

# APPENDIX 1

## Local Government ( Miscellaneous Provisions ) Act 1976

### Hackney Carriage Vehicle Licences Conditions of Licence

*A District Council may attach to the grant of a hackney carriage vehicle licence, such conditions as it may consider reasonably necessary (Section 47(2) Local Government (Miscellaneous Provisions) Act 1976).*

*All relevant information will be taken into account when consideration is given to an application for a hackney carriage vehicle or driver's licence. Whilst an application for a licence should conform to the licensing conditions and Council policies or guidelines, each application will be considered on its own merits.*

*Should an application be refused, the applicant has a right of appeal, in writing, within 21 days, to the Magistrates' Court. In the case of a refusal to grant a hackney carriage proprietor's licence the appeal is directly to the Crown Court. Wyre Forest District Council may, at its discretion, waive, alter or add to any of the conditions, standards or requirements.*

*A hackney carriage vehicle licence is issued, upon application, on 1 July each year and is valid for one year.*

*A hackney carriage driver's licence is issued, upon application, on 1 April and is valid for two years*

The hackney carriage ("the vehicle") shall at all times be kept and used in compliance with:-

The provisions of all Acts of Parliament and regulations made thereunder relating to the use of vehicles on public highways including in particular those contained in the Motor vehicles (Construction and Use) regulations.

The provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976

All byelaws relating to hackney carriages for the time being in force where the vehicle is kept and used.

## Hackney Carriage Licensing Conditions

1. Wyre Forest District Council will only licence vehicles less than 2 years old of a purpose built design (or L.A. approved conversions). The body must be of a fixed head type and have a bulkhead partition. The vehicle must be designed and developed for use as a wheelchair accessible taxi. Wheelchair access must be from the side and not from the rear. It must be unaltered from the manufacturers/converters specification and documentation must be produced to show that the vehicle is certified to M1, European whole Vehicle approval or low Volume Approval standards.
  - (a) Saloon cars must be less than 2 years old, have a minimum of 4 doors, each adjacent to, and allowing direct access to and from the seats and each seat shall have a minimum width of not less than 16" per person. The seat width for 3 persons of 48" shall be measured by taking the actual distance between the arm rests. All previous licence conditions applicable to such vehicles will still apply.
2. Production of the registration document that records when the vehicle was first registered, body type, vehicle type approval will be required to be provided at the time of M.O.T., Testing and Licensing together with a certificate provided by the manufacturer, issued by the Vehicle Certification Agency, and a bill of sale from the vendor that stipulates the vehicle is the standard of the new specification.
3. Hackney carriages will be coloured silver, suitably finished to a high quality. The silver colour shall be matching to BS 5252 (reference no. 00A03) or other similar colour as the Council may agree. The identification decal provided by the Council shall be applied to the mid or upper section of the nearside and offside front doors
4. Where rubbing strips are fitted on the doors or panels they should comply with the colour scheme of the relevant door or panel unless they consist of black plastic, rubber or other material as normally supplied by the manufacturer.
5. All vehicles when first submitted for licensing must be less than 2 years old. The upper age limit for Hackney carriage will be 7 years unless agreed by the Council who may on a vehicle by vehicle basis extend this period beyond 7 years dependent on the condition of the vehicle.
6. All vehicles shall have a minimum of four doors, each adjacent to, and allowing direct access to and from the seats

- 7 Vehicles must be capable of carrying a wheelchair accessed from the side in a secure forward or rear facing position.
- 8 All wheelchair accessible hackney carriages are to permit loading of wheelchairs ONLY through the side door(s) of the vehicle. Vehicles, which load wheelchairs through the tailgate, will not be accepted for licensing
- 9 All wheelchair accessible hackney carriages shall be equipped with properly mounted fittings for the safe securing of a wheelchair and the passenger seated in it, when carried inside the vehicle
- 10 Anchorage provided for wheelchair access must be either chassis or floor linked. Restraints for wheelchair and occupant must be independent of each other. Anchorage must be provided for the safe stowage of a wheelchair when not in use when folded or otherwise, if carried within the passenger compartment.
- 11 Provisions must be made for the ramps to be stowed safely when not in use.
- 12 Each seat shall have a minimum width of not less than 16 inches per person. The seat width for 3 persons of 48" shall be measured by taking the actual distance between the arm rests.
- 13 The rear seat shall accommodate not less than three persons; unless the safe carriage of a passenger seated in a wheelchair necessitates the removal of any seat

#### **Maintenance of vehicle**

- 14 The hackney carriage vehicle hereby licensed is to be tested to a Ministry of Transport standard, and the vehicle shall be taken to the appropriate Council testing station. Vehicles will be tested and inspected three times per year.
- 15 The vehicle and all its fittings and equipment shall at all times when the vehicle is in use, or available for hire, be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in the Motor vehicles (Construction and Use) Regulations shall be fully complied with.
- 16 Vehicles submitted for test/inspection shall be in such a condition as to be suitable for inspection, free from oil and any other matter, thoroughly cleaned inside and out. Vehicles not meeting these conditions will not be inspected. These vehicles will be treated as having failed to attend the inspection centre and be suspended immediately until they pass a re-examination

17 Proprietors of vehicles, which fail to attend any notified inspection, or whose vehicles are refused an inspection due to their condition, shall be liable to pay a fee for the re-inspection.

18 Vehicles that fail to attend for any inspection will be suspended immediately until such time as they attend and pass the inspection.

19 Vehicles must have a Department for Transport test certificate where required by the Road Traffic Acts.

NB : UNDER S.47 ROAD TRAFFIC ACT 1988, A HACKNEY CARRIAGE IS REQUIRED TO BE TESTED NOT LESS THAN ONE YEAR FROM ITS FIRST REGISTRATION.

#### **Alteration of Vehicle**

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

#### **CCTV**

21 There may be installed a CCTV camera, providing all image handling and recording equipment complies with the requirements of current and future data protection legislation. There must be signs displayed in and out of all windows of the vehicle informing passengers that the vehicle is fitted with surveillance equipment. The signs shall be not less than 11 x 8cm .

#### **Advertising**

22 The Hackney carriage hereby licensed shall display no advertisement unless the council shall have first approved its size colour and subject matter, and position on the vehicle in writing. A draft copy of the advertisement must be firstly submitted for approval. The letter of approval must be produced to the Council testing station at the time of the vehicle inspection.

#### **Safety Equipment**

23 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.

#### **Accidents**

24 In the event of the hackney carriage vehicle hereby licensed being involved in any accident to the vehicle causing damage material affecting the safety, performance, or appearance of the vehicle, or comfort or convenience of the passengers, the proprietor shall report such accident to the Council as soon as reasonable practicable, and in any event within 72 hours of the occurrence thereof.

