



Stockton-on-Tees
BOROUGH COUNCIL

Guidance And Information Relating To Private Hire & Hackney Carriage Driver & Vehicle Licensing

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Contents

How to apply for a Private Hire or Hackney Carriage Driving Licence	1
Knowledge Test Appointment	2
Private Hire Operators & Drivers – Right To Work in the UK	3
Documents to Establish Eligibility to Work in the UK	6
Relevance of Convictions, Cautions, Reprimands, Warnings & Complaints	9
What to expect at your Knowledge Test – Private Hire Drivers	15
What to expect at your Knowledge Test – Hackney Carriage Drivers	17
Guide to completing the CRB Disclosure Form	19
Code of Practice for CRB Disclosures	21
Conditions of a Private Hire Drivers Licence	23
Notes for Drivers of Hackney Carriage Vehicles	26
Byelaws with Respect to Hackney Carriages	29
Conditions of a Private Hire Vehicle Licence	33
Conditions of a Hackney Carriage Vehicle Licence	37
Hackney Carriage Table of Fares	40
Taxi Offences	41
Code of Conduct for Licensed Drivers	45
Driver Dress Code	47
Guidance For Applicants For Insulin Treated Diabetes	48
Disability Awareness Advice For Drivers	50
How to Apply for a Private Hire or Hackney Carriage Vehicle Licence	53
What happens at the Vehicle Test Inspection	54
Provision of First Aid Kits and Fire Extinguishers	55
Exceptionally Well Maintained Interior of Vehicles	57
Exceptionally Well Maintained Exterior of Vehicles	58
Advertising of Vehicles	59
Licensing Points System of Enforcement	60

How To Apply For A Private Hire Or Hackney Carriage Driving Licence

Before a Private Hire or Hackney Carriage Driving Licence Application can be submitted you must have first passed your Driving Standards Agency (DSA) "Taxi" Driving Test. For further information on how to book your DSA test please contact the DSA Helpline on 0300 200 1122 or visit the website at <http://www.dft.gov.uk/dsa>

The Statutory Declaration, Medical Form and CRB form should not be completed and signed earlier than 28 days before submission of the completed application form and DSA Pass certificate.

Incomplete application forms will be returned and this will delay your application.

The following must be submitted:

- a) Submit in person a fully completed Application Form, DSA "Taxis" Driving Test Pass Certificate and the appropriate fee.
- b) Produce a satisfactory medical certificate signed by your Doctor stating that you are fit to be a driver of a Private Hire/Hackney Carriage Vehicle.

Note: This should be your own GP or another GP in the same practice that has access to your medical records. (Holders of a HGV or PCV Licences need not submit a medical certificate providing they are able to provide proof of such licence).

- c) Produce documents to confirm that you have the right to work in the United Kingdom.
- d) Submit a completed Criminal Record Bureau (CRB) Disclosure form with supporting documents. The Criminal Record Check will be sent to the Criminal Record Bureau for them to process, which may take up to six weeks.
- e) Produce for examination a current driving licence issued under the Road Traffic Act 1972 bearing your present address. You must have held a driver's licence granted under Part III of the Road Traffic Act 1972, allowing you to drive a motor car for at least 12 months. (Note: this is not the date you passed your test)
- g) Submit four coloured passport sized photographs – full face, no hats, caps etc.
- h) Provide any other information required by the Council.
- i) Proof of payment must be submitted with your Application. Cheques should be made payable to "Stockton on Tees Borough Council"
- j) Applicants must submit their completed application form in person to the Customer Service Centre, Stockton Central Library, Church Road, Stockton on Tees.

Knowledge Test Appointment

Before your knowledge test appointment you will be expected to read these notes and have a working knowledge of them. Be familiar with the conditions attached to the Private Hire/Hackney Carriage Vehicle Driver's Licence as provided in these guidance notes.

At your knowledge test you will have to demonstrate a reasonable knowledge of the area covered by Stockton on Tees Borough Council. (i.e. Stockton, Thornaby, Yarm, Billingham, Eaglescliffe) and the ability to use a street atlas.

Hackney Carriage Driver applicants will need to demonstrate a thorough knowledge of byelaws, legislation, the ranks, the fare structure and main roads, public houses, clubs and places of interest and frequently used destinations.

If the date and time given are not convenient you must notify this Department giving a minimum of 48 hours notice of cancellation.

If you fail the knowledge test your application will be refused but you will be given the opportunity to resit the test.

It will be illegal for you to drive a Private Hire/Hackney Carriage without a licence and badge issued to you by Stockton on Tees Borough Council

On completion of a satisfactory knowledge test and payment of the licence fee your driver Licence and Badges will be processed. We will endeavour to have these ready for collection as soon as possible.

Your licence will be valid for either 12 months or 36 months. A courtesy letter will be sent approximately 30 days before the expiry date. However, it is your responsibility to ensure it is renewed before the expiry of your current licence.

Private Hire Operators, Private Hire And Hackney Carriage Drivers Right To Work In The UK

Introduction

The prevention of illegal migrant working in the UK is governed by sections 15 to 25 of the Immigration, Asylum and Nationality Act 2006.

The Government's Department of Transport (DfT) Best Practice Guidance in relation to Hackney Carriage and Private Hire Licensing makes reference to local authorities obtaining specific immigration status about applicants for driver licences, including the Right to Work (RTW) in the UK and/or details of work restrictions. It states that 'it is considered appropriate for licensing authorities to check on an applicant's RTW before granting a taxi or private hire drivers licence'.

The Council's Licensing Committee has recommended that applicants for private hire operator and private hire and hackney carriage driver licences should prove that they have a RTW in the UK before being considered for a licence.

Proof Of Right To Work In The UK

The Home Office, via the UK Border Agency, have compiled a list of documents, which prove that someone has the RTW in the UK. Documents will fall into either List A or List B and these are attached.

No licence will be granted until the applicant is able to prove they have a right work in the UK.

An applicant will need to provide;

One document from List A, these documents show an on-going RTW in the UK.

If they cannot produce a document from List A then relevant document(s) from List B must be produced. These documents show a RTW in the UK for up to twelve months.

These must be original copies. Photocopies, scanned documents and faxes for example are not acceptable.

Proof of RTW in the UK must be provided when application is made in respect of new applicants. In respect of renewal applicants proof should be provided on application also, but if proof cannot be provided at that time the Council will allow application to be made, but no licence will be granted until proof has been provided.

A copy of the relevant page(s) of the documents provided will be retained in a format which cannot subsequently be altered, for example a photocopy or a scanned document. In the case of a passport or other travel document, the following parts must be photocopied or scanned:-

The document's front cover and any page containing the holder's personal details. In particular any page will be copied that provides details of nationality, his or her photograph, date of birth, signature, date of expiry or biometric details, and any page containing UK Government endorsements indicating that the holder has an entitlement to be in the UK and is entitled to undertake the work in question.

Other documents will be copied in their entirety. Any documents will be kept securely for the duration of the licence and for a further two years after the expiry of the last licence if renewal is not sought. This is in line with legislation which requires employers to retain copies of documents relating to individuals they have employed.

If further verification is required this will be specified in a letter detailing the exact requirements.

The Fair Way To Check

It is illegal to discriminate on grounds of race, colour, ethnic or national origin, or nationality. No presumptions about a person's RTW in the UK will be made based on a person's background, appearance or accent. Each applicant will be required to comply with the RTW Policy and provide the necessary documentation.

Failure To Comply

An application for the first grant of a private hire operator or hackney carriage / private hire driver licence will not be accepted if the applicant fails to provide evidence of their RTW in the UK.

Any renewal applicant who fails to comply with the requirement to prove their RTW in the UK will be refused a private hire operator licence or private hire or hackney Carriage driver licence. The required documents have to be produced within four months of application being made.

If an applicant produces documentation from List B to prove their RTW in the UK then, upon expiry of this document, if it is in the term of the Private Hire or Hackney Carriage licence, they will be required to produce further documentation showing their ability to continue working.

A letter reminding the licence holder of the expiry of the document will be sent 2 months prior to the expiration date. Failure to produce evidence of RTW will lead to the revocation of their licence and/or badge with immediate effect. If the licence holder states the documentation has been applied for then the licence and/or badge would be suspended with immediate effect until the documentation is produced. The licence holder would be required to produce this within six months.

Reporting Of Illegal Workers To The Relevant Authorities

If the Council has any concerns that an applicant has been working in the UK illegally then this information will be reported to the Home Office, Border and Immigration Agency and UK Border Agency.

Need Further Information?

Further information about working in the UK, legislation and advice to employers can be found on the Home Office website;

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/preventingillegalworking>

Telephone: Licensing Enforcement (01642) 524802

Email: licensing.services@stockton.gov.uk

Documents To Establish Eligibility To Work In The UK

If the applicant can produce a satisfactory document from List A, eligibility to work in the UK will have been established and will not need to be checked again. If an application is made after a licence has expired then proof of a person's RTW in the UK will be required again.

List A

1. A current valid passport showing that the holder is a British citizen or a citizen of the United Kingdom and Colonies and contains the words 'the holder has the right of abode in the United Kingdom.'
2. A passport or national identity card showing that the holder is a national of a European Economic Area (EEA) country or Switzerland.
3. A residence permit or registration document certifying or indicating permanent residence issued by the Home Office or the UK Border Agency to the national of an EEA. For nationals of EEA countries, this document consists of a blue permit carrying a photograph and personal details of the holder. Swiss nationals receive a similar document in the form of a pink residence permit.
4. A permanent residence card issued by the Home Office or the UK Border agency to the family member of a national of an EEA country or Switzerland. When nationals from countries and Switzerland. When nationals from EEA or Switzerland reside in the UK their immediate family members from outside the UK, may gain the same rights to enter or remain here and work in the freely. However, the EEA national in question must be lawfully residing here in the UK for their family member to have and maintain these rights.
5. A Biometric Immigration Document issued by the UK Border Agency to the holder, which indicates that the person named in it is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK. Further information will be made available by the UK Border Agency when the Biometric Immigration Document is due to be issued.
6. A passport or other travel document endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK or has not time limit on their stay in the UK.
7. An immigration Status Document issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder with an endorsement indicating that the person name in it is allowed to stay indefinitely in the United Kingdom or has no time limit on their stay in the United Kingdom, when produced in combination with an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or previous employer.

8. A full birth certificate issued in the UK, Channel Island, the Isle of Man or Ireland which includes the name(s) of at least one of the holders parents, when produced in combination with an official document giving the persons permanent National Insurance Number and their name issued by a Government agency or previous employer.
9. A full adoption certificate issued in the UK, Channel Island, the Isle of Man or Ireland which includes the name(s) of at least one of the holders adoptive parents when produced in combination with an official document giving the persons permanent National Insurance Number and their name issued by a Government agency or previous employer.
10. A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the persons permanent National Insurance Number and their name issued by a Government agency or a previous employer.
11. A letter issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder which indicates that the person named in it is allowed to stay indefinitely in the United Kingdom when produced in combination with an office document giving the persons permanent National Insurance Number and their name issued by a Government agency or a previous employer.

If an applicant produces any document from List B then the document must be re-verified, at least every 12 months, to produce evidence of the eligibility to work in the UK.

