and vehicle are being dispatched to fulfil the booking, the Operator must communicate the following message to the person making the booking (whether via telephone, automated booking or booking App) before the booking is made (allowing the requester the opportunity to confirm the booking or not):

*The driver and vehicle you are about to book are not licensed by (Oldham Council) to their standards and Oldham Council) Council are not empowered to take licensing action in the event of a complaint. Your driver and vehicles are licensed by {insert name of Council} and customers will have to deal with that authority in the event of a complaint.*

- 2.7 The despatch, by an Operator, of a passenger carrying vehicle (PCV) and the use of a public service vehicle (PSV), such as a minibus, is not permitted without the express consent of the hirer.
- 2.8 Where the hirer is being given the option of one of the above mentioned vehicles being despatched, they should be notified that the driver is subject to different checks than a private hire driver and are not required to have an enhanced DBS check.
- 2.9 The Operator must advise the authority of the booking system it uses and advise in writing when the booking system is changed. The operator must demonstrate the operation of the system to an authorised officer upon request. Only the confirmed booking system (whether that be an electronic or manual system) can be used to record journeys taken for and carried out by vehicles licensed by Oldham Council (or a Public Services Vehicle, operating under a licence from the Vehicle and Operator Services Agency).

### **3. Record Keeping & Responsibility**

- 3.1 The Operator must keep detailed, up to date, records of every driver and vehicle operated by him (whether licensed as private hire or hackney carriage) and no matter which Council licensed the driver/vehicle. The records must include:
- a) Name and home address of the driver
  - b) The dates the driver commenced fulfilling bookings from the PHO and the date the driver ceased taking bookings from the PHO (where applicable).
  - c) A copy of the driver's current private hire or hackney carriage driver licence including the expiry date of that licence and that Licensing Authority that issued it.
  - d) Name and home address of the proprietor of every vehicle
  - e) A copy of the current vehicle licence including expiry date, the licensing authority that issued it.
  - f) The date the vehicle was first used by the PHO to fulfil bookings and the date the PHO ceased using the vehicle to fulfil bookings (where applicable)
  - g) The vehicle registration number
  - h) A list of unique radio/call sign allocated to the driver and vehicle
  - i) A copy of the valid insurance in place for the driver and vehicle



- 3.2 The Operator must ensure that booking records are:
- a) Kept electronically
  - b) Are available for immediate inspection by an Authorised Officer or Police Officer
  - c) Able to be printed onto paper or downloaded in an electronic format
  - d) Continuous and chronological
  - e) Not capable of retrospective alteration or amendment
  - f) Kept as one set of records. Cash and credit account bookings can be separately identified but must not be in separate sets of records. The name of the person compiling the records must be detailed on the records.
  - g) Are clear, intelligible, kept in English and retained for a minimum of 12 months from the date of the last entry or for such other period as required by an Authorised Officer.
- 3.3 The Operator must retain records for a minimum period of 12 months and make available any GPS data and any voice recording system for inspection upon request by an Authorised Officer or Police Officer.
- 3.4 The Operator must implement a robust system to ensure that drivers and/or vehicles do not operate when their licence or insurance has expired. This must be documented and approved by an Authorised Officer.
- 3.5 The Operator must conduct a check of the Council's public register (where it exists) when contracting a driver to carry out bookings.
- 3.6 The Operator must take all reasonable steps to ensure that its drivers and vehicles, when plotting or waiting without bookings around the district, do not do so:
- a) in high footfall / high visible locations
  - b) outside busy venues/businesses or in close proximity to large events
  - c) at the front or back of designated hackney ranks
  - d) in groups or lines that present as a 'rank'
  - e) in contravention of road traffic orders

Operators will upon request by an Authorised Officer or Police Officer demonstrate how they monitor and control this behaviour.

- 3.7 The Operator must have an approved process in place to ensure that the individual carrying out a booking is the licensed driver they have contracted for this purpose.
- 3.8 The Operator will ensure registration with the Information Commissioner's Office for Data Controller, CCTV and other relevant purposes. Where the Operator is exempt from registration with the Information Commissioner's Office, they will notify the Council within 7 days of the commencement of these conditions.
- 3.9 Where the Operator agrees sub-contracting arrangements with other non-*(insert name of Council)* licensed Operators, it must have due regard for the comparative licensing policies and standards of the relevant licensing authority their partner Operator is subject to, and take steps not to undermine the Council's licensing standards which have been set in the interests of promoting high levels of public safety.