#### **Change of address**

25 The proprietor shall notify the Council in writing of any change during the period of licence within 7 days of such change-taking place.

### **Liquid Petroleum Gas**

- 26 A hackney carriage proprietor converting their licensed vehicle to run on Liquid Petroleum Gas (LPG) must notify the Council of such change and comply with the following conditions. These conditions will also apply to proprietors purchasing a new or used vehicle that runs on LPG.
- 27 That the installation of a LPG tank be fitted by an LPGA approved installer as recommended by the Liquid Petroleum Gas Association.
- 28 That the proprietor produces a certificate of compliance by an approved LPGA installer.
- 29 That the LPG tank fitted must be a multi-valve tank and be fitted with a sealed tank box made from aluminium and vented to the atmosphere.
- 30 That the vehicle displays on the front and rear screens a round sticker stating that the vehicle has been fitted with a LPG tank for the purpose of the emergency services in the event of an accident.
- 31 That if a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely fixed in a position not obstructing the entire luggage space.
- 32 That the proprietor of the vehicle must notify DVLA Swansea, of the change in fuel from petrol to both LPG and petrol.
- 33 The vehicle be serviced by a person competent in LPG powered vehicles.

## APPENDIX 2

### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

#### PRIVATE HIRE VEHICLE LICENCE CONDITIONS

*A District Council may attach to the grant of a private hire vehicle licence, such conditions as it may consider reasonably necessary (Section 48(2)) Local Government (Miscellaneous Provisions) Act 1976).*

*All relevant information will be taken into account when consideration is given to an application for a private hire vehicle licence. Whilst an application for a licence should conform to the licensing conditions and Council policies or guidelines, each application will be considered on its own merits.*

*Should an application be refused, the applicant has a right of appeal, in writing, within 21 days, to the Licensing Committee.*

*Wyre Forest District Council may, at its discretion, waive, alter or add to any of the conditions, standards or requirements.*

*A private hire vehicle licence is issued, upon application, on 1 August each year and is valid for one year.*

- 1 Wyre Forest District Council will licence vehicles for private hire operation. Vehicles must be unaltered from the manufacturer's specification and documentation must be produced to show that the vehicle is certified to M1, European Whole Vehicle Approval or Low Volume Type Approval standards.
- 2 Production of the registration document (V5 form) that records when the vehicle was first registered; body type, vehicle type approval will be required to be produced at the time of MOT testing and licensing, together with a certificate provided by the manufacturer, issued by the Vehicle Certification Agency (VCA form ) and a bill of sale from the vendor that stipulated the vehicle is the standard of the new specification.
- 3 Private hire vehicles will be coloured (red) suitably finished to a high quality. The red colour shall be matching to BS 5252 (reference no. 04E55) or other similar colour as the Council may agree. The identification decal provided by the Council shall be applied to the mid or upper section of the nearside and offside front doors.
- 4 Where rubbing strips are fitted on the doors or panels they should comply with the colour scheme of the relevant door or panel unless they consist of black plastic, rubber or other material as normally supplied by the manufacturer.

- 5 All Vehicles when first submitted for licensing, must be less than 2 years of age. The upper age limit for private hire vehicles will be 7 years at the time of application for renewal. These age limits can be waived if the vehicle is special or prestigious as designated by the Council's Licensing Officer.
  - 6 All vehicles shall have a minimum of four doors, each adjacent to, and allowing direct access to and from the seats
  - 7 Vehicles capable of carrying a wheelchair passenger must be able to do so in a secure forward or rear facing position.
  - 8 All wheelchair accessible private hire vehicles are to permit loading of wheelchairs ONLY through the side door(s) of the vehicle. Vehicles, which load wheelchairs through the tailgate, will not be accepted for licensing
  - 9 All wheelchair accessible private hire vehicles shall be equipped with properly mounted fittings for the safe securing of a wheelchair and the passenger seated in it, when carried inside the vehicle
  - 10 Anchorage provided for wheelchair access must be either chassis or floor linked. Restraints for wheelchair and occupant must be independent of each other. Anchorage must be provided for the safe stowage of a wheelchair when not in use when folded or otherwise, if carried within the passenger compartment.
  - 11 Provisions must be made for the ramps to be stowed safely when not in use.
  - 12 Each seat in every private hire vehicle shall have a minimum width of not less than 16 inches per person; The seat width for 3 persons of 48" shall be measured by taking the actual distance between the arm rests.
  - 13 The rear seat shall accommodate not less than three persons; unless the safe carriage of a passenger seated in a wheelchair necessitates the removal of any seat
- Maintenance of vehicle**
- 14 The private hire vehicle hereby licensed is to be tested to a Ministry of Transport standard, and the vehicle shall be taken to the appropriate Council testing station. Vehicles will be tested and inspected three times per year.
  - 15 The vehicle and all its fittings and equipment shall at all times when the vehicle is in use, or available for hire, be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in the Motor vehicles (Construction and Use) Regulations shall be fully complied with.

- 16 Vehicles submitted for test/inspection shall be in such a condition as to be suitable for inspection, free from oil and any other matter, thoroughly cleaned inside and out. Vehicles not meeting these conditions will not be inspected. These vehicles will be treated as having failed to attend the inspection centre and be suspended immediately until they pass a re-examination
- 17 Proprietors of vehicles, which fail to attend any notified inspection, or whose vehicles are refused an inspection due to their condition, shall be liable to pay a fee for the re-inspection.
- 18 Vehicles that fail to attend for any inspection will be suspended immediately until such time as they attend and pass the inspection.
- 19 A Department of Transport test certificate where required by the Road Traffic Acts.

#### **Alteration of Vehicle**

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

#### **CCTV**

- 21 There may be installed a CCTV camera, providing all image handling and recording equipment complies with the requirements of current and future data protection legislation. There must be signs displayed in and out of all windows of the vehicle informing passengers that the vehicle is fitted with surveillance equipment. The signs shall be not less than 11 x 8cm.

#### **Advertising**

- 22 The private hire vehicle shall display no advertisement unless the Council shall have first approved its size colour and subject matter, and position on the vehicle in writing. A draft copy of the advertisement must be firstly submitted for approval. The letter of approval must be produced to the Council testing station at the time of the vehicle inspection.
- 23 The advertisement shall only be permitted on the rear doors of the vehicle of a maximum size of 39" x 16". No advertisement shall be permitted to be displayed on the windows, roof or bonnet of the vehicle. The advertisement will include the words "ADVANCE BOOKINGS ONLY" which must be displayed in letters of a minimum size of two inches. This wording must be displayed before the company name and or telephone number. The word "taxi" or Cab shall not be permitted to be displayed in the advertisement or anywhere on the vehicle. The proprietor of the private hire vehicle shall pay the full cost of any advertisement.