List B

1. A passport or other travel document endorsed to show that the holder is allowed to stay in the United Kingdom and is allowed to do the type of work in question, provided that it does not require the issue of a work permit.
2. A Biometric Immigration Document, issued by the UK Border Agency to the holder which indicates that the person named in it can stay in the United Kingdom and is allowed to do the work in question.
3. A work permit or other approval to take employment issued by the Home Office, Border and Immigration Agency or the UK Border Agency, when produced in combination with either a passport or another travel document endorsed to show that the holder is allowed to stay in the United Kingdom and is allowed to do the work in question, or a letter issued by the Home Office, Border and Immigration Agency or the UK Border Agency to the holder, or the employer or prospective employer confirming the same.

4. A certificate of application issued by the Home Office, Border and Immigration Agency or the UK Border Agency to or for a family member of a national of an EEA country or Switzerland, stating that the holder is permitted to take employment, which is less than 6 months old, when produced in combination with evidence of verification by the UK Border Agency Employer Checking Service.
5. A residence card or document issued by the Home Office, Border and Immigration Agency or the UK Border Agency to a family member of a national of an EEA country or Switzerland.
6. An Application Registration Card (ARC) issued by the Home Office, Border and Immigration Agency or the UK Border Agency stating that the holder is permitted to take employment, when produced in combination with evidence of verification by the UK Border Agency Employer Checking Service.
7. An Immigration Status Document issued by the Home Office, Border and Immigration Agency or the UK Border Agency to the holder with an endorsement indicating that the person named in it can stay in the United Kingdom, and is allowed to do the work in question, when produced in combination with an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or previous employer (e.g. P45, P60, National Insurance Card).
8. A letter issued by the Home Office or the UK Border Agency to the holder or the employer or prospective employer, which indicates that the person named in it can stay in the United Kingdom and is allowed to do the work in question, when produced in combination with an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or previous employer (e.g. P45, P60, National Insurance Card).

Relevance Of Convictions Cautions, Reprimands, Warnings, Complaints And Character

Stockton on Tees Borough Council use the following guidelines to make fair and consistent decisions when considering criminal convictions, cautions, reprimands, warnings or complaints received which result in disciplinary action against Private Hire or Hackney Carriage Drivers and Operator Licence applicants, criminal convictions at the time of applications, renewal or on notification of conviction.

The Council may fail to be satisfied that an applicant is a fit and proper person to hold a drivers licence for any good reason. If adequate evidence that a person is a fit and proper person is not adduced or if there is good reason to question or doubt the evidence provided, then that could amount to good reason to refuse a licence.

These guidelines also apply to existing holders of such licences. It should be noted that the Council will consider it extremely serious when existing holders of licences receive criminal convictions, cautions, reprimands, or warnings or receive complaints which result in disciplinary action.

The issuing and holding of a licence is a privilege not a right and persons who hold a licence are expected to conduct themselves in a manner that does not bring their profession or the council into disrepute.

The overriding consideration is the safety of the public. The council has a duty to ensure so far as possible that those licensed do drive Hackney Carriage and Private Hire vehicles are suitable persons to do so, that they are safe drivers with good driving records and adequate experience, sober, courteous, mentally and physically fit, honest and not persons who would take advantage of their employment to abuse or assault passengers.

Existing holders of licences who commit criminal offences or receive complaints about their behaviour which result in disciplinary action may expect the council to consider revoking their licence.

The Council uses the Enhanced Disclosure service from the Criminal Records Bureau and will use the Independent Safeguarding Authority (ISA) Vetting and Barring Scheme, when appropriate, to determine the suitability of applicants for Hackney Carriage and private Hire Driver Licences.

The Council will comply fully with the Criminal Records Bureau Code of Practice and the requirements of the Data Protection Act. Disclosure information will be used fairly, stored securely and only be handled by authorised persons. Please see guidance leaflet on "Handling, Storage and use of Disclose Information Received from the Criminal Records Bureau" for further information.

For the purpose of the guidelines formal cautions, endorsable fixed penalties and public order fixed penalties shall be treated as though they were convictions and they shall be disclosed to the Council accordingly.

General

Each case will be decided on its merits. The Council will endeavour to make consistent decisions but is not bound by or obliged to follow previous decisions made by them in relation to the holders of licences.

It may be appropriate to depart from the general policy in some cases, for example, situations where the offence is isolated and there are mitigating circumstances. Similarly, multiple offences or a series of offences over a period of time are likely to give greater cause for concern and may demonstrate a pattern of inappropriate behaviour, which will be taken into account. Where there has been a conviction for a sexual offence, murder or manslaughter a licence will normally be refused. Where an applicant has served a custodial sentence the Council will consider the number of years since their release and the period for which they have been free of conviction when determining their fitness to be licensed. Time spent in custody will generally be discounted from the conviction free period.

A person with a current conviction, caution, reprimand or final warning need not be permanently barred from obtaining a licence but should be expected to remain free from conviction for 3 to 5 years, according to the circumstances, before an application is entertained. Applicants should also demonstrate evidence of good character.

However, any person on the ISA Barred List will normally be refused a licence.

Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. Whilst, the Council may exercise its discretion, the overriding consideration should be the protection of the public and someone who has committed an offence and has to wait before being accepted, as a driver is more likely to value the licence and act accordingly.

The guidelines are not an attempt to define what is a fit and proper person.

The guidelines do not deal with every type of offence. However, offences described in the guidelines and similar offences, though differently entitled in any statutory provision, modification or re-enactment, will be taken into account in accordance with the guidelines.

The following examples afford a general guide on the action to be taken where convictions, cautions, reprimand or final warning are admitted.

(a) Minor Traffic Offences

Convictions, cautions, reprimands or final warnings for minor traffic offences will not prevent a person from being considered for a licence. If an applicant has six "live" penalty points on their driving licence for such offences then the application may be granted subject to a written warning. If an applicant has between 6 and 9 points on their licence for such offences then the application will be referred to the licensing sub-committee who may decide to refuse the application. At the very

least a severe warning will be given that further offences will result in revocation of the licence. Where an applicant has more than 9 penalty points for such convictions they must normally show a period of 12 months free from conviction, caution, reprimand or final warning before their application is considered. Even then the application will be referred to the Licensing Committee and may be refused.

(b) Major Traffic Offences

Major traffic offences include those on the attached list of offences that have the following codes. Please note that the Council appreciates there is a difference in the level of seriousness of these offences and will consider each on its merits.

DVLA CODE	DESCRIPTION OF OFFENCE
DR10	Driving or attempting to drive with alcohol level above limit
DR20	Driving or attempting to drive while unfit through drink
DR30	Driving or attempting to drive then failing to supply a specimen for analysis
DR40 (See Section C and D Below)	In charge of a vehicle while alcohol level above limit
DR50 (See Section C and D Below)	In charge of a vehicle while unfit through drink
DR60	Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive
DR70	Failing to provide specimen for breath test
DR80	Driving or attempting to drive when unfit through drugs
DR90	In charge of a vehicle when unfit through drugs
AC10	Failing to stop after an accident
AC20	Failing to give particulars or to report an accident within 24 hours
BA10	Driving whilst disqualified by order of court
BA30	Attempting to drive while disqualified by order of court
CD40	Causing death through careless driving when unfit through drink
CD50	Causing death by careless driving with alcohol level above the limit
CD60	Causing death by careless driving with alcohol level above the limit

CD70	Causing death by careless driving then failing to supply a specimen for analysis
DD40	Dangerous driving
DD60	Manslaughter or culpable homicide while driving a vehicle
DD80	Causing death by dangerous driving
IN10	Using a vehicle uninsured against third party risks
IN14	Causing or permitting the use of a vehicle uninsured against third party risks
UT50	Aggravated taking of a vehicle
TT99	To signify a disqualification under totting-up procedure. If the total of penalty points reaches 12 or more within 3 years, the driver is liable to be disqualified

Note: Should the Courts decide not to disqualify a driver under the totting up procedures the Council may still consider that the driver is not a fit and proper person and may consider revocation of the private hire and/or hackney carriage drivers licence.

If an applicant has a live endorsement in respect of a major traffic offence then the application will be referred to the Licensing Committee and will normally be refused until at least four years after the most recent conviction, caution, reprimand, final warning or if the person was disqualified, after the restoration of their driving licence.

(c) Alcohol Related Offences

A person who has been disqualified from driving as a result of a drink driving offence must show at least three years free from conviction after the restoration of their driving licence before their application will be considered.

More than one "live" conviction, caution, reprimand or final warning of this type would require a period of at least five years free from such conviction, caution, reprimand or final warning before the application would be considered.

Such an applicant would also be required to pass a medical examination and if the applicant was found to be an alcoholic a further period of five years should elapse after treatment is complete before an application is considered.

(d) Drug Offences

An applicant with a conviction, caution, reprimand or final warning for a drug driving related offence should be required to show a period of five years free of a conviction, caution, reprimand or final warning before an application is considered, or five years after detoxification treatment if the applicant is an addict.

An applicant with a conviction, caution, reprimand or final warning for a drug related (non driving) offence should be required to show a period of at least five years free of a conviction, caution, reprimand or final warning before an application is considered or five years from completion of any custodial sentence imposed, whichever is the later.

If the conviction, caution, reprimand or final warning relates to the supply of prohibited drugs then it is unlikely that even after this period the application will be granted.

(e) Indecency Offences

Applicants with a conviction, caution, reprimand or final warning for indecent exposure, indecent assault, importuning or any sexual offence, will be refused a licence. In exceptional circumstances an application will be considered on its merits when the applicant can show a substantial period (of at least 5 years) free of such conviction, caution, reprimand or final warning from either the date of conviction, caution, reprimand or final warning of 5 years from completion of any custodial sentence imposed, which ever is the latter.

Any person on an ISA Barred List will be refused a licence.

(f) Violence

Applicants with a conviction, caution, reprimand or final warning for grievous bodily harm, wounding, serious assault, or possession of a dangerous weapon will normally be refused a licence. An application may be granted if the applicant can show at least three years free of such conviction, caution, reprimand or final warning from either the date of conviction, caution, reprimand or final warning or 3 years from completion of any custodial sentence imposed, whichever is the latter.

Please note that the Council deems incidents of domestic violence to be extremely serious as if an individual is prepared to assault an individual in a domestic or home environment then they would have concerns over the persons ability to maintain their temper when working in an environment dealing with members of the public.

(g) Dishonesty

Applicants with a conviction, caution, reprimand or final warning for an offence involving dishonesty will normally be refused a licence. An application will be considered where the applicant can show at least 3 years free of such conviction, caution, reprimand or final warning from either the date of conviction, caution, reprimand or final warning or 3 years from completion of any custodial sentence imposed, which ever is the later.

(h) Public Order Offences

Applicants with a conviction, caution, reprimand or final warning involving public order offences such as affray, fear of provocation of violence, criminal damage will have their application referred to the Licensing Committee for consideration and will normally be refused a licence. An application will be considered where the applicant can show at least 2 years free of such conviction, caution, reprimand or final warning from either the date of conviction, caution, reprimand or final warning or 2 years from completion of any custodial sentence imposed, which ever is the later.

Any conviction, caution, reprimand or final warning which results from an offence committed by any person while working as a Hackney Carriage or Private Hire Proprietor, Driver or a Private Hire Operator is regarded as extremely serious and may lead to a licence being revoked or in an application to renew the licence being refused.