#### **4. Complaints**

- 4.1 The Operator must notify the Council immediately by email (or in any case within 24 hours) of receiving or otherwise becoming aware of any complaint/allegation, police enquiries, or notification of convictions involving any driver that is registered to carry out bookings for the operator, which relates to matters of a sexual nature, violence/threats of violence or substance misuse.

The Operator must notify the Council within 72 hours of any complaint/allegation, police enquiries, or notification of convictions involving any driver that is registered to carry out bookings for the operator, which relates to matters involving dishonesty or equality.

The Operator is required to provide at the time of notification to the council the identity of the driver involved and the nature of the complaint/enquiry including the complainant's details. This notification to the Council must take place regardless of whether the Operator ceases any contractual arrangement with the driver.

- 4.2 The Operator must record every complaint received against its service (against any driver operated by him, including those licensed by other authorities carrying out a sub-contracted booking on the Operator's behalf) and, if unable to resolve the complaint within 7 days (from the date of the complaint) the Operator must provide the complainant with the relevant Licensing Authority contact details within 10 days (from the date of complaint).
- 4.3 Where a complaint not covered by section 5.1 above is received against a driver and it remains unresolved after 7 days (from the date of complaint), the operator must notify the Council within 10 days (from the date of complaint). The Operator is required to provide at the time of notification, the identity of the driver involved, the nature of the complaint/enquiry including the complainant's details.
- 4.4 The Operator must keep all complaint records for at least 12 months (including against drivers carrying out sub-contracted bookings) and ensure these records are available for inspection at any time an authorised officer may request to review them.

#### **5. Convictions and Staff Vetting**

- 5.1 The licensee shall notify the Council immediately in writing (or in any case within 24 hours) if they are subject to any of the following:
- arrest or criminal investigation,
  - summons,
  - charge,
  - conviction,
  - formal/simple caution,
  - fixed penalty,
  - criminal court order,
  - criminal behaviour order or anti-social behaviour injunction,
  - domestic violence related order,
  - warning or bind over
  - any matter of restorative justice

and shall provide such further information about the circumstances as the Council may require.

5.2 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:

- Full Name
- Address
- Date of Birth
- Contact details (phone and email)
- DBS issue date and certificate number
- Start and finish dates of employment
- Job Title

5.3 The Operator must ensure that all individuals (non-drivers) working in any capacity and 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.

5.4 The Operator must ensure that DBS checks are carried out for all existing relevant staff (as per condition 6.3) within one month of the commencement of these conditions.

5.5 The employee should be registered with the DBS Update Service to enable the Operator to conduct regular checks (six monthly as a minimum) of the individual's DBS status.

5.6 The Operator must have a policy compatible with the Council's suitability policy or adopt the Council's suitability policy and implement this policy in relation to the recruitment of all staff (paid or unpaid) and the recruitment of ex-offenders. This must be produced upon request.

5.7 The Operator must be able to evidence that they have had sight of a basic DBS by maintaining a register. The register should be a 'living document' that maintains records of all those in those employed for at least 12 months, being the duration of how long booking records are to be kept and allows cross referencing between the two records. A record that the operator has had sight of a basic DBS check certificate (although the certificate itself should not be retained) should be retained for the duration that the individual remains on the register. Should an employee cease to be on the register and later re-entered, a new basic DBS certificate should be requested and sight of this recorded.

5.8 Operators may outsource booking and dispatch functions, but they cannot pass on the obligation to protect children and vulnerable adults. Operators should be required to evidence that comparable protections are applied by the company to which they outsource these functions.

## **6. Advertisements**

6.1 The Operator shall not cause or permit to be displayed in, on or from his/her premises or to be published in relation to the Operator's business any sign, notice or advertisement which consists of or includes the words "Taxi" whether in the singular or plural or the words "For Hire" or any other word or words of similar meaning or appearance whether alone or as part of another word or phrase or any other word or words likely to cause a person to believe that any vehicle operated by him/her is a hackney carriage.

6.2 All advertisements by the Operator should first be approved by the Council to ensure they comply with conditions and do not breach the Codes of Practice of the Advertising Standards Authority or those of the Portman Group relating to alcohol advertising.

6.3 The Operator must not dispatch any vehicle that has been licensed by another Authority, which uses, displays or exhibits any literature, documentation, advertising or which displays any signage associated to the Private Hire Operator or the Council which suggests, indicates, misleads or might lead to a misunderstanding that the vehicle is licensed by this Council.