### **Safety Equipment**

- 24 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.

### **Accidents**

- 25 In the event of the private hire vehicle being involved in any accident to the vehicle causing damage material affecting the safety, performance, or appearance of the vehicle, or comfort or convenience of the passengers, the proprietor shall report such accident to the Council as soon as reasonable practicable, and in any event within 72 hours of the occurrence thereof.

### **Change of address**

- 26 The proprietor shall notify the Council in writing of any change during the period of licence within 7 days of such change-taking place.

### **Liquid Petroleum Gas**

- 27 A private hire vehicle. Converting their licensed vehicle to run on Liquid Petroleum Gas (LPG) must notify the Council of such change and comply with the following conditions. These conditions will also apply to proprietors purchasing a new or used vehicle that runs on LPG.
- 28 That the installation of a LPG tank be fitted by an LPGA approved installer as recommended by the Liquid Petroleum Gas Association.
- 29 That the proprietor produces a certificate of compliance by an approved LPGA installer.
- 30 That the LPG tank fitted must be a multi-valve tank and be fitted with a sealed tank box made from aluminium and vented to the atmosphere.
- 31 That the vehicle displays on the front and rear screens a round sticker stating that the vehicle has been fitted with a LPG tank for the purpose of the emergency services in the event of an accident.
- 32 That if a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely fixed in a position not obstructing the entire luggage space.
- 33 That the proprietor of the vehicle must notify DVLA Swansea, of the change in fuel from petrol to both LPG and petrol.
- 34 The vehicle be serviced by a person competent in LPG powered vehicles.

- Limousines** (Left hand drive) – All conditions applying to Private Hire Vehicles will also apply and in addition:
- 35 The Seating capacity to be a minimum of 6 and a maximum of 8
  - 36 Seat belts to be provided for all passengers
  - 37 All vehicles to have full Department for Transport type approval
  - 38 Vehicles to be put through a normal MOT test at the Vehicle Testing Station at Summerfield, Kidderminster, and then brought to the Council Depot for checking and testing items which are in the Council test, but not in the MOT.
  - 39 Testing frequency to be three times per year as directed by the Council
  - 40 These vehicles to be exempt from displaying licence identity plates on the outside, but to display an identity plate inside the driver's compartment and to carry a letter of dispensation.
  - 41 The normal conditions applying to the licensing of operators and drivers to apply (including the wearing of identity badges by drivers at all times).

## APPENDIX 3

### WYRE FOREST DISTRICT COUNCIL LICENSING SERVICES

#### Customer Services Policy

Wyre Forest District Council is committed to providing a quality service in a courteous, helpful and caring manner. This Policy sets out what the Licensing team do to achieve this, the standards you can expect from them, and how you can help them meet these standards.

#### **Who are we?**

The Planning Health and Environment Division of Wyre Forest District Council covers a range of services that influences the way we live, work and play.

Our clients include other Council Divisions, Council Members, other Government and public service bodies, businesses and members of the public. In providing these services we aim to meet clients needs, providing a quality service, in a courteous and efficient manner.

The Licensing team operating as part of the Division, is responsible for processing a wide variety of applications and for providing advice and guidance on Licensing issues.

#### **Service Provided**

- To protect health and safety we licence premises for public entertainment, skin piercing and specific food businesses.
- We licence pet shops boarding kennels, riding schools and dog breeders.
- We implement the provisions of the Licensing Act 2003 and licence the retail sale of alcohol and provision of regulated entertainment.
- We licence and regularly inspect taxis to ensure they are safe.
- We assess and licence drivers of taxis to make sure they are acceptable.

#### **What you can expect from us**

We will:

- Provide an independent courteous and confidential service.
- Give us much information and immediate advice as possible.
- Provide a quality service at all times.
- Respond to written enquiries within 10 working days.
- Respond to requests for service as quickly as possible and in all cases within 3 working days.
- Process all applications for licences as quickly as possible.
- If you make a request, keep you informed of the progress of your case.
- When possible work in partnership with the business community.

### **Treating everyone fairly**

The Licensing team is committed to promoting equal opportunities for the community it serves.

### **You can help us by**

- Providing your name, address and telephone number when you make a request so we can report back to you.
- Attend any appointment in time, or let us know if you cannot do so.
- Provide the information we ask for when we ask for it. This will speed up the process.
- Please be patient as there will be times when we are exceptionally busy. We will however, make every effort to keep waiting times to a minimum.

### **Listening to your views**

If you are unhappy with any aspect of our service please contact us and we will try to resolve any problems quickly. Comments on service standards are always welcomed by the Environmental Health and Licensing Manager and are recognised as essential to maintain and improve service standards. Please telephone directly on 01562 732580 or write addressed to:

Environmental Health and Licensing Manager  
Duke House  
Clensmore Street  
Kidderminster  
Worcs. DY10 2JX

The Council has a formal procedure for Customer Complaints if this is the route you wish to follow. A copy of the procedure is available from any Council office.

The Council will encourage all sectors of the business community to formally adopt customer care policies similar to the above to ensure that standards of customer care are high at all points of service delivery.

The Council will assist with the preparation of such policies, if requested, and a Code of Conduct and Customer Care for licensed vehicle operators will be made available in due course.



## APPENDIX 4

Davies Road  
Evesham  
Worcs  
WR11 1LP

19 October 2006

### Disability Awareness Training Workshops.

Evesham College can provide:

A training / awareness workshop for up to 10 drivers per session covering:

- A DVD presentation (Go skills)
- Legislation
- Definition of disability
- Impairments
- Barriers
- Assistance
- Empathy, discreetness and dignity
- Technology and Equipment
- Use of technology and equipment.

We will also have the manufacturer of the "TX4" or similar vehicle in attendance for the practical part of the workshop.

We ask that you make suitable premises available within Wyre Forest.  
(If not possible, we can use a college building in Malvern)

It is envisaged that the workshop will take up to 3 hours to deliver.  
A maximum of ten delegates at each workshop.

The cost will be £300 per workshop; this will include a college certificate of attendance for each attending delegate.

We ask that you give a choice of dates and times for the workshops, to enable all parties to plan ahead.