Offences Against The Town Police Clauses Act 1847, The Local Government (Miscellaneous Provisions) Act 1976, Or Any Breach Of The Conditions Or Byelaws Made Under The Relevant Legislation

The following examples afford a general guide to what action the Council may take in relation to existing Hackney Carriage and Private Hire Licence holders:-

Proprietor Offences

Any person convicted, cautioned, reprimanded or given a final warning of an offence relating to a Hackney Carriage or Private Hire vehicle of which they are the proprietor may have their licence(s) suspended or revoked.

Driver Offences

Any person convicted, cautioned, reprimanded or given a final warning of an offence whilst acting as the driver of a Hackney Carriage or Private Hire vehicle may have their driver licence revoked.

Operator Offences

Any person convicted, cautioned, reprimanded or given a final warning for an offence relating to their operation of Private Hire vehicles or Drivers may have their Private Hire Operators Licence suspended or revoked.

Should the Council chose to take action short of revocation them more than one such conviction, caution, reprimand or final warning will normally lead to the licence being revoked.

What To Expect At The Knowledge Test – Private Hire Drivers

Local Government (Miscellaneous Provisions) Act 1976

The private hire driver knowledge test is a written test based upon the above legislation, local Stockton Borough Council Conditions, a demonstration of the use of an A-Z and local knowledge of the area.

Legislation

Local Authorities can licence vehicles for use as private hire vehicles to carry up to 8 people plus the driver. Vehicles with more than 8 passenger seats must be licensed through the Department of Transport.

Private Hire drivers can only obtain work by working through a Licensed Private Hire Operator. It is illegal for a private hire driver to accept a flag down (stop for passengers in the street) or arrange bookings. If people wanting to hire the vehicle approach you or if you stop for a passenger in the street, and you radio the booking into the office for the Operator to record on their booking sheets, this does not legitimise the booking. If you accept the fare it will still be deemed to be an offence and you and the Operator face possible legal action.

Private hire drivers must wear their badge at all times whilst they are working. The dashboard display badge must be displayed in a prominent position in the front of the vehicle.

Private Hire charges are determined by the Licensed Operator, the Council does not set charges to be made. Private Hire bookings are a contract between the hirer and the Private Hire Operator and the driver cannot charge more or less than the agreed fare.

Authorised Officers and Police have the same powers under the above Act and all assistance must be afforded them if they ask for information. Failure to provide information could be considered as obstruction which is an offence.

Seat Belts

Seat belt legislation is different for Private Hire drivers from that of unlicensed drivers, in that you are exempt from wearing a seat belt whilst you have passengers in the vehicle. You would be expected to wear it between fares and of course when you are not working.

Any adult passenger who refuses to wear his or her seat belt is responsible for their own actions. You should of course ask all passengers to wear seat belts.

If children are travelling with adult passengers, you are responsible for ensuring that the children wear a seat belt. You should of course ask all passengers to wear seat belts.

If unaccompanied children travel in your private hire vehicle, you are responsible for ensuring that they wear a seat belt at all times.

Conditions

Conditions are attached to the grant of a private hire driver's licence. Those conditions are contained in the driver application pack and you must be familiar with all of them. You will be asked questions which will test your knowledge of the Conditions and will fail the test if you do not know about them.

Local Knowledge And Use Of An A-Z

You must be able to demonstrate that you can use an A-Z to find an address or addresses in Stockton. You will fail the test if you cannot demonstrate an ability to use the A-Z.

You will also need a fair knowledge of public houses, night clubs and working men's clubs, restaurants, libraries, health centres, hospitals and other well known buildings/premises identified in the areas below.

The areas covered in the test will be Stockton, Norton and villages, Billingham, Cowpen Bewley, Wolviston, Wynyard, Haverton Hill and some of Port Clarence, Thornaby, Ingleby Barwick, and Maltby, Yarm, Eaglescliffe, Egglecliffe, Kirklevington and High Leven.

You should be able to give the name of the road where a particular premise is located or be able to demonstrate that you can find the name of the road using the A-Z. You will fail the test if you cannot demonstrate that you have a reasonable knowledge of the area.

Further Knowledge Required For The Test

Part of the examination will also test your knowledge of the seating capacities of private hire vehicles and how you should behave once you are licensed and also what help if any you will be expected to give to passengers.

If you are unable to find out this information, please contact a Licensing Officer before the test date.

What To Expect At The Knowledge Test - Hackney Carriage Drivers

Local Government (Miscellaneous Provisions) Act 1976 Town Police Clauses Act 1847

The hackney carriage/ combined driver knowledge test is based upon the above legislation, local Stockton Borough Council Conditions, the byelaws, a demonstration of the use of an A-Z and local knowledge of the area including the location of the hackney carriage ranks within the borough and the current hackney carriage tariff of fares.

Legislation

Local Authorities can licence vehicles for use as hackney carriages to carry up to 4, 5 or 6 passengers up to a maximum of 8 people plus the driver.

Hackney Carriage drivers can obtain work from the ranks, flag downs, phone and from private hire operators or by telephone calls to their home.

Hackney Carriage drivers must wear their badge at all times whilst they are working. The dashboard display badge must be displayed in a prominent position in the front of the vehicle.

The Local Authority determines the Tariff rates for fare that can be charged by a hackney carriage. They are list of a Table of Fares that must be displayed in a prominent place where the hirer can easily see the charges. The charges listed are the maximum that can be charged, the driver, can if he wished charge less that the maximum allowed by the Council.

Seat Belts

Seat belt legislation is different for Hackney Carriage drivers from that of unlicensed drivers, in that you are exempt from wearing a seat belt at any time whilst you are working, whether or not you have passengers in the carriage.

Any adult passenger who refuses to wear his or her seat belt is responsible for their own actions. You should of course ask all passengers to wear seat belts.

If children are travelling with adult passengers, you are responsible for ensuring that the children wear a seat belt. You should of course ask all passengers to wear seat belts.

If unaccompanied children travel in your Hackney Carriage vehicle, you are responsible for ensuring that they wear a seat belt at all times.

Conditions

Conditions are attached to the grant of a Hackney Carriage driver's licence. Those conditions are contained in the driver application pack and you must be familiar with all of them. You will be asked questions which will test your knowledge of the Conditions and will fail the test if you do not know about them.

A-Z

You must be able to demonstrate that you can use an A-Z to find an address or addresses in Stockton. You will fail the test if you cannot demonstrate an ability to use the A-Z.

Ranks

You will find a list of the ranks in the borough of Stockton on Tees. You must learn the location of all of the rank; the number of permitted hackneys that are allowed to stand on the rank and also the times when the rank is operational. You should be aware of how the rank system works and what to do if the rank is full. You will fail the test if you do not know the ranks information.

Tariff

You will find a copy of the Maximum Table of Fares contained in this pack. You must learn the tariff and be able to demonstrate this knowledge to the examiner. You will fail the test if you do not know the Maximum Table of Fares

Byelaws

You will find a copy of Stockton Council's Byelaws with respect to Hackney Carriage contained in the driver pack. You will fail the test if you do not know the Byelaws relating to Hackney Carriages.

Local Knowledge

You will also need an extensive knowledge of public houses, night clubs and working men's clubs, restaurants, libraries, health centres, and hospitals in the area.

The areas covered in the test will be Stockton, Norton and villages, Billingham, Cowpen Bewley, Wolviston, Wynyard, Haverton Hill and some of Port Clarence, Thornaby, Ingleby Barwick, and Maltby, Yarm, Eaglescliffe, Egglescliffe, Kirklevington and High Leven.

You should be able to give the name of the road where the premise is located. You will fail the test if the examiner thinks that you do not have a very good knowledge of the area.

Further Knowledge Required for the Test

You should know what pieces of safety equipment must be carried in a licensed vehicle at all times and the ways in which a hackney carriage driver can obtain work.

Part of the examination will also test your knowledge of the seating capacities of hackney carriages and how you should behave once you are licensed and also what help if any you will be expected to give to passengers.

If you are unable to find out this information, please contact a Licensing Officer before the test date.

Guide To Completing The CRB Disclosure Form

Before Completing Your Criminal Record Disclosure Application (CRB) Form Please Read The Following Guidance Notes Carefully

- Use **BLACK INK** throughout
- Use **CAPITAL LETTERS** when completing the form
- Complete all sections marked in **YELLOW**, if you do not your form will be returned unprocessed and this will delay your application
- Write clearly and insert only one character in each box, you **must not** write over the edges of each box
- Provide all addresses where you have lived in the last five years. If you have lived overseas within this period please include these addresses
- Put a line through any mistake, and correct it to the right, **do not use correction fluid**
- Mark choices in the boxes indicated with a cross [X]
- **Do not** strike out any section of the form that is not applicable. If it is not relevant to the application then please leave it blank
- If you answer **yes** to section **a20, a22 and/or a24** you **must produce** the relevant documentation. If you cannot produce the relevant documentation you must answer **no**.
- **Please do not complete ISA Registration details in section a, line 28 and section d**
- Be sure to sign the declaration at **section e**, keeping your signature within the box provided
- **Do not** complete sections **w, x and y**
- **Do not** place any stamps or stickers on the form, i.e. featuring address or dates
- **Do not** staple any attachments to the form
- **Do not** return your form direct to the CRB

Once you have completed **sections a, b, c and e** please return the form to the address above together with the documentation required to confirm your identity and your payment

A list of acceptable documents can be found overleaf.

Confirming Your Identity

- You must produce **three** documents – **one from Group 1** and **two documents from Groups 1 or 2**. Alternatively you must produce **five documents from Group 2**
- You must provide **original documentation only**, no photocopies will be accepted
- Please note all documents **must** be in your current name, as recorded in **section a**
- At least one document must confirm your **date of birth**, as recorded in **section a**
- At least one document must confirm your **current address**, as recorded in **section b**, and be less than three months old
- Wherever possible, where you hold a document containing a photograph from the approved identity document list, this should be submitted

Group 1

- DVLA Paper Driving Licence
- DVLA Photocard Driving Licence with Paper Counterpart (4a is the date the licence is valid from)
- Valid Passport
- Original Birth Certificate (issued within 12 months of the date of birth)
- Valid Identity Card for British Citizens and EEA Nationals
- Firearms Licence UK
- Adoption Certificate UK
- HM Forces ID Card UK

Group 2

* **Documentation must be less than 3 months old**

** **Documentation must have been issued within the last 12 months**

- Utility Bill*
- Bank/Building Society Statement*
- Credit Card Statement*
- Addressed Payslip*
- Store Card Statement*
- Valid Insurance Certificate**
- Marriage/Civil Partnership Certificate
- Non-Original Birth Certificate (issued 12 months after the date of birth)
- Valid Vehicle Registration Document
- National Insurance Number Card (UK)
- P45/P60 Statement (UK)**
- Valid TV Licence**
- Mortgage Statement**
- Valid NHS Card (UK)
- Certificate of British Nationality (UK)

Code of Practice

Handling, Storage and Use of Disclosure Information Received From Criminal Records Bureau

Hackney Carriage/Private Hire Driver Checks

General Objectives

The Council uses the Enhanced Disclosure service from the Criminal Records Bureau to determine the suitability of applicants for Hackney Carriage and Private Hire Driver Licences.

The Council will comply fully with the Criminal Records Bureau Code of Practice, a copy of which can be made available on request or can be viewed on their website at www.homeoffice.gov.uk/crb, and the requirements of the Data Protection Act. Disclosure information will be used fairly, stored securely and only be handled by authorised persons. The information will be disposed of as confidential waste on the day of receipt for a satisfactory disclosure, however an unsatisfactory disclosure will be kept in a locked filing cabinet, which only authorised signatories have access to until a decision has been made.