## **7. Notifications and Licence Administration**

7.1 For the duration of the licence, the licensee shall pay the reasonable administration charge or fee attached to any requirement to attend training, or produce a relevant certificate, assessment, validation check or other administration or notification process.

7.2 The Licensee shall notify the Council in writing within 14 days of any transfer of ownership of the vehicle. The notice will include the name, address and contact details of the new owner.

7.3 The Licensee shall give notice in writing to the Council of any change of his address or contact details (including email address) during the period of the licence within 7 days of such change taking place.

## **8. Duty to Co-Operate**

8.1 The Operator and his/her staff shall co-operate fully with any Local Authority Authorised Officer or Police Officer in respect of any enquiries or investigations carried out relating to drivers or vehicles currently connected to the business or formerly connected to the business.

8.2 The operator will provide the Council with details of appropriate members of staff (whether at the base or via telephone) to be contactable during the times of operation (day or night) in relation to compliance/enforcement related matters. Where the aforementioned contact details change, the Operator shall inform the Council of the new contact details within 24 hours.

8.3 The Operator shall grant access to the licensed premises to any Local Authority Authorised Officer or Police Officer upon request.

## **9 Lost Property**

9.1 Any lost property held by the Operator must be stored securely by him for 6 months after it was found.

## **10 Operator Policies**

10.1 Operators are required to adopt, implement, review, update as is necessary and submit to the Council the following policies:

- Safeguarding Policy
- Customer Service and Complaints Policy which includes conduct of drivers and the timeframe for responding to complaints
- Equality Policy (Equality Act 2010) including disability awareness and the carrying of assistance animals.
- Data Protection Policy

- Recruitment / Suitability Policy

## **11 Training**

- 11.1 Operators should ensure that they have attended any licensing training required by the Council within one month of a licence being granted or as otherwise directed by the Council.
- 11.2 The Operator must ensure that training is provided to relevant staff (paid or unpaid) on licensing law, Licensing policy, the policies listed at paragraph 11.1 and how and when to accept bookings. This training must be undertaken within one month of the commencement of these conditions or employment and thereafter, at least every two years. The Operator must keep a record of the aforementioned training which has been signed by the operator and the member of staff.

## Hackney carriage Bylaws

Byelaws made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875, by the Council of Oldham Metropolitan Borough with respect to hackney carriages in Oldham.

### Interpretation

1. Throughout these byelaws “the Council” means Oldham Metropolitan Borough Council and “the district” means Metropolitan Borough of Oldham.

### Provisions Regulating the Manner in which the Number of each Hackney Carriage corresponding with the Number of its Licence, shall be Displayed

(a) The proprietor of hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto.

(b) A proprietor or driver of a hackney carriage shall: -

(i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire; and

(ii) not cause or permit the carriage to stand or ply for hire with any such painting marking or plate so defaced that any figure or material particular is illegible;

### Provisions regulating how Hackney Carriages are to be furnished or provided

2. The proprietor of a hackney carriage shall: -

a) provide sufficient means by which any person in the carriage may communicate with the driver;

b) cause the roof or covering to be kept watertight;

c) provide any necessary windows and a means of opening and closing not less than one window on each side;

d) cause the seats to be properly cushioned or covered;

e) cause the floor to be provided with a proper carpet, mat or other suitable covering;

f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;

g) provide means for securing luggage if the carriage is so constructed as to carry luggage; provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use; and

h) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.

3. The Proprietor of a Hackney Carriage shall cause the same to be Provided with a Taximeter so constructed, attached and maintained as to comply with the following requirements, that is to: -

a) the taximeter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taximeter into action and cause the word “HIRED” to appear on the face of the taximeter;

b) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on then face of the taximeter; when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures, a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by time as well as for distance in pursuance of the tariff fixed by the Council;

c) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;

d) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and

e) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

**Provisions Regulating the Conduct of the Proprietors and Drivers of Hackney Carriages plying within the District in their Several Employments and Determining whether such Drivers shall wear any and what Badges**

4. The driver of a hackney carriage provided with a taximeter shall: -

a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;

b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device 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; and

c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half-an-hour after sunset and half-an-hour before sunrise and also at any other time at the request of the hirer.

5. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.

6. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired: -

a) proceed with reasonable speed to one of the stands appointed by the Council;

b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;

c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and

d) from time to time, when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.

7. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.