Kind Regards  
Bob Farley  
Logistics and Transport Training.  
0775 107 4141  
[bfarley@evesham.ac.uk](mailto:bfarley@evesham.ac.uk)

## **APPENDIX 5**

**Wyre Forest District Council  
Environmental Health & Licensing Section  
Planning, Health and Environment Division.**

**Licensed Hackney Carriages – 90**

**of which**

**14 are wheel chair accessible.**

**This equates to 15.5% of the fleet of vehicles are wheel chair accessible.**

### **Colour of vehicle**

**Silver – 40**

**Blue – 19**

**Green – 10**

**Red – 7**

**White – 6**

**Black – 5**

**Grey – 2**

**Yellow – 1**

**Five additional plates are pending process and issue.**

**Three further plates available to applicants.**

# **APPENDIX 5**

**Wyre Forest District Council  
Environmental Health & Licensing Section  
Planning, Health and Environment Division.**

## **Licensed Private Hire Vehicles – 26**

### **Colour of vehicle**

**White – 6**

**Blue – 5**

**Red – 5**

**Black – 4**

**Silver – 3**

**Green – 2**

**Gold – 1**

## **Private Hire Operators**

**Mark One – 44, Mostyn Road, Stourport on Severn.**

**Terrys Private Hire – 9, Francis Road, Stourport on Severn**

**Holland, Regency + Albany, 5, Comberton Terrace, Kidderminster.**

**P+P Central Taxis, Unit 14G, Paddington House, New Road,  
Kidderminster.**

**Keelan Private Hire,  
353, Stourbridge Road, Kidderminster.**

**AM Cars, 4, Severnside Mills, Bewdley.**

**Bewdley Cars (Private Hire)  
Northwood Lodge, Northwood Lane, Bewdley.**

## HACKNEY CARRIAGE AND PRIVATE HIRE TRADE

### CUSTOMER CARE POLICY

#### **Your driver will:**

- Wear an identification badge, be presentable, polite and courteous.
- Not smoke in the vehicle.
- Take you to your destination by the most direct possible route, unless you ask otherwise.
- Charge no more than the fare shown on the meter, or the fare agreed before your journey commences and provide a receipt upon request.
- Not allow other passengers to share the taxi without the agreement of all parties.
- When requested, give all reasonable assistance in helping passengers in and out of the vehicle and with loading and unloading of luggage.
- Not play music in the vehicle without passengers' permission.
- Carry guide, hearing and other assistance dogs free of charge.
- Maintain the vehicle in a roadworthy and clean condition, including inside the vehicle.
- Always pick up passengers at the time indicated, at the location asked for.
- Have undertaken training on handling wheelchair passengers
- Have passed the Council's 'knowledge test'
- Be medically fit to drive the vehicle

#### **Complaints**

- Complaints directly to the trade will be dealt with promptly and courteously using the approved complaints procedure and every effort made to reach a resolution (*Appendix 9*).
- If any complaint cannot be satisfactorily resolved, then it should be referred to the Licensing Section of Wyre Forest District Council.



- Any breaches of licensing conditions witnessed by the public or the trade should immediately be reported to the Council in writing.

WYRE FOREST DISTRICT COUNCIL

**DRIVING LICENCE CONDITIONS**

1. A driver of a hackney carriage or private hire vehicle when standing or plying for hire shall not, by calling out or otherwise, importune any person to hire such carriage or vehicle and shall not make use of the services of any other person for the purpose.
2. The driver of a hackney carriage or private hire vehicle shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
3. The driver of a hackney carriage or private hire vehicle who has agreed or has been hired to be in attendance with the carriage or vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage or vehicle at such appointed time and place.
4. The driver of a hackney carriage or private hire vehicle when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
5. A driver of a hackney carriage or private hire vehicle shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage or vehicle.
6. The driver of a hackney carriage or private hire vehicle shall, when standing, plying or driving for hire, wear the badge allocated to him in such a position and manner as to be plainly and distinctly visible.

7. The driver of a hackney carriage or private hire vehicle so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage,:
  - (a) convey a reasonable quantity of luggage
  - (b) afford reasonable assistance in loading and unloading
  - (c) afford reasonable assistance in removing it to or from entrance of any house, station or place at which he may take up or set down such person.
  
8. Every driver of a hackney carriage who shall knowingly convey in the carriage the dead body of any person shall immediately notify the fact to the Planning, Health and Environment Division.
  
9. The driver shall within forty-eight hours of the happening advise the Council's Environmental Health and Licensing Manager of any accident or occurrence or disease which would affect or impair his ability to drive a hackney carriage or private hire vehicle.
  
10. Group 2 medical standards (as defined by 'A guide for Medical Practitioners', DVLA), will apply to all Hackney Carriage and Private Hire vehicle drivers. Applicants must provide proof from a medical practitioner that they meet this standard before being granted a licence. Licensed drivers will be required to undergo a medical if the Council officers are concerned over their medical fitness and under these circumstances, medical fees may be refunded.
  
11. All drivers of wheelchair accessible vehicles are required to show competence in the loading and unloading of wheelchairs either by the completion of a suitable training course approved by the Council or by a suitable length of practical experience with the vehicle involved.
  
12. Drivers shall operate to a published complaints procedure that has been approved by the Council and deals with customer complaints and dispute resolution and expected standards of service; copies must be available for use of customers and procedures must be used when dealing with a complaint.

WYRE FOREST DISTRICT COUNCIL

**BYELAWS**

Made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by the Wyre Forest District Council with respect to Hackney Carriages.

**INTERPRETATION**

1. THROUGHOUT these Byelaws 'the Council' means the Council of the District of Wyre Forest and 'the District' means the administrative district of Wyre Forest.

**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 the number of the Licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside respectively of the carriage or on plates affixed thereto.
  - (b) A proprietor or driver of 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, plying or being driven for hire
    - (ii) not cause or permit the carriage to stand, ply or be driven for hire with any such painting marking or plate so defaced that any figure or material particular is illegible
    - (iii) cause a plate (to be provided by the Council and hereinafter called 'the number plate') bearing the number corresponding with the number of the Licence of such carriage to be conspicuously affixed on the outside of the back of such carriage
    - (iv) cause a plate (to be provided by the Council and hereinafter called 'the inside number plate') bearing a number corresponding with the number of the Licence of such carriage to be conspicuously affixed inside such carriage, immediately above the fare plate.

### PROVISIONS REGULATING HOW HACKNEY CARRIAGES ARE TO BE FURNISHED OR PROVIDED

3. The proprietor of a hackney carriage shall:
  - (a) provide sufficient means by which any person in the carriage may communicate with the driver
  - (b) cause the roof or covering to be kept water tight
  - (c) provide any necessary windows and a means of opening and closing not less than one window on each side
  - (d) cause the seats to be properly cushioned or covered
  - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering
  - (f) cause the fittings and furniture generally to be kept in a clean condition well maintained and in every way fit for public service
  - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage
  - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use
  - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver
  
4. A proprietor of a duly licensed motor hackney carriage shall not cause or suffer such carriage to be used for the purpose of plying for hire or carrying passengers for hire or reward unless and until it has been fitted with a taximeter or other similar apparatus.
  