Administration

On application, the Council will confirm that a Disclosure check is a mandatory part of the application process and charge the appropriate fee. The Council currently makes no additional charge to cover administration costs directly related to the Disclosure Check. The fee charged by the Council will be passed directly to the Criminal Records Bureau.

An application may not be processed without receipt of a signed Disclosure Check Request Form and fee from the applicant. These must be submitted in person with the relevant application form.

Handling and Receipt

Once received, an authorised counter-signatory will ensure satisfactory completion by reviewing the Disclosure Request form. The form will be signed by the counter-signatory and forwarded to the Criminal Records Bureau for processing.

To comply with Section 124 of the Police Act 1997, only an authorised counter-signatory will open the Disclosure received from the Criminal Records Bureau. Disclosures and the information they contain will only be available to those who need access in the course of their normal duties, i.e. ensuring that the applicant is "fit and proper" to hold such a licence. This may include members of the Licensing Committee as in some cases it may be necessary to refer a particular case to the Committee for determination of suitability to hold a licence.

We may also receive additional relevant information from other agencies, which will not be given to you and which may require the Licensing Committee meeting to be held in private.

Storage and Access

Disclosures are generally dealt with on the day of receipt and if satisfactory are disposed of immediately. Unsatisfactory disclosures are kept in a locked filing cabinet, which only authorised signatories have access to. Under no circumstances will unauthorised persons be given access to disclosure information.

Retention

A Disclosure will only be retained for as long as necessary in relation to a particular application. In extreme situations, should it be necessary to retain the record for longer than six months, permission from the Criminal Records Bureau will be sought. This may be in relation to a dispute regarding the accuracy of disclosure information or an outstanding appeal, which has taken longer than expected to resolve.

Disposal

When appropriate, as outlined above the authorised counter-signatory will ensure the confidential destruction of disclosure information by the use of a shredder.

No copies or scanned images of any disclosure information will be retained on file nor held electronically.

The only information that will be retained on file in relation to the disclosure will be:

1. The name and address of the subject
2. Date of receipt of disclosure from Criminal Records Bureau and unique identification number
3. Date disclosure form destroyed
4. Counter-signatory authorisation

General

The Council will comply at all times with a request from the Bureau to undertake assurance checks as to the proper use or safekeeping of Disclosure information. This Code of Practice is compliant with Council's Policy Statement on the secure storage, handling, use, retention and disposal of disclosures and disclosure information.

The Council will report immediately to the Bureau any suspected malpractice in relation to the handling, use, storage and disposal of disclosure information.

Conditions Of Private Hire Drivers Licence

1. Conduct Of Driver

The Driver shall at all times when acting as a driver of a licensed vehicle:-

- a) unless exempted in writing display the dash display badge issued to him by the Council inside the vehicle in such a position as to be visible at all times to persons conveyed therein;
- b) afford all reasonable assistance with passengers luggage;
- c) comply with the Councils Dress Code and Code of Good Conduct;
- d) behave in a civil and orderly manner at all times and in particular shall not engage in any activities of a sexual nature whilst acting as a driver of any vehicle licensed by this Council;
- e) when requested by the Council attend a medical practitioner and/or submit to any drugs tests deemed appropriate;
- f) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him;
- g) not without the express consent of the hirer drink or eat whilst driving the vehicle;
- h) not without the express consent of the hirer play any radio or sound reproducing instruments or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle; and
- i) at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- j) the application for renewal of a licence should be made in advance to ensure continuity. There is no automatic period of grace.

2. Passengers

The driver shall not convey or permit to be conveyed in a private hire vehicle a greater number of persons than that prescribed in the licence for the vehicle.

The driver shall not allow there to be conveyed in the front of a private hire vehicle;

- i) any child below the age of ten years; or
- ii) more than one person above that age (except where separate seats are provided)

The driver shall not without the consent of the hirer of a vehicle convey or permit to be conveyed any other person in the vehicle, other than a person permitted by the licensed proprietor of the vehicle.

3. Lost Property

The driver shall immediately after the termination of any hiring of a Private Hire Vehicle or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left there.

If any property accidentally left in a private hire vehicle by any person who may have been conveyed therein is found by or handed to the driver the property shall be returned to the owner if known or handed in at a police station as soon as possible.

4. **Written Receipts**

The driver shall if required by the hirer of a private hire vehicle provide him with a written receipt for the fare paid. The receipt shall contain the relevant information as specified by the Council.

5. **Animals**

The driver shall not whilst hired carry in a Private Hire Vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle;

Any animal belonging to or in the custody of any passenger may at the driver's discretion be conveyed in the vehicle but shall only be conveyed in the rear of the vehicle.

Note:

This discretion does not apply to a disabled person's guide, hearing or assistance dog which must be carried in a Private Hire Vehicle without any additional charge, unless the driver holds a Certificate of Exemption on medical grounds issued under the Disability Discrimination Act 1995.

6. **Prompt Attendance**

The driver of a Private Hire Vehicle shall, if he is aware that the vehicle has been hired to be in attendance at any appointed time and place punctually attend at the appointed time and place, unless unavoidably delayed or prevented from doing so when he shall inform the Operator of his delay.

7. **Copy Of Conditions**

The driver shall at all times when driving a Private Hire Vehicle carry with him a copy of these conditions and shall make it available for inspection by the hirer or any other passenger on request.

8. **Deposit Of Licence Record Card**

If the driver is permitted or employed to drive a Private Hire vehicle of which the proprietor is someone other than himself, he shall before commencing to drive that vehicle deposit the licence record card with the licensed Private Hire Operator for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.

9. **Taximeter**

If a Private Hire Vehicle being driven by the driver is fitted with a taximeter, the driver shall not cause the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare.

10. **Fare To Be Demanded**

The driver shall not demand from any hirer of a Private Hire Vehicle a fare in excess of any previously agreed for that hiring between the hirer and the Operator (unless a deviation of the route is requested by the hirer) or , if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter.

11. **Change Of Address**

The driver shall notify the Council in writing of any change of his address during the period of the licence within seven days or such change taking place.

12. **Conviction**

The driver shall within seven days of conviction or caution disclose to the Council in writing details of any conviction or caution (including Motoring offences or otherwise) imposed on him during the period of the licence.

13. **Return Of Badges**

The driver shall upon the expiry (without immediate renewal), revocation or suspension of this licence forthwith return to the Council the drivers badges and record card issued to him by the Council when granting his licence.

14. **Loss/Theft Of Identification Badges**

Loss or theft of your licence or identification badges must be reported to the Council and the police as soon as the loss becomes known and in any case within two working days.

15. **Medical Fitness**

You must inform the Licensing Office immediately if you suffer from a medical condition or disability or a conditions or disability previously notified worsens that may alter your ability to drive a vehicle.

A driver who receives medical treatment or medical consultation shall confirm with their medical attendant whether they are at that time fit to undertake the duties of a Private Hire Vehicle Driver in accordance with the DVLA's Guide to Medical Standards of Fitness for a Group 2 licence holder. Where any medical attendant specifies that a driver or prospective driver should not drive for a determinate or indeterminate period that the driver or prospective driver shall notify the council immediately in writing of such medical opinion.

The requirement will not apply to any temporary incapacity or treatment for the duration of which the driver or prospective driver does not intend to drive a Private Hire Vehicle.

16. **Time Spent Abroad**

Drivers shall notify the Council in writing when they intend to spend more than 3 months out of the country. Such notification shall include details of the country to be visited and relevant dates of departure and anticipated return. On return the driver shall complete and submit to the Council a statutory declaration.

Notes For Drivers Of Hackney Carriage Vehicles

(Please Refer To The Hackney Carriage Vehicle Conditions And Byelaws With Respect To Hackney Carriage Vehicles And The Councils Hackney Carriage And Private Hire Licensing Policy)

1. Conduct Of Driver

The driver shall

- a) at all times when acting as a driver of a licensed vehicle display the dash display badge issued to him by the council inside the vehicle in such a position as to be visible at all times to persons conveyed therein;
- b) the holder of a Hackney Carriage drivers licence shall at all times when a vehicle is standing, plying or being driven by him, carry on him the Badge associated with the Licence, which should be worn in such a manner as to be clearly visible by passengers at all times;
- c) the holder of a hackney Carriage drivers licence shall produce the Badge on request, to an Authorised Officer of the council or a Police Constable;
- d) afford all reasonable assistance with passengers luggage;
- e) at all times be clean and respectable in his dress and person and comply with the councils Dress Code;
- f) behave in a civil and orderly manner and comply with the councils Code of Good Conduct;
- g) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him;
- h) not without the express consent of the hirer smoke, drink or eat whilst driving the vehicle;
- i) not without the express consent of the hirer play any radio or sound reproducing instruments or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle; and
- j) at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- k) any application for renewal of a licence should be made in advance to ensure continuity. There is no automatic period of grace.

2. **Passengers**

The driver shall not convey or permit to be conveyed in a Hackney Carriage vehicle a greater number of persons than that prescribed in the licence for the vehicle.

The driver shall not allow there to be conveyed in the front of a hackney Carriage vehicle;

- i) any child below the age of ten years; or
- ii) more than one person above that age.

3. **Lost Property**

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

If any property accidentally left in a hackney Carriage vehicle by any person who may have been conveyed therein is found by or handed to the driver the property shall be returned to the owner if known or handed in at a Police Station as soon as possible.

4. **Written Receipts**

The driver should if required by the hirer of the Hackney Carriage vehicle provide him with a written receipt for the fare paid. The receipt shall contain the relevant information as specified by the Council.

5. **Animals**

The driver shall not carry in a hackney Carriage vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle;

Any animal belonging to or in the custody of any passenger may at the drivers discretion be conveyed in the vehicle but shall only be conveyed in the rear of the vehicle.

Note:

This discretion does not apply to a disabled persons' guide, hearing or assistance dog which must be carried in a Hackney Carriage Vehicle without any additional charge, unless the driver holds a Certificate of Exemption on medical grounds issued under the Disability Discrimination Act 1995.

6. **Prompt Attendance**

The driver of a licensed vehicle shall ensure that if he has arranged to be in attendance at an appointed time and place, he shall attend punctually at the appointed time and place, unless unavoidably delayed or prevented from doing so when the hirer should be informed.

7. **Deposit Of Licence**

If the driver is permitted or employed to drive a Hackney Carriage vehicle he shall before commencing to drive that vehicle deposit the licence record card with that proprietor for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.

8. **Taximeter**
Drivers of Hackney Carriage vehicles must use the taximeter as prescribed in the Byelaws at all times. Hackney Carriage vehicles used for Private Hire must always use the meter for journeys within the district.
9. **Fare To Be Demanded**
Drivers of Hackney Carriage vehicles must use the taximeter as prescribed in the Byelaws at all times. No fare greater than appears on the meter can be charged, this includes Private Hire use.
10. **Change Of Address**
The driver should notify the Council in writing of any change of his address during the period of the licence.
11. **Conviction**
The driver should disclose to the Council in writing details of any conviction or caution (including Motoring offences or otherwise) imposed on him during the period of the licence.
12. **Return Of Badges**
The driver should upon the expiry (without immediate renewal), revocation or suspension of this licence forthwith return to the Council the drivers badges issued to him by the Council when granting this licence.
13. **Loss/Theft Of Identification Badges**
Loss or theft of your licence or identification badges must be reported to the Council as soon as the loss becomes known and in any case within two working days. You must obtain a lost property/crime number from the police.
14. **Medical Fitness**
You must inform the Licensing Office immediately if you suffer from a medical condition or disability or a condition or disability previously notified worsens that may alter your ability to drive a vehicle.