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

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

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

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

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

h) convey a reasonable quantity of luggage;

i) b) afford reasonable assistance in loading and unloading; and

c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.

#### **Provisions Fixing the Rates or Fares to be paid for Hackney Carriages within the District and Securing the Due Publication of such Fares**

13. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council, the rate of fare being calculated by a combination of distance and time unless the hirer express at the commencement of the hiring his desire to engage by time.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance and time the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.

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

(b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

#### **Provisions Securing the Safe Custody and Re-delivery of any Property accidentally left in Hackney Carriages and Fixing the Charges to be made in respect thereof**

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

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

a) carry it as soon as possible and in any event within 48 hours if not sooner claimed by or on behalf of its owner, to a police station in the Borough and leave it in the custody of the officer in charge of the office on his giving a receipt for it; and

b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever be the greater) but not more than five pounds.



## **Penalties**

17. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction.

## **Repeal of Byelaws**

19. These byelaws revoke any byelaws previously made by Oldham Metropolitan Borough Council which are subsisting at the date of these byelaws and which relate to hackney carriages and their drivers.

**Dated 15th March 2004**

## Appendix F

### List of Offences

#### Hackney Carriage Offences – Town Police Clauses Act 1847

Offence
Giving False information on application for HC proprietors Licence
Failure to notify change of address of HC proprietor
Plying for hire without HC proprietors Licence
Driving a HC without HC drivers licence
Lending or parting with HC drivers licence
HC proprietor employing unlicensed driver
Failure by HC proprietor to hold HC drivers licence
Failure by HC proprietor to produce HC drivers licence
Failure to display HC plate
Refusal to take a fare
Charging more than the agreed fare
Obtaining more than the legal fare
Travelling less than the lawful distance for an agreed fare
Failing to wait after a deposit to wait has been paid
Charging more than the legal fare
Carrying other person than the hirer without consent
Driving HC without proprietors consent
Person allowing another to drive HC without proprietors consent
Drunken driving of HC
Wanton or furious driving or wilful misconduct leading to injury or danger
Driver leaving HC unattended
HC driver obstructing other HC's

#### Hackney Carriage Offences – Local Government (Miscellaneous Provisions) Act 1976

Offence
Failure to notify transfer of HC proprietors licence
Failure to present HC for inspection as required
Failure to inform local authority where HC is stored if requested
Failure to report an accident to local authority
Failure to produce HC proprietors licence and insurance certificate
Failure to produce HC drivers licence
Making false statement or withholding information to obtain HC drivers licence
Failure to return plate after notice given after expiry, revocation or suspension of HC proprietors licence
Failure to surrender drivers licence after suspension, revocation or refusal to renew
Permitting any vehicle other than HC to wait on a HC stand
Charging more than the meter fare for a journey ending outside the district, without prior agreement
Charging more than the meter fare when HC used as private hire vehicle
Unnecessarily prolonging a journey
Interfering with a taximeter
Obstruction of authorised officer or constable
Failure to comply with requirement of authorised officer or constable
Failure to give information or assistance to authorised officer or constable

#### Private Hire Offences – Local Government (Miscellaneous Provisions) Act 1976

<b>Offence</b>
Using an unlicensed PH vehicle
Driving a PH vehicle without a PH drivers licence
Proprietor of a PH vehicle using an unlicensed driver
Operating a PH vehicle without a PH operator's licence
Operating a vehicle as a PH vehicle when the vehicle is not licensed as a PH vehicle
Operating a PH vehicle when the driver is not licensed as a PH driver
Failure to display PH vehicle plate
Failure to notify transfer of PH vehicle licence
Failure to present PH vehicle for inspection as required
Failure to inform local authority where PH vehicle is stored if requested
Failure to report an accident to local authority
Failure to produce PH vehicle licence and insurance certificate
Failure to produce PH drivers licence
Failure to wear PH drivers badge
Failure by PH operator to keep records of bookings
Failure by PH operator to keep records of PH vehicles operated by him
Failure to produce PH operator's licence on request
Making false statement or withholding information to obtain PH drivers or operators licence
Failure to return plate after notice given after expiry, revocation or suspension of PH vehicle licence
Failure to surrender drivers licence after suspension, revocation or refusal to renew
Charging more than the meter fare when HC used as PH vehicle
Unnecessarily prolonging a journey
Interfering with a taximeter
Obstruction of authorised officer or constable
Failure to comply with requirement of authorised officer or constable
Failure to give information or assistance to authorised officer or constable



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Council