5. The proprietor of a hackney carriage shall cause any taximeter with which the carriage is provided to be so constructed, attached and maintained as to comply with the following requirements that is to say
  - (a) the taximeter shall be fitted with a key flag or other device the turning of which will bring the machinery of the taximeter into action and causes the word 'HIRED' to appear on the face of the taximeter

- (b) such key flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on 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 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 DRIVER SHALL WEAR ANY AND WHAT BADGES**

6. The driver of a hackney carriage provided with a taximeter shall
- (a) when standing or plying for hire keep the key flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter
  - (b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key flag or other device so that the word 'HIRED' is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring
  - (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 purpose of the Road Traffic Act 1972 and also at any other time at the request of the hirer

7. 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.
8. 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 in the District
  - (b) 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
  - (c) when the carriage is the first carriage on the stand remain with the carriage ready to be hired at once.

In this byelaw 'stand' means a stand for the time being:

- (j) appointed under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 in the District, or
  - (ii) fixed by byelaw made under Section 68 of the Town Police Clauses Act 1847 in any part of the District
9. 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.
  10. (a) Every proprietor or driver of a motor hackney carriage shall at all times when standing, plying or driving for hire conduct himself in an orderly manner
  - (b) The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
  11. 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.

12. The driver of a hackney carriage or private hire vehicle when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
13. A proprietor or driver of a hackney carriage or private hire vehicle shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
14. If a badge has been provided by the Council and delivered to the driver of a hackney carriage either with the Licence granted to him by the Council or afterwards he shall, when standing, plying or driving for hire, wear the badge allocated to him in such a position and manner as to be plainly and distinctly visible.
15. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage,:
  - (a) convey a reasonable quantity of luggage
  - (b) afford reasonable assistance in loading and unloading
  - (c) afford reasonable assistance in removing it to or from entrance of any house, station or place at which he may take up or set down such person.
16. Every proprietor or driver of a hackney carriage who shall knowingly convey in the carriage the dead body of any person shall immediately notify the fact to the Environmental Health and licensing Manager of the Planning, Health and Environment Division.

**PROVISIONS FIXING THE RATES OR FARES TO BE PAID FOR HACKNEY CARRIAGES WITHIN THE DISTRICT AND SECURING THE DUE PUBLICATION OF SUCH FARES**

17. 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 following table, the rate or fare being calculated by distance unless the hirer expresses at the commencement of the hiring his desire to engage by time PROVIDED ALWAYS that where a hackney carriage finished 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 following table which it may not be possible to record on the face of the taximeter.



18. (a) The proprietor of a hackney carriage for which fares are fixed by any byelaw in that behalf shall
- (i) cause a statement of such fares to be painted or marked on the inside of the carriage or on a plat affixed thereto in clearly distinguishable letters and figures
  - (ii) renew such letters or figures as often as is necessary to keep them clearly visible
- (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 REDELIVERY OF ANY PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES AND FIXING THE CHARGE TO BE MADE IN RESPECT THEREOF**

19. 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 thereon.
20. 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.
- (i) carry it within forty eight hours if not sooner claimed by or on behalf of its owner to the office of the Council and leave it in the custody of the officer in charge of the office on his giving a receipt for it
  - (ii) be entitled to receive from any person to whom the property shall be redelivered an amount equal to five pence in the pound of its estimated value for the fare for the distance from the place of finding to the office of the Council (whichever be the greater) but not more than Five pounds
21. Every driver of a motor hackney carriage shall, at all times, when standing driving or plying for hire have a copy of these Byelaws clean and in good order ready to produce and upon request produce the same for perusal and inspection to any person who shall hire such carriage or to any Police Officer.



## PENALTIES

22. Every person who shall offend against any of these Byelaws 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 thereafter.
23. The following Byelaws relating to a hackney carriages are hereby repealed:
- (i) Byelaws made by the Council in respect of the former Borough of Kidderminster on the Twelfth day of March One thousand nine hundred and seventy six and which were confirmed by the Secretary of State on the Twenty sixth day of November One thousand nine hundred and seventy six
  - (ii) Byelaws made by the Council in respect of the former Borough of Bewdley on the Twelfth day of March One thousand nine hundred and seventy six and which were confirmed by the Secretary of State on the Twenty sixth day of November One thousand nine hundred and seventy six
  - (iii) Byelaws made by the Council in respect of the former Urban District of Stourport on Severn on the Twelfth day of March One thousand nine hundred and seventy six and which were confirmed by the Secretary of State on the Third day of December One thousand nine hundred and seventy six
  - (iv) Byelaw number 18 made by the Council in respect of the former Borough of Bewdley on the Fourteenth day of January One thousand nine hundred and seventy seven and which was confirmed by the Secretary of State on the First day of April One thousand nine hundred and seventy seven
  - (v) Byelaw number 18 made by the Council in respect of the former Borough of Kidderminster on the Fourteenth day of January One thousand nine hundred and seventy seven and which was confirmed by the Secretary of State on the First day of April One thousand nine hundred and seventy seven.

GIVEN under THE COMMON SEAL of the  
WYRE FOREST DISTRICT COUNCIL, this  
Twelfth day of January 1979 in the  
Presence of:

J. HOLLOWAY  
Chairman

L.S.

S. EWBank  
Director of Legal and  
Administrative Services

The foregoing Byelaws are hereby confirmed by the Secretary of State and shall  
come into operation on the 16<sup>th</sup> day of March 1979

R.F.D. SHUFFREY  
An Assistant Urban Secretary of State

Signed by authority of the Secretary of State

Home Office

15<sup>th</sup> March 1979

I certify that the foregoing is a true copy of a Byelaw made under Section 68 of the  
Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by  
Wyre Forest District Council on the 12<sup>th</sup> day of January 1979 and confirmed by the  
Secretary of State on the 15<sup>th</sup> day of March 1979.

S, EWBank  
Director of Legal and  
Administrative Services



**RADAR**  
the disability network

MA BAKER KE

## APPENDIX 9

Councillor Jeffrey Baker  
Wyre Forest District Council  
Civic Centre  
Stourport-on-Severn  
Worcestershire  
DY13 8UJ

31 October 2006

Dear Councillor Jeffrey Baker

### Re: Accessible Taxis

RADAR is the largest pan-disability organisation in the UK and represents disabled people from all sections of the community. We have assisted the government in the development of disability access regulations (under the Disability Discrimination Act 1995) now implemented for both buses and trains, but still await legislation to be implemented for taxis.

In the absence of the above regulations for taxis, we are aware that local authorities have been largely left to their own devices, to determine accessibility policy in terms of both the numbers of accessible vehicles and their safety and accessibility standards. Many authorities have made enormous strides in trying to provide an improved service for disabled people with accessible taxis (hackney carriages). In recent months we have been discussing what we feel would be a reasonable minimum requirement in terms of availability, safety and affordability and, accordingly, we are attaching a copy of RADAR's policy on this matter.

If you are a local authority that regulates the numbers of hackney carriages, we would urge you to consider whether you have sufficient to meet the attached policy and, if not, whether more licences to meet this specification could be issued. If you have no limit on the number of your licences, then we would urge you to consider in future only issuing additional licences for accessible taxis (they can be second hand) and if licences are transferred that the new operator is required to put on an accessible taxi. In this way we believe we will improve the availability of taxis for disabled people across the country, without having to wait until legislation is fully implemented.

Clearly the taxi provides a vital link for many disabled people and although there may be some cost to the operator, we would expect that the extra business gained would offset the operators cost over time. You will see we are advocating a taxi card scheme that helps all parties to make better use of the facilities provided and where this is used in other parts of the country, it can be operated within a fixed budget and works very well.

Driver training is also vital. Without providing a vocational training seminar for drivers, they will not be able to properly use disability access equipment in a safe way in their taxi. The new Disability Awareness DVD produced by 'Go Skills' summarises this point very well.

Please support disability access across the UK.

Yours sincerely

A handwritten signature in black ink, appearing to be 'O. B. ...', written in a cursive style.

**Deputy Campaigns Director**



## **Policy for accessible taxi and private hire vehicles**

**RADAR believes every Local Authority should have:**

1. A policy and strategy for delivering affordable and accessible taxis and private hire vehicles
2. A policy to allow disabled people to use taxis and private hire vehicles
3. At least 50% vehicle fleet accessibility
4. A driver training scheme for taxi and private hire vehicle drivers

### **1. Policy and Strategy**

- a. Local Authorities should have a policy to improve the mobility of disabled people by the use of taxis and private hire vehicles
- b. Local Authorities should have a strategy for carrying out the policy by various means and within a timeframe
- c. These policies should be detailed in the Local Authority's Disability Equality Scheme

### **2. Affordability**

- a. Local Authorities should have a scheme whereby disabled residents unable to use bus services routinely (i.e. a concessionary bus pass may also be held but is not always usable, such as when the holder has luggage, travels after dark etc.) can use taxis affordably. This policy should include:
  - i. Allowance of at least two single trips a day
  - ii. At least half fare discount
  - iii. Companions allowed at no extra fare

### **3. Vehicle accessibility**

- a. All new and transferred licences for Hackney Carriages should be for side-loading wheelchair accessible vehicles with M1 ECWVTA and include features to cater for those passengers with reduced mobility, vision and hearing
- b. All new licences for private hire vehicles should be required to have an approved swivel seat fitted

### **4. Driver training**

- a. Drivers should be trained in disability awareness, communication and use of equipment
- b. Training should be taken as part of the licence requirements on first issue and renewal
- c. It is recommended that driver training is mandatory. However, when introducing this, Local Authorities should work in partnership with other Local Authority areas in the region to ensure standardisation

# Taxi and Private Hire Vehicle Licensing: Best Practice Guidance

## Contents

Introduction .....	2
The Role of Taxis and PHVs .....	2
The Role of Licensing: Policy Justification .....	2
Scope of the Guidance.....	4
Consultation at The Local Level .....	4
Accessibility.....	4
Existing duties under the Disability Discrimination Act 1995 (DDA).....	4
Duties under the DDA , as amended by the Disability Discrimination Act 2005 .....	5
Vehicles.....	6
Quantity Restrictions of Taxi Licences outside London.....	10
Annex A: Taxi and Private Hire Vehicle Licensing: Best Practice Guidance.....	19
Annex B: Taxi and Private Hire Vehicle Licensing: Best Practice Guidance .....	21



October 2006

## Introduction

1. This Guidance is issued with the aim of assisting those local authorities in England and Wales that have responsibility for the regulation of the taxi and private hire vehicle (PHV) trades.
2. The Guidance follows the publication in November 2003 by the Office of Fair Trading of a market study of the regulation of taxis and PHVs in the UK. One of the recommendations of that study was that the Department for Transport (DfT) should produce guidance on best practice for the local licensing authorities concerned. The Guidance is issued in fulfilment of that recommendation.
3. However, it will be appreciated that it is for individual licensing authorities to reach their own decisions both on overall policies and on individual licensing matters, in the light of their own views of the relevant considerations.
4. The Department consulted on a draft version of the guidance in the autumn of 2005. We are grateful for all the views expressed on that draft. A summary of the consultation responses and our reaction to them is available on the DfT web-site. Some respondents to the consultation draft felt that the document should be made more prescriptive whilst others felt that the draft struck the right balance in this respect. Taxi and private hire vehicle legislation makes it clear that it is primarily for local licensing authorities to make decisions on the matters covered in this guidance. Furthermore, it is right that local circumstances and requirements are taken into account in making these decisions in each licensing area. So we have in general resisted the calls for the guidance to be more prescriptive. The key purpose of the guidance remains, as proposed in the draft version, to assist local decision-making by setting out the main considerations authorities might wish to take into account in reaching the right balance between costs and benefits in determining the licensing policies for their area.

## The Role of Taxis and PHVs

5. Taxis (more formally known as hackney carriages) and PHVs (or minicabs as some of them are known) play an important part in local transport. In 2003 some 650 million journeys were made by taxi and PHV in Great Britain, and households spent around £3 billion on taxi and PHV journeys; spending by businesses and foreign visitors was a substantial extra figure. Taxis and PHVs are used by all social groups; low-income young women (amongst whom car ownership is low) are one of the largest groups of users.
6. Taxis and PHVs are also increasingly used in innovative ways - for example as taxi-buses - to provide innovative local transport services (see paras 63-66).

## The Role of Licensing: Policy Justification

7. The aim of local authority licensing of the taxi and PHV trades is to protect the public. Local licensing authorities will also be aware that the public should have reasonable access to taxi and PHV services, because of the part they play in local transport provision. Licensing requirements which are unduly stringent will tend unreasonably to restrict the supply of taxi and PHV services, by putting up the cost of operation or otherwise restricting entry to the trade. Local licensing authorities should recognise that too restrictive an approach can work against the public interest - and can, indeed, have safety implications.
8. For example, it is clearly important that somebody using a taxi or PHV to go home alone late at night should be confident that the driver does not have a criminal record for assault and that the vehicle is safe. But on the other hand, if the supply of taxis or PHVs has been unduly constrained by onerous licensing conditions, then that person's safety might be put at risk by having to wait on late-night streets for a taxi or PHV to arrive; he or she might even be tempted to enter an unlicensed vehicle with an unlicensed driver illegally plying for hire.

## Taxi and Private Hire Vehicle Licensing: Best Practice Guidance

9. Local licensing authorities will, therefore, want to be sure that each of their various licensing requirements is in proportion to the risk it aims to address; or, to put it another way, whether the cost of a requirement in terms of its effect on the availability of transport to the public is at least matched by the benefit to the public, for example through increased safety. This is not to propose that a detailed, quantitative, cost-benefit assessment should be made in each case; but it is to urge local licensing authorities to look carefully at the costs - financial or otherwise - imposed by each of their licensing policies. It is suggested they should ask themselves whether those costs are really commensurate with the benefits a policy is meant to achieve.

## Scope of the Guidance

10. This guidance deliberately does not seek to cover the whole range of possible licensing requirements. Instead it seeks to concentrate only on those issues that have caused difficulty in the past or that seem of particular significance. Nor for the most part does the guidance seek to set out the law on taxi and PHV licensing, which for England and Wales contains many complexities. Local licensing authorities will appreciate that it is for them to seek their own legal advice.

## Consultation at The Local Level

11. It is good practice for local authorities to consult about any significant proposed changes in licensing rules. Such consultation should include not only the taxi and PHV trades but also groups likely to be the trades' customers. Examples are groups representing disabled people, or Chambers of Commerce, organisations with a wider transport interest (eg Transport 2000 and other transport providers), womens' groups or local traders.

## Accessibility

12. Local licensing authorities will want to consider how accessible the vehicles they license as taxis are for disabled people (which includes - but is not limited to - people who need to travel in a wheelchair).

13. Licensing authorities will know that the Department has for some years now been working on proposals which would substantially improve taxi provision for people with disabilities. This work is continuing and an announcement will be made in due course. In the meantime licensing authorities are encouraged to introduce taxi accessibility policies for their areas. The Department's letter to local licensing authorities of 9 September 2002, the relevant part of which was repeated in the letter of 16 June 2004, gave more detailed guidance.

14. Different accessibility considerations apply as between taxis and PHVs. Taxis can be hired on the spot - in the street or at a rank - by the customer dealing directly with a driver; but PHVs can only be booked through an operator. It is important that a disabled person should be able to hire a taxi on the spot with the minimum delay or inconvenience, and having accessible taxis available helps makes that possible. For PHVs, it may be more appropriate for a local authority to license any type of saloon car, noting that some PHV operators offer accessible vehicles in their fleet.

## Existing duties under the Disability Discrimination Act 1995 (DDA)

15. Since 31 March 2001 licensed taxi drivers in England and Wales have been under a duty (under s.37 of the Disability Discrimination Act 1995) to carry guide, hearing and other prescribed assistance dogs in their taxis, without additional charge. Drivers who have a medical condition that is aggravated by exposure to dogs may apply to their licensing authority for exemption from the duty on medical grounds. Any other driver who fails to comply with the duty is guilty of a criminal offence and liable, on summary conviction, to a fine of up to £1,000. Similar duties covering PHV operators and drivers have been in force since 31 March 2004.

16. Enforcement of the duties is the responsibility of local licensing authorities. It is therefore for authorities to decide whether breaches should be pursued through the courts or considered as part of the licensing enforcement regime, having regard to guidance issued by the Department.

## **Duties under the DDA , as amended by the Disability Discrimination Act 2005**

17. The Disability Discrimination Act 2005 amended the DDA 1995 to enable the Government to lift the exemption in Part 3 of that Act for operators of transport vehicles. The amendment allowed for the exemption to be lifted for different services, at different times and to different extents. Regulations have been made to lift the exemption in relation to vehicles used to provide public transport services, including taxis and PHVs, as well as for vehicle hire services and breakdown services. These Regulations come into force on 4 December 2006 and will effectively apply certain duties in Part 3 of the DDA 1995 to providers of transport services who provide such services through the use of specified vehicles. In order to meet these new duties, licensing authorities will be required to review any practices, policies and procedures that make it impossible or unreasonably difficult for a disabled person to use their services. The Disability Rights Commission (DRC) has produced a Code of Practice to explain the new Part 3 duties for the transport industry. This is on the DRC's website at [www.drc-gb.org](http://www.drc-gb.org). The Code is a supplement to, and should be read in conjunction with, the Code of Practice for Part 3 of the Act: Rights of Access to Services and Premises, which is also on the website. An example of responding to these new duties would be providing - for use in informing passengers - Braille cards to those drivers exempted from the duty to carry prescribed assistance dogs.

## Vehicles

### Specification Of Vehicle Types That May Be Licensed

18. The legislation gives local authorities a wide range of discretion over the types of vehicle that they can license as taxis or PHVs. Some authorities specify conditions that in practice can only be met by purpose-built vehicles but the majority license a range of vehicles.

19. Normally, the best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicle as possible. Indeed, local authorities might usefully set down a range of general criteria, leaving it open to the taxi and PHV trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way there can be flexibility for new vehicle types to be readily taken into account.

20. It is suggested that local licensing authorities should give very careful consideration to a policy which automatically rules out particular types of vehicle or prescribes only one type or a small number of types of vehicle. For example, the Department believes authorities should be particularly cautious about specifying only purpose-built taxis, with the strict constraint on supply that that implies. (There are at present only two designs of purpose-built taxi.) But of course the purpose-built vehicles are amongst those which a local authority could be expected to license. Similarly, it may be too restrictive to automatically rule out considering Multi-Purpose Vehicles, or to license them for fewer passengers than their seating capacity (provided of course that the capacity of the vehicle is not more than eight passengers).

### **Imported vehicles: type approval (see also "stretched limousines", paras 26-28 below)**

21. It may be that from time to time a local authority will be asked to license as a taxi or PHV a vehicle that has been imported independently (that is, by somebody other than the manufacturer). Such a vehicle might meet the local authority's criteria for licensing, but the local authority may nonetheless be uncertain about the wider rules for foreign vehicles being used in the UK. Such vehicles will be subject to the 'type approval' rules. For passenger cars up to 10 years old at the time of first GB registration, this means meeting the technical standards of either:

- a European Whole Vehicle Type approval;
- a British National Type approval; or
- a British Single Vehicle Approval.

Most registration certificates issued since late 1998 should indicate the approval status of the vehicle. The technical standards applied (and the safety and environmental risks covered) under each of the above are proportionate to the number of vehicles entering service. Further information about these requirements and the procedures for licensing and registering imported vehicles can be seen at [http://www.dft.gov.uk/stellent/groups/dft\\_roads/documents/page/dft\\_roads\\_506867.hcsp](http://www.dft.gov.uk/stellent/groups/dft_roads/documents/page/dft_roads_506867.hcsp).

### Vehicle Testing

22. There is considerable variation between local licensing authorities on vehicle testing, including the related question of age limits. The following can be regarded as best practice:

- **Frequency Of Tests.** The legal requirement is that all taxis should be subject to an MOT test or its equivalent once a year. For PHVs the requirement is for an annual test after the vehicle is three years old. An annual test for licensed vehicles of whatever age (that is, including vehicles that are less than three years old) seems appropriate in most cases, unless local conditions suggest that more frequent tests are necessary. However, more frequent tests may be appropriate for older vehicles (see 'age limits' below). Local licensing authorities may wish to note that a review carried out by the National Society for Cleaner Air in 2005 found that taxis were more likely than other vehicles to fail an emissions test. This finding, perhaps suggests that emissions testing should be carried out on ad hoc basis and more frequently than the full vehicle test.
- **Criteria For Tests.** Similarly, for mechanical matters it seems appropriate to apply the same criteria as those for the MOT test to taxis and PHVs\*. The MOT test on vehicles first used after 31 March 1987 includes checking of all seat belts. However, taxis and PHVs provide a service to the public, so it is also appropriate to set criteria for the internal condition of the vehicle, though these should not be unreasonably onerous.

\*A manual outlining the method of testing and reasons for failure of all MOT tested items can be obtained from the Stationary Office see <http://www.tsoshop.co.uk/bookstore.asp?FO=1159966&Action=Book&From=SearchResults&ProductID=0115525726>

- **Age Limits.** It is perfectly possible for an older vehicle to be in good condition. So the setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles - for example, twice-yearly tests for vehicles more than five years old.
- **Number Of Testing Stations.** There is sometimes criticism that local authorities provide only one testing centre for their area (which may be geographically extensive). So it is good practice for local authorities to consider having more than one testing station. There could be an advantage in contracting out the testing work, and to different garages. In that way the licensing authority can benefit from competition in costs. (The Vehicle Operators and Standards Agency - VOSA - may be able to assist where there are local difficulties in provision of testing stations.)

## Security

23. The owners and drivers of vehicles will often want to install security measures to protect the driver. Local licensing authorities may not want to insist on such measures, on the grounds that they are best left to the judgement of the owners and drivers themselves. But it is good practice for licensing authorities to look sympathetically on - or actively to encourage - their installation. They could include a screen between driver and passengers, or CCTV. Care however should be taken that security measures within the vehicle do not impede a disabled passenger's ability to communicate with the driver. Licensing authorities may want to encourage the taxi and PHV trades to build good links with the local police force, including participation in any Crime and Disorder Reduction Partnerships. There is extensive information on the use of CCTV, including as part of measures to reduce crime, on the Home Office web-site, <http://www.homeoffice.gov.uk> (and see for instance, <http://www.crimereduction.gov.uk/cctvminisite4.htm>).

## Vehicle Identification

24. Members of the public can often confuse PHVs with taxis, failing to realise that PHVs are not available for immediate hire and that a PHV driver cannot be hailed. So it is important to distinguish between the two types of vehicle. Possible approaches might be:

- a licence condition that prohibits PHVs from displaying any identification at all apart from the local authority licence plate or disc. The licence plate is a helpful indicator of licensed status and, as such, it helps identification if licence plates are displayed on the front as well as the rear of vehicles. However, requiring some additional clearer form of identification can be seen as best practice. This is for two reasons: firstly, to ensure a more positive statement that the vehicle cannot be hired immediately through the driver; and secondly because it is quite reasonable, and in the interests of the travelling public, for a PHV operator to be able to state on the vehicle the contact details for hiring;
- a licence condition which requires a sign on the vehicle in a specified form. This will often be a sign of a specified size and shape which identifies the operator (with a telephone number for bookings) and the local licensing authority, and which also has some words such as 'pre-booked only'. This approach seems the best practice; it identifies the vehicle as private hire and helps to avoid confusion with a taxi, but also gives useful information to the public wishing to make a booking. It is good practice for vehicle identification for PHVs to include the contact details of the operator.
- Another approach, possibly in conjunction with the previous option, is a requirement for a roof-mounted, permanently illuminated sign with words such as 'pre-booked only'. But it can be argued that any roof-mounted sign, however unambiguous its words, is liable to create confusion with a taxi. So roof-mounted signs on PHVs are not seen as best practice.

## Environmental Considerations

25. Local licensing authorities, in discussion with those responsible for environmental health issues, will wish to consider how far their vehicle licensing policies can and should support any local environmental policies that the local authority may have adopted, bearing in mind the need to ensure that the benefits of any policies outweigh the costs (in whatever form). Local authorities may, for example, wish to consider setting vehicle emissions standards for taxis and PHVs. However, local authorities would need to carefully and thoroughly assess the impact of introducing such a policy; for example, the effect on the supply of taxis and PHVs in the area would be an important consideration in deciding the standards, if any, to be set.

## Stretched Limousines

26. Local licensing authorities are sometimes asked to license stretched limousines as PHVs. It is suggested that local authorities should approach such requests on the basis that these vehicles have a legitimate role to play in the private hire trade, meeting a public demand. Consistent with this view licence applications involving use of these limousines should not be automatically rejected (for example just because the vehicles may be left-hand drive). The Department is currently revising its guidance on the licensing arrangements for stretched limousines.

27. Imported stretched limousines are normally checked for compliance with British regulations under the Single Vehicle Approval (SVA) inspection regime, before they are registered. A licensing authority might wish to request sight of the SVA certificate to ensure that the vehicle was tested by VOSA before being registered and licensed (taxed) by DVLA. The SVA test verifies that the converted vehicle is built to certain safety and environmental standards (there are some vehicles that have gained registration without an SVA and these may not comply with British regulations).

28. Stretched limousines which clearly have more than 8 passenger seats should not of course be licensed as PHVs because they are outside the licensing regime for PHVs. However, under some

## Taxi and Private Hire Vehicle Licensing: Best Practice Guidance

circumstances the SVA regime accepts vehicles with space for more than 8 passengers, particularly where the precise number of passenger seats is hard to determine. In these circumstances, if the vehicle has obtained an SVA certificate, the authority should consider the case on its merits in deciding whether to license the vehicle under the strict condition that the vehicle will not be used to carry more than 8 passengers, bearing in mind that refusal may encourage illegal private hire operation. Authorities should check with local MOT testing stations to find out if the station has the facilities to test such vehicles. If there is difficulty in finding a suitable station, the local enforcement office may be able to advise (contact details on <http://www.vosa.gov.uk/vosa/vosalocations/vosaenforcementoffices.htm>).



## Quantity Restrictions of Taxi Licences outside London

29. The present legal provision on quantity restrictions for taxis outside London is set out in section 16 of the Transport Act 1985. This provides that the grant of a taxi licence may be refused, for the purpose of limiting the number of licensed taxis 'if, but only if, the [local licensing authority] is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet'.

30. Local licensing authorities will be aware that, in the event of a challenge to a decision to refuse