A driver who receives medical treatment or medical consultation shall confirm with their medical attendant whether they are at that time fit to undertake the duties of a Hackney Carriage Driver in accordance with the DVLA's Guide to Medical Standards of Fitness for a Group 2 licence holder. Where any medical attendant specifies that a driver or prospective driver should not drive for a determinate or indeterminate period that the driver or prospective driver should notify the Council immediately in writing of such medical opinion.
15. **Time Spent Abroad**
Drivers shall notify the Council in writing when they intend to spend more than 3 months out of the country. Such notification shall include details of the country to be visited and relevant dates of departure and anticipated return. On return the driver shall complete and submit to the Council a Statutory declaration.

Byelaws With Respect To Hackney Carriages

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 the Borough of Stockton-on-Tees with respect to hackney carriages in the Borough of Stockton-on-Tees.

Interpretation

1. Throughout these byelaws "the Council" means the Council of the Borough of Stockton-on-Tees and "the district" means the Borough of Stockton-on-Tees.

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

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

Provisions regulating how hackney carriages are to be furnished or provided

3. The proprietor of a hackney carriage shall provide an efficient fire extinguisher, which shall be carried in such a position as to be readily available for use.
4. 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 in to say
 - (a) the taximeter shall be fitted with a key 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 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 the face of the taximeter;
 - (c) 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 distance in pursuance of the byelaw in that behalf;
 - (d) 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;

- (e) 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.
- (f) 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

5. The driver of a hackney carriage provided with a taximeter shall:-
 - (a) when standing or plying for hire, keep the key 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 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;
 - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972, and also at any other time at the request of the hirer.
6. 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.
7. 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 under the provisions of Section 63 of the Local Government (Miscellaneous Provisions) Act 1976.
 - (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;
 - (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.

8. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
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 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 shall:
 - (a) afford all reasonable assistance with the luggage of any person hiring or seeking to hire the carriage;
 - (b) at all times behave in a civil and orderly manner;
 - (c) take all reasonable steps to ensure the safety of persons conveyed in, entering or alighting from the carriage driven by him;
 - (d) not without the express consent of the hirer, smoke, drink or eat whilst driving the carriage;
 - (e) not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the carriage other than for the purpose of sending or receiving messages in connection with the operation of the carriage;
 - (f) at no time cause or permit the noise emitted by any radio or other said instrument or equipment in the carriage which he is driving to be a source of nuisance or annoyance to any person, whether inside or outside the carriage, and
 - (g) not convey in the carriage any animal belonging to him or in his custody or in the custody of the proprietor of the carriage.

Provisions concerning the rates or fares to be paid for hackney carriage 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 under the provisions of Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the

taximeter, save for any extra charges authorised by the Council under the said provisions 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 the Council under the provisions of Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 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 a hackney carriage

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, 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 District.

Penalties

17. Every person who shall offend against any of these byelaw shall be liable on summary conviction to a fine not exceeding fifty pounds and in the case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues after conviction therefore.

Repeal of Byelaws

18. The byelaws relating to hackney carriages which were made by the Mayor Liverymen and Burgesses of the Borough of Teesside on the 14th day, of January 1969 and which were confirmed by one of Her Majesty's Principal Secretaries of State on the 12th day of March 1969 are hereby repealed.

This is a true copy of the byelaws with respect to Hackney Carriages made by the Council of the Borough of Stockton-on-Tees and confirmed by the Secretary of State for the Home Department on 13th February 1981 and that the date fixed by him for the coming into operation of the byelaws was 1st April 1984.

Conditions Of A Private Hire Vehicle Licence

1. **Maintenance Of Vehicles**

The vehicle and all its fitting and equipment shall at all times when the vehicle is in use or available for hire be kept in an exceptionally well maintained condition and all relevant statutory requirements shall be fully complied with.

2. **Alteration Of Vehicle**

No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force.

3. **Safety Equipment**

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances such equipment to be carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency.

Where a ramp or ramps are used to facilitate access into the vehicle, they must be fitted/carried in the vehicle at all times and must be identified with the vehicle registration number.

4. **Interior Identification Marking**

The proprietor shall cause to be clearly displayed inside the vehicle in such a position as to be visible at all times to persons conveyed therein the internal comment card supplied by the Council indicating the vehicle identification number and contact details for the Council.

5. **Interior Lighting**

There shall be maintained in the vehicle adequate internal lighting to enable passengers to enter and leave the vehicle with safety.

6. **Convictions**

The proprietor shall within seven days disclose to the Council in writing details of any convictions and/or caution imposed on him or, if the proprietor is a Company or Partnership, on any of the Directors or Partners during the period of the licence.

7. **Change Of Address**

The proprietor shall notify the Council in writing of any change of his address during the period of the licence within seven days of such change taking place.

8. **Identification Plate**

The plate, loaned by the Council, identifying the vehicle as a private hire vehicle and required to be exhibited on the vehicle pursuant of Section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976 shall

unless exempted in writing be securely fixed to the rear of the vehicle in a conspicuous position duly approved by the Council and in such manner using the fixings supplied by the Council as to be easily removable by an authorised officer of the Council or a Constable.

9. **Signs, Notices Etc**

- a) No signs, notices, advertisements, video or audio display, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provision or required or permitted by these conditions, provided however, that this condition shall not apply to any indication on a taxi meter fitted to the vehicle.
- b) The proprietor shall unless exempted in writing cause to be affixed and maintained in or on the vehicle in a conspicuous position in accordance with the directions of the Council any roundel, sign or notice relating to private hire vehicles, which the Council may from time to time require.
- c) Without prejudice to the generality of the foregoing, the proprietor shall unless exempted in writing cause to be affixed and maintained on the outside of the vehicle:-
 - i) a roundel or sign of such design and appearance as may be approved and supplied by the Council to be located on the nearside and offside front doors of the vehicle.
 - ii) a front identification sign as may be approved and supplied by the Council.

Note: The use of magnetised signs is only permitted when the vehicle has been exempted in writing from the general requirement to display the roundel or sign in i) above but the proprietor wishes to display such signs on occasional basis.

- d) Without prejudice to the generality of the foregoing condition any advertisement shall not be allowed or affixed without the prior approval of the Council and specifically shall not:
 - i) be affixed to any window of the vehicle and
 - ii) be affixed to any door or panel on which the roundel or sign referred to in paragraph 9 2)a)i) of these conditions is located.
- e) The proprietor or such person in charge of the vehicle when requested to do so by an authorised officer of the Council shall return to them, any identification plate, sign, roundel, badge, emblem or device.
 - i) If any proprietor or such person in charge of the vehicle fails without reasonable excuse to comply, an authorised officer of the council shall be entitled to remove and retain any identification plate, sign, roundel, badge, emblem or device.

- f) There may be displayed within the vehicle for the information of passengers a table of fares in a form and printing previously submitted to and approved by the Council.
- g) The proprietor shall notify the Council of the loss or theft of any identification plate, roundel, sign, or notice relating to the private hire vehicle as soon as the loss becomes known and in any case within two working days. The loss or theft must also be notified to the police.

10. **Deposit Of Drivers Licence**

If the proprietor permits or employs any other person to drive the vehicle as a private hire vehicle, he shall before that person commences to drive the vehicle cause the driver to deliver to him his private hire driver's licence record card for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.

11. **Transfer Of Interest**

The proprietor shall notify the Council in writing, giving the name and address of the new proprietor, within 14 days if he transfers his interest in the vehicle to another person.

12. **Accident Notification**

The proprietor shall notify the Council as soon as practicable, or in any case within 72 hours of any accident which results in damage to the vehicle.

13. **Insurance**

The vehicle shall have a current valid policy of insurance at all times appropriate to the use authorised by this licence.

14. **Change Of Engine**

The proprietor must notify the Council, in writing, within 7 days if the vehicle engine is changed. Such notification shall include details of the new engine number.

15. **Change Of Private Hire Operator**

This vehicle may only be operated under the provisions of one Private Hire Operators Licence at any moment in time and the proprietor shall notify the Council of any change to the licensed Operator during the period of this licence within 72 hours.

16. **Letting/Leasing Of Vehicles**

The proprietor shall not let or hire the vehicle identified in this licence to any other person, other than a fare paying passenger, without first notifying the Council in writing. Note: the proprietor will still be jointly responsible for the vehicle should a leasing arrangement be entered into.

Additional Conditions To Be Applied To Novelty Vehicles And Stretched Limousines

17. Vehicles must not carry front seat passengers
18. All passengers must remain seated at all times and must wear seat belts and any other safety restraint when the vehicle is in motion.
19. Where passengers in the vehicle consist of any persons under the age of 14 years they must be accompanied by a responsible adult, other than the driver, who must be over the age of 18 years.
20. No more than eight passengers may be carried in the vehicle.
21. If all the occupants of the vehicle, save for the driver, are under the age of 18 then there shall be no alcohol at all in the vehicle for consumption or otherwise.
22. Advertisements will not be allowed on the vehicle windows.

Conditions Of A Hackney Carriage Vehicle Licence

1. **Maintenance Of Vehicles**

The vehicle and all its fitting and equipment shall at all times when the vehicle is in use or available for hire be kept in an exceptionally well maintained condition and all relevant statutory requirements shall be fully complied with.

2. **Alteration Of Vehicle**

No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force.

3. **Safety Equipment**

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances such equipment to be carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency.

Where a ramp or ramps are used to facilitate access into the vehicle, they must be fitted/carried in the vehicle at all times and must be identified with the vehicle registration number.

4. **Interior Identification Marking**

The proprietor shall cause to be clearly displayed inside the vehicle in such a position as to be visible at all times to persons conveyed therein the internal comment card supplied by the Council indicating the vehicle identification number and contact details for the Council.

5. **Interior Lighting**

There shall be maintained in the vehicle adequate internal lighting to enable passengers to enter and leave the vehicle with safety.

6. **Convictions**

The proprietor shall within seven days disclose to the Council in writing details of any convictions and/or caution imposed on him or, if the proprietor is a Company or Partnership, on any of the Directors or Partners during the period of the licence.

7. **Change Of Address**

The proprietor shall notify the Council in writing of any change of his address during the period of the licence within seven days of such change taking place.

8. **Identification Plate**

The plate, loaned by the Council, identifying the vehicle as a hackney carriage and required to be exhibited on the vehicle pursuant to the Byelaws With Respect To Hackney Carriages shall be securely fixed to the rear of the vehicle in a conspicuous position duly approved by the Council and in such manner, using the fixings supplied by the Council, unless the vehicle has a purpose built plate display/fixing location, so as to be easily removable by an authorised officer of the Council or a Constable.

9. **Signs, Notices Etc**

a) No signs, notices, advertisements, video or audio display, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provision (including byelaws) or required or permitted by these conditions, provided however, that this condition shall not apply to any indication on a taxi meter fitted to the vehicle or to a sign, approved and located in accordance with the directions of the Council which is displayed in, on, or from the vehicle.

b) Without prejudice to the generality of the foregoing, the proprietor shall unless exempted in writing cause to be affixed and maintained on the outside of the vehicle:-

i) a roundel or sign of such design and appearance as may be approved and supplied by the Council to be located on the nearside and offside front doors of the vehicle.

ii) a roof sign displaying the word TAXI in letters of a minimum height of 79mm (standard vehicle number plate lettering) shall be fixed to the roof of the vehicle and shall be maintained and connected to the taxi meter and "for hire" sign and capable of being illuminated in such a manner as to indicate clearly to persons outside the vehicle whether or not the vehicle is for hire. The roof sign shall be of a minimum width of 60cms (24") except in the case of vehicles where the roof sign is incorporated into the design and structure of the vehicle; and

iii) a front identification sign as may be approved and supplied by the Council.

Note: The use of magnetised signs is not permitted

c) Without prejudice to the generality of the foregoing condition any advertisement shall not be allowed or affixed without the prior approval of the Council and specifically shall not:

i) be affixed to any window of the vehicle and

ii) be affixed to any door or panel on which the roundel or sign referred to in paragraph 9 ii)a) of these conditions is located.

- d) i) The proprietor or such person in charge of the vehicle when requested to do so by an authorised officer of the Council shall return to them, any identification plate, sign, roundel, badge, emblem or device.
- ii) If any proprietor or such person in charge of the vehicle fails without reasonable excuse to comply, an authorised officer of the council shall be entitled to remove and retain any identification plate, sign, roundel, badge, emblem or device.
- e) The proprietor shall notify the Council of the loss or theft of any identification plate, roundel, sign, or notice relating to the hackney carriage vehicle as soon as the loss becomes known and in any case within two working days. The loss or theft must also be notified to the police.

10. **Table Of Fares**

There shall be displayed within the vehicle for the information of passengers a current table of fares approved and supplied by the Council and kept in such a position as to be easily visible to passengers.

11. **Transfer Of Interest**

The proprietor shall notify the Council in writing, giving the name and address of the new proprietor, within 14 days if he transfers his interest in the vehicle to another person.

12. **Accident Notification**

The proprietor shall notify the Council as soon as practicable, or in any case within 72 hours of any accident which results in damage to the vehicle.

13. **Insurance**

The vehicle shall have a current valid policy of insurance at all times appropriate to the use authorised by this licence.

If the vehicle is off the road and uninsured at any time the proprietor shall advise the Council within 72 hours.

14. **Change Of Engine**

The proprietor must notify the Council, in writing, within 7 days if the vehicle engine is changed. Such notification shall include details of the new engine number.

15. **Letting/Leasing Of Vehicles**

The proprietor shall not let or hire the vehicle identified in this licence to any other person, other than a fare paying passenger, without first notifying the Council in writing. Note: the proprietor will still be jointly responsible for the vehicle should a leasing arrangement be entered into.

Hackney Carriage Maximum Table Of Fares June 2008

TARIFF 1 Standard Fares (except for such periods as fall within Tariff 2 and Tariff 3)	
£2.50	First 1/2 mile or part
10p	Each following 136 yards or part

TARIFF 2 Fares between 12 Midnight – 6.00am and all day on statutory Bank Holidays, except for such periods as fall within Tariff 3)	
£2.80	First 1/2 mile or part
15p	Each following 136 yards or part

TARIFF 3 Fares between 6.00pm – 12 Midnight Christmas/New Years Eve, all day Christmas/Boxing/New Years Day and between 12 Midnight Boxing/New Years Day and 6.00am the following day	
£3.00	First 1/2 mile or part
20p	Each following 146 yards or part

EXTRAS	
10p	Each period of 30 seconds or part, waiting time
50p	Each additional passenger over four (excluding infants under 3 years, two children under 10 Years count as one person)
20p	Luggage stored in boot or designated area (excluding wheelchairs or any other apparatus used to assist persons with a disability).
£30.00	Soiling Charge

NOTE: The meter should not record any fare when you enter the vehicle. The driver will then switch the meter on and it must correspond with the fares tabled above.

Taxi Offences

The following notes outline a range of offences relating to driver, operator and vehicle licensing for Hackney Carriage and Private Hire businesses under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

Abbreviations

In this guide the following abbreviations will often be found:

"HC"	Hackney Carriage
"PH"	Private Hire
"HCV"	Hackney Carriage Vehicle.
"PHV"	Private Hire Vehicle
"PHO"	Private Hire Operator
"LA"	Local Authority

Town Police Clauses Act 1847

Section	Offences
40 (a)	A person stating in a document the name of a person not a proprietor or wilfully omitting to specify the proprietor.
40 (b)	A proprietor who fails to insure the vehicle.
40 (c)	A proprietor who sells his vehicle without the plate.
41	A proprietor who fails to display signs indicating it is HC.
44	Any owner of a HV who fails to notify LA of any change of address in writing.
45	An owner of HC who permits the vehicle to ply for hire within the District without obtaining a licence for its use or if that licence is suspended or using a vehicle without clearly displaying the number of the vehicle or outside the district for which they are licensed.
46	A driver who acts as a driver of HC without obtaining a licence.
47	A proprietor who employs unlicensed person to drive a HC.
48	A proprietor of HC who neglects to have delivered to him the licence of a driver or fails to retain in his possession such a licence or refused or neglects to produce such licence.
55	A driver of HC who charges any sum over and above the fare allowed.

- 56 A proprietor or driver of HC who agrees to carry people over a certain distance charges more for the journey than the fare allowed.
- 58 A proprietor or driver of HC convicted of overcharging.
- 59 A proprietor or driver of HC which is hired suffers any person to be carried without express consent of the person hiring the vehicle.
- 60 A driver of HC who allows another person, whether licensed or not to act as the driver of a vehicle without the consent.
- 61 A driver of HC or any other person who is intoxicated while driving or who causes injury to any other person by wanton and furious driving or by any other misconduct.
- 64 A driver of HC who obstructs another HC in taking up or setting down passengers or prevents another HC from being hired in a forcible manner.

Local Government (Miscellaneous Provisions) Act 1976

Section	Offences
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- | | |
|----|--|
| 46 | <p>The following who knowingly contravenes the following provisions shall be guilty of an offence:-</p> <ul style="list-style-type: none"> (a) The proprietor of a vehicle who allows it to be used for PH without a licence. (b) A person who acts as the driver of PH vehicle without a licence. (c) The proprietor of a vehicle who employs a driver of PH vehicle without a licence. (d) A person who operates a PH vehicle without a licence. (e) The operator of a PH vehicle with a licence to operate a PH vehicle if:- <ul style="list-style-type: none"> (i) the vehicle is not unlicensed; (ii) the driver is not licensed. |
| 49 | <p>The proprietor of HC or PH vehicle who, without reasonable excuse, transfers his interest in the vehicle and fails to inform LA of the transfer within 14 days of the transfer.</p> |
| 50 | <p>The proprietor of HC or PH vehicle who without reasonable excuse:-</p> <ul style="list-style-type: none"> (a) Fails to state in writing place vehicle is kept when not in use and afford facilities for the vehicle to be inspected and tested there. (b) Fails to report accident to licensed vehicle to LA within 72 hours. (c) Fails to produce licence to a vehicle or certificate of insurance. |

- 53 The driver of HC or PH vehicle who without reasonable excuse fails to produce his driver's licence when requested by an authorised officer of LA or any Constable either forthwith or within 5 days at the offices of LA or at a Police Station.
- 54 The driver of PH vehicle who, without reasonable excuse, fails to wear the badge given to them by the LA in such a position and manner as to be plainly and distinctly visible.
- 56 The operator of PH vehicle who without reasonable excuse fails to:-
- (a) Keep records of the hiring of vehicles and produce them when requested by an authorised office of LA or any Constable.
 - (b) Keep any other records as prescribed by LA produce then when requested by an authorised officer of LA or any Constable.
 - (c) Produce his licence when requested by an authorised officer of LA or any Constable.
- 57 Any person who knowingly or recklessly makes a false statement or omits any of the following information:-
- any information LA reasonably considers it requires to decide if a licence should be granted; and in respect of operator's licences:-
- a) name and address of applicant;
 - b) address from which he intends to carry out business;
 - c) any trade or business carried out before making the application;
 - d) details of previous application;
 - e) details of the revocation or suspension of any operator's licence previously held by him;
 - f) any convictions recorded against the applicant;
 - g) if the applicant is or has been a director of a company information regarding any convictions recorded against the company; has any trade or business carried out by the company; details of any previous application by the company; details of the revocation or suspension of any operator's licence previously held by the company;
 - h) if the applicant is a company, information regarding any convictions recorded against the company; has any trade or business carried out by the company; details of any previous application by the company; details of the revocation or suspension of any operator's licence previously hold by the company;
 - i) if the applicant proposes to operate the vehicle in partnership with any other person; information regarding any convictions recorded against that person; has any trade or business carried out by that person; details of any previous application by that person; details of the revocation or suspension of any operator's licence previously held by that person.

69 The driver of a HC or PH vehicle, who without reasonable cause, prolongs in distance or time the journey for which the vehicle is hired.

71 Any person who

- (a) tampers with any seal on a taximeter without lawful excuse; or
- (b) alters any taximeter with intent to mislead; or
- (c) knowingly causes or permits a PH vehicle fitted with a taximeter, of which he is the proprietor, to be used without unless the taximeter has been tested and approved by LA.

73 Any person who:-

- (a) wilfully obstructs an authorised officer of LA or any constable; or
- (b) without reasonable excuse fails to comply with any requirement properly made to him by such officer or constable;
- (c) without reasonable excuse fails to give such an officer or constable, any information he may reasonably require of such person.

Code Of Good Conduct For Licensed Drivers

In order to promote its licensing objectives as regards Hackney Carriage and Private Hire licensing, the Council has adopted the following Code of Good Conduct, which should be read in conjunction with the other statutory and policy requirements set out in this document.

1. **Responsibility To The Trade**

Licence holders shall endeavour to promote the image of the Hackney Carriage and Private Hire trade by:

- a) complying with this Code of Good Conduct
- b) complying with all the conditions of their licence and the Councils Hackney Carriage and Private Hire Licensing Policy
- c) behaving in a professional manner at all times

2. **Responsibility To Clients**

Licence holders shall:

- a) maintain their vehicles in a safe and satisfactory conditions at all times;
- b) keep their vehicles clean and suitable for hire to the public at all times;
- c) attend punctually when undertaking pre-booked hiring;
- d) assist, where necessary, passengers into and out of vehicles;
- e) offer passengers reasonable assistance with luggage.

3. **Responsibility To Residents**

To avoid nuisance or disturbance to residents when picking up or waiting for a fare, or waiting to be allocated a booking, a driver shall;

- a) not sound the vehicle's horn;
- b) keep the volume of radio/cassette/cd player and VHF/digital radios low;
- c) switch off the engine if required to wait;
- d) take whatever additional action is necessary to avoid disturbance to residents in the neighbourhood;
- e) not deposit any litter;
- f) not urinate in the street.

At Hackney Carriage ranks, drivers shall, in addition to the requirements above:

- a) rank in an orderly manner and proceed along the rank in order and promptly;
- b) remain in the vehicle.

At Private Hire Offices a licence holder shall;

- a) not allow their radio/cassette/cd players or VHF/digital radios to cause disturbance to residents of the neighbourhood;
- b) take whatever additional action is necessary to avoid disturbance to residents of the neighbourhood which might arise from the conduct of their business.

4. **General**

Drivers shall:

- a) pay attention to personal hygiene and dress in accordance with the Dress Code;
- b) be polite, helpful and respectful to passengers;
- c) drive with care and due consideration for other road users and pedestrians;
- d) obey all Traffic Regulation Orders and directions at all times;
- e) ensure that they do not smell of alcohol or consume alcohol at any time whilst driving or being in charge of a Hackney Carriage or Private Hire vehicle;
- f) not drive while having misused legal or illegal drugs;
- g) behave in a civil and orderly manner at all times;
- h) when requested by the Council attend a medical practitioner and/or submit to any drugs tests deemed appropriate.

Please Note:

Any amount of Alcohol or Drugs can affect a driver's judgment.

The Council will take a very serious view of any driver being found to have had any alcohol or having misused any drugs whilst in charge of a licensed vehicle.

Drivers Dress Code

The purpose of a Driver's Dress code is to seek a standard of dress that provides a positive image of the Hackney Carriage and Private Hire Trade in Stockton on Tees, to enhance a professional image of licensed drivers and ensure that public and driver safety is not compromised.

Acceptable Standards Of Dress

Tops

- Shirts, Blouses, T-Shirts or Sweat Tops should cover the shoulders and be capable of being worn inside trousers or shorts
- Shirts or Blouses may be worn with a tie or open necked

Footwear

- Footwear for all drivers shall fit around the heel of the foot

Unacceptable Standard Of Dress

The following are deemed unacceptable:

- Clothing not kept in a clean condition, free from holes and rips
- Words or graphics on any clothing that is of an offensive or suggestive nature or which might offend
- Sportswear (e.g. football/rugby kits, track suits, beach wear etc)
- Sandals with no heel straps, flip flops or any other form of footwear not secured around the heel
- Drivers not having either the top or bottom half of their bodies suitably clothed (see above)

Guidance For Applicants For Insulin Treated Diabetes Policy For Private Hire And Taxi Driver Licensees and Applicants

Applicants for a private hire or taxi driver licence will be required to:

- (a) Hold a DVLA C1 Category Group 2 licence (issued after 1st January 1998)
or
- (b) Satisfy the Licensing Authority that he/she meets the medical requirements, which would allow a C1 Group 2 licence to be issued.

With regard to option (b) the applicant will need to provide a medical report from a hospital consultant specialising in diabetes confirming:

1. The applicant has been undergoing insulin treatment for over four weeks.
2. During the twelve months prior to the date of the licence application the applicant has not suffered a hypoglycaemic episode requiring the assistance of another whilst driving.
3. The applicant has a history of responsible diabetic control and is a minimal risk of hypoglycaemic attack resulting in incapacity.

The applicant will also be required to submit a signed declaration that:

- (i) He/she will comply with the directions for treatment given to him/her by the doctor supervising that treatment.
- (ii) Immediately report to the Licensing Authority, in writing, any change in diabetic condition, and
- (iii) Provide to the Licensing Authority, as and when necessary evidence that blood glucose monitoring is being undertaken at least twice daily and at times relevant to driving a taxi or private hire vehicle during employment.

Licensees

Annually the licensee will be required to:

- (a) Submit to the Licensing Authority, for examination, their valid DVLA C1 category Group 2 licence **OR**
- (c) Provide a medical report from a hospital consultant specialising in diabetes confirming:
 - That during the preceding 12 months the licensee has not suffered a hypoglycaemic episode requiring the assistance of another whilst driving
 - The licensee has a history of responsible diabetic control and
 - Is at minimal risk of a hypoglycaemic attack resulting in incapacity

Licensees are reminded that the requirements of the declaration signed on the issue of licence remain an obligation.

All current applications involving individuals with insulin treated diabetes will be dealt with under these new requirements.

Applicants for licenses previously refused on the basis of insulin treated diabetes can make a fresh application if they believe they can meet the new requirements, as can licensees who have had their licenses revoked for that reason.

Disability Awareness Advice For Private Hire & Hackney Carriage Drivers

Advice For Taxi Drivers

Taxis are an invaluable means of door-to-door transport for many people. For a large and growing number of elderly and disabled people, they are quite literally a lifeline. Often taxis provide the only means of accessible local transport, or the only accessible link to long distance transport, for example, by rail or air.

You may have a vehicle which has been designed to make travelling easier for many elderly and disabled people including those who use wheelchairs. But the vehicle design is only part of the answer.

Your attitude and understanding are vital

If you are not sure how to help or if you are not willing to help elderly or disabled passengers you may lose a significant potential market and they will have lost an invaluable source of independent mobility.

Here is some basic advice to help you give the best service to your passenger and get the best from your vehicle. Disability comes in many forms - some visible, some invisible. Never make assumptions. Always ask what help (if any) a passenger may need from you. Make sure you are familiar with the access and safety equipment in your vehicle. Carrying ramps in a purpose built vehicle may be a condition of your licence. You have a responsibility to know how to use them safely and correctly.

If the passenger is a wheelchair user and you drive a wheelchair accessible vehicle you should always:-

- Pull up as close as possible to the kerb;
- Ask if they would like to use the ramps;
- If necessary, tip up the back seat to give more space to manoeuvre the wheelchair;
- Insist that the passenger travels in the correct position as recommended by the vehicle manufacturer, or conversion team;
- Always make sure that the brakes of the wheelchair are on;
- Be polite and ask before touching or moving your customer;
- Secure the wheelchair and suggest that the passenger also uses the seat belt provided;
- Avoid sudden braking or acceleration;
- Bring the wheelchair out of the vehicle backwards down the ramp and ask if the passenger would like the brakes on once it is unloaded;
- Leave the passenger in a safe and convenient place which enables them to move away independently.

If you drive a saloon car, you may still be able to take wheelchair users provided that the passenger is able to transfer. In those circumstances, you should ask the passenger what help they require, listen to their response, and act only as advised. Take care when loading the wheelchair into the boot. Wheelchairs can be expensive to repair or replace and without it the passenger may be totally immobile.

Remember, many disabled people who have mobility difficulties will not use a stick or crutches. People, with arthritis in particular, may be unable to walk using a stick or crutches due to painful upper limbs. If the passenger appears to have walking difficulties, or is frail or elderly, always:-

- Offer to fit the additional step if there is one – this reduces the first step and makes it easier to get into the vehicle;
- Offer the use of the swivel seat (if you have one);
- Be ready to help but do not insist on helping. If you are asked to help, listen carefully to the information given, or ask what is the best way to assist;
- If you have used the swivel seat, make sure it is locked back in position once inside the vehicle.

If the passenger is blind or partially sighted, ask what assistance they require and always:-

- look out for the "TAXI" sign which is held out by some blind and partially sighted people to hail a cab;
- if you are collecting a blind or partially sighted passenger from a pre-booked location, knock at the door on arrival - do not remain in the cab and hoot your horn;
- tell your passenger whether they are entering a saloon car or purpose built cab;
- demonstrate which way the doors open;
- if possible, place the blind person's hand on the open door and indicate the position of the roof;
- make sure they know which way the vehicle is facing;
- make sure they are seated and have secured the seat belt (where applicable) before you move off. They may like help with the belt;
- tell them if you are taking a different route from that which they might expect, or if there is a hold-up or diversion;
- tell them the fare and count out the change;
- set them down in a safe place and make sure they know where they are going. If they would like to be accompanied to an entrance of a building, offer them your arm; gripping just above your elbow will enable them to be guided more easily;

- remember guide dogs are trained to remain on the floor of a vehicle and will not abuse your vehicle. Refusal to carry a guide dog, may also be in contravention of the conditions attached to your licence. In saloon cars, there is more room for the dog on the floor in front of the vehicle.

If the passenger is deaf or hard of hearing, always:-

- look at them when you are speaking. Speak clearly - but don't shout!
- always have a pad of paper and pen handy as it is sometimes easier to communicate in writing;
- make sure that they are aware that you have understood their instructions and that you know where you are going;

Maintenance of Vehicles

- keep door handles, locks and hinges well oiled. This reduces the amount of physical effort (often painful) required to operate them.

If you drive a purpose built vehicle, make sure you know how to use the equipment. For example you should know the correct way to secure and load a wheelchair and to operate the swivel seat for vehicles such as the Fairway or Metrocab models. In the case of vehicles specially converted for the conveyance of wheelchairs, methods may vary according to the conversion, therefore, you should consult your conversion specialist.

How To Apply For A Private Hire Or Hackney Carriage Vehicle Licence

- a) Applications must be submitted with an Insurance Certificate, an MOT Certificate (if applicable), the DVLA Registration Document (V5) bearing the applicants correct name and address and the appropriate fee. The vehicle should be tested by Cowpen Depot and a certificate of compliance produced. **Incomplete application forms will be returned and this will delay your application.**
- b) Ensure that the vehicle is appropriate for use as a licensed vehicle. Please note Hackney Carriage Vehicles must be black. Private Hire Vehicles may be any colour **other than black**, and not of such design and appearance to lead any person to believe that the vehicle is a Hackney Carriage.
- c) Ensure that the vehicle complies fully with Stockton on Tees Borough Councils' current licensing policy and conditions. You should ensure that the vehicle you are proposing to licence meets the criteria in the Private Hire & Hackney Carriage Licensing Policy document. If the vehicle you wish to licence is not of a type already licensed by this Authority you must inform this office when arrangements will be made to check the suitability of the proposed vehicle. For further information on the suitability of vehicles please contact a Licensing Officer.
- d) Produce a current MOT Certificate if applicable to the vehicle. (All Vehicles over 12 months old now require M.O.T)
- e) Produce a Vehicle Registration Document V5 applicable to the vehicle. A V5 Document will be required at the time the application is made, as the licence will only be issued to the person named on the document.
- f) Produce a current Certificate of Insurance for the vehicle. Insurance certificates will be required to specify that the vehicle to be used is insured for Private Hire or Public Hire purposes. If your vehicle is covered by a Block Insurance Policy evidence will be required to show that this new vehicle has been added to it.

Please Note Photocopies, Faxes Etc Are Not Acceptable At Anytime

- g) Cheques should be made payable to Stockton on Tees Borough. Proof of payment must be submitted with your Application.

What Happens At The Vehicle Test Inspection

- a) Before you present your vehicle for a Test Inspection you should locate the engine number. If your vehicle engine number is missing then you should arrange for your vehicle to be checked by Cleveland Police, as your application will not proceed until legal ownership of the vehicle can be confirmed.
- b) You are advised that if your engine number, vin plate or chassis number is missing without satisfactory explanation then your vehicle details will be referred to the Cleveland Police for further investigation and this will delay your application.
- c) Upon completion of the vehicle test inspection you will be informed if your vehicle has passed or failed to reach the required standard, and you will be given a copy of the Test Inspection Sheet and a Certificate of Compliance.
- d) If your vehicle fails to reach the required standard you will be notified in writing and given the opportunity to bring the vehicle up to standard within one month.

Provision Of Fire Extinguishers And First Aid Kits In Hackney Carriages And Private Hire Vehicles

Local Government (Miscellaneous Provisions) Act 1976

Fire Extinguishers

1. Only fire extinguishers conforming to current British Standards with regards to their specification, selection, installation and maintenance shall be used.
2. The following types of fire extinguisher are considered suitable for use in motor vehicles:-
 - a. 1Kg Dry Powder
 - b. 1.1Kg Carbon Dioxide
3. Such equipment shall be sited in the drivers compartment.
4. All extinguishers to be inspected regularly by the user or his representative to make sure that appliances are in their proper position and have not been discharged or lost pressure (in the case of extinguishers fitted with a pressure indicator) or suffered obvious damage. The frequency of inspection should be not less than quarterly, and preferably at least monthly.
5. The user should replace extinguishers not available for use by serviceable extinguishers.
6. The user to ensure that all extinguishers, gas cartridges and replacement charges, if applicable, be inspected, serviced and maintained at least annually by a competent persons and in accordance with the procedures recommended by the current British Standard Code of Practice and any special procedures recommended by the manufacturer.
7. Each fire extinguisher must be marked with the licence number of the vehicle. This marking should either be painted on the body of the extinguisher or indelibly marked on a durable label firmly fixed to the extinguisher.

Any Proprietor/Operator wishing to obtain training for drivers in the use of fire extinguishers should contact The Commandant, Fire Brigade Training School, Slip Road, Church Lane, Grangetown.

It should be noted that a charge may be levied for the provision of training.

First-Aid Kits

For the purpose of vehicle licence condition 3 the contents of travelling first-aid kits should include at least the following items:-

- a) card giving general first-aid guidance
- b) six individually wrapped sterile adhesive dressings
- c) one large sterile unmedicated dressing
- d) two triangular bandages
- e) two safety pins
- f) individually wrapped moist cleansing wipes
- g) disposable gloves

Each first-aid kit must be marked with the licence number or the vehicle. This marking should either be painted on the case/box or indelibly marked on a durable label firmly fixed to the case/box.

Exceptionally Well Maintained Interior

1. All seats to be of manufacturers original design (unless a rotating seat is fitted) should all match and be securely fitted no dirt, stains, holes or tears. No loose covers allowed.
2. Front and rear (where fitted) seat belts should be clean and in good working order and condition. All anchorage point covers should be properly fitted and match original trim.
3. All panels should be clean, properly fitted and match original trim.
4. Carpets should be as manufacturers original, clean with no stains or holes and securely fitted.
5. All instrument and accessory covers to be securely fitted and match original trim.
6. All ashtrays to be fitted and match original trim.
7. Headlining to be clean, free from stains, holes and tears and be as originally fitted.
8. All window winder handles to be as originally fitted, clean and easy to operate.
9. All door handles and arm rests to be secure, clean and as originally fitted.
10. Brake, clutch and accelerator pedal rubbers to be fitted and in good condition.
11. The inside of the vehicle should be free from loose or trailing wires.
12. The boot should be tidy with a clean, unstained carpet/cover to manufacturers specification. All panelling should be secure, clean and in good condition.
13. In hatchback vehicles the boot cover should be to original specifications, in good condition with both lifting straps fitted. A cargo guard should also be fitted in estate vehicles.
14. Gear lever gaiters (where fitted) should be to manufacturers specifications, in good condition and properly fitted.
15. A rear view mirror must be properly fitted and in good condition.
16. All manufacturers fittings should be as original (i.e. speaker covers, etc).
17. All lights should be in proper working order with appropriate covers securely fitted.
18. Window locks and handles, where provided by the manufacturer should be in good working order.

Exceptionally Well Maintained Exterior

1. All bodywork to be clean and sound, free from rust, dents, scrapes, significant scratches or loose panels.
2. All paintwork to be in first class condition - no "egg-shell" finish, or different shades or colours on either external or interior areas which are visible to the public.
3. All wheel trims to be fitted according to manufacturers specifications and to match.
4. Aerials where fitted to be in good condition and free from rust.
5. Door or wing mirrors to be in good condition, no broken glass or surrounds.
6. Front and rear number plates to be clean, clear and unbroken.
7. Front and rear bumpers to be in first class condition, no rust, dents, scrapes (including any over-riders and end surrounds) and should be securely fitted.
8. Mud flaps (if fitted) should be maintained.
9. No broken or missing glass or surrounds on all front and rear lights and indicators (including repeater indicators where fitted).
10. Radiator grills should be secure and of original specification.
11. Front and rear (where fitted) windscreen wiper heads and arms should be in good condition, no rust and properly fitted.
12. Door and boot locks should be fitted and in good working order.
13. Doors should be easily opened and closed from the outside and inside.
14. All door handles should be properly fitted, easily operated and of original colour specification.
15. A spare wheel, which conforms, to legal requirements should be provided and properly fitted in the vehicle.
16. All tyres should conform to legal requirements.
17. All road wheels to be clean and free from rust (where trims are not fitted).

Advertising On Vehicles

Private Hire and Hackney Carriage Vehicle Conditions control the advertising on vehicles. The conditions state that:

1. No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provision or required or permitted by these conditions, provided however that this condition shall not apply to any indication on a taxi meter fitted to the vehicle.
2. No advertisement shall be allowed or affixed without the prior approval of the Council and specifically shall not:-
 - a) be affixed to any window of the vehicle and
 - b) be affixed to any door or panel on which the Council issued roundel or sign is located.

In order to assist vehicle proprietors in their applications for approval of advertisements the following guidelines have been approved.

1. Advertising on vehicles be allowed on any part of the vehicle except on:
 - (a) any window
 - (b) any door or panel on which the identification roundel or sign is located.
2. Any advertising on vehicles requires the prior approval of the Head of Community Protection.
3. When exemptions are given under Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976 the vehicle proprietor be required to exhibit an identification plate, supplied by the council, in the front window of the vehicle and no other signs or advertising will be allowed on the vehicle.
4. Vehicle proprietors are advised to submit a photograph of any advertising that was on the vehicle before these conditions came into effect. For new advertisements a draft proof of the proposed advert should be supplied and approved before placing the advertisement on the vehicle.
5. On approval of an advertisement the vehicle proprietor will receive a letter from the Council that will detail the advert and the positioning upon the vehicle for which it has been approved. It is the proprietors' responsibility to be able to show that the advertisement has been approved and they are required to be able to produce the letter upon request.

Note: The revised requirements with respect to advertising on hackney carriages and private hire vehicles came into effect in November 2002, and any vehicles not complying at that time were allowed until the date of renewal of the vehicle licence (April/May 2003) to comply.

Licensing Points System Of Enforcement

A Licensing Points system of enforcement is simply a means of ensuring in a transparent way that the Council's Licensing Committee is informed about the conduct of those people who are licensed by the Council.

Except in serious cases it is both unnecessary and undesirable to bring licence holders before the Licensing Committee every time they do something wrong. A licensing points system is therefore normally concerned with establishing a record of poor conduct. However, if 12 points are awarded in any 2 year period a reference to the Licensing Committee will be made.

The essential features of the points system are as follows:

- Licensing Points are only derived from activities involving taxis and taxi driving: they are not concerned with what a person gets up to otherwise (e.g. when driving another type of vehicle).
- Licensing Points will last for a **two-year** period and then be deleted and not be referred to again.
- There can be an element of "double jeopardy". In other words, the courts may have imposed a penalty and the Council may impose an additional penalty (this has always been the case). However, licensees will have an opportunity to appeal against any award of licensing points when their case is heard at Committee (i.e. after the imposition of 12 points within a twenty-four month period)

There are 4 general categories of event, which may result in points being awarded. These are:

- Failure to comply with conditions: e.g. late renewals, failure to report damage to vehicles, failure to display roof signs, changes of address etc. (**note that criminal offences may be committed as well by such failures**).
- Failure to maintain vehicles.
- Bye-law offences convictions and cautions.
- Road Traffic offences convictions and cautions.

The detailed licensing points system is set out below.

The Licensing Points System	
Type Of Event	Points Awarded
Criminal Conviction (Cautions attract 2 points)	4
Failure to Maintain Vehicle	3
Failure to comply with conditions	3
Effect Of Gaining Points	
12 points awarded in any two year period will result in a reference to the Licensing Committee	

NOTE:

1. Serious matters such as driving without insurance will bypass the points system and result in direct referral to the Licensing Committee.
2. Criminal convictions mean all criminal convictions (whether or not involving fixed penalty points) including, for example, Road Traffic offences, taxi by-law offences, and offences under the 1847 Act and 1976 Act.

Examples Of Breaches/Contraventions Which May Attract Licensing Penalty Points (These Breaches/Contraventions Are The Most Common And Do Not Form An Exhaustive List)	
1.	Failure To Have The Vehicle And All Its Fittings In An Exceptionally Well Maintained Condition
2.	Failure To Display Vehicle Plates In Correct Manner
3.	Failure To Display Vehicle Door Signs In Correct Manner
4.	Failure To Display Vehicle Roof Sign
5.	Failure To Display Dash Display Badge
6.	Failure To Display Tariff Card
7.	Failure To Display Internal Comment Card
8.	Vehicle Displaying Non Approved Adverts
9.	Failure To Provide First Aid Kit
10.	Failure To Provide Fire Extinguisher
11.	Failure To Maintain Adequate Internal Lighting
12.	Failure To Produce Insurance Certificate When Requested
13.	Failure To Produce An MOT Certificate When Requested
14.	Failure To Present Vehicle For Test When Requested
15.	Alteration Or Changes In Specification, Design, Condition Or Appearance Of The Vehicle Without Approval
16.	Failure To Notify The Council, In Writing, Of Any Change Of Address With Seven Days
17.	Failure To Notify The Council, In Writing, Of Any Conviction/Caution Within Seven Days
18.	Failure To Notify The Council, In Writing, Within 72 Hours Of Any Accident Involving A Licensed Vehicle
19.	Failure To Use A Meter/Overcharging Of Customer
20.	Failure To Wear/Display The Drivers Badge In A Manner To Be Plainly And Distinctly Visible
21.	Failure To Behave In A Civil And Orderly Manner
22.	Sounding Of Horn In Contravention Of Highway Code/Road Traffic Acts

23.	Conveying A Greater Number Of Persons Than That Prescribed In The Licence For The Vehicle
24.	Failure To Carefully Search For Any Property Which May Have Been Accidentally Left In The Vehicle
25.	Failure To Give A Written Receipt For The Fare Paid When Requested
26.	Failure To Carry A Disabled Persons Guide, Hearing Or Assistance Dog
27.	Failure To Promptly Attend At Appointed Time And Place Of Booking
28.	Failure To Report Loss/Theft Of Driver Badges Within 2 Working Days
29.	Failure To Keep Adequate Booking Records
30.	Failure To Keep Clean, Adequately Heated, Ventilated And Lit Premises For The Public For The Purposed Of Booking Or Waiting For A Private Hire Vehicle
31.	Failure To Submit Radio Equipment Test Certificate Annually Within One Month Of Test
32.	Failure To Notify The Council In Writing Immediately Of Receipt Of A Complaint About The Hire Of A Vehicle
33.	Use By An Operator Of An Unlicensed Vehicle Or Driver
34.	Failure To Return To The Council Vehicle Plates And Decals Within 7 Days Of Request
35.	Failure Of A Proprietor Of A Vehicle To Notify The Council Within 14 Days Of The Transfer Of Any Interest In The Vehicle.

These guidance notes are not an authoritative interpretation of the law and are intended for guidance only.

You are advised that these guidance notes should be read in conjunction with our Private Hire and Hackney Carriage Licensing Policy.

A copy of the Private Hire and Hackney Carriage Licensing Policy is available to download from our website at www.tradingstandards.gov.uk/stockton

For further information please contact our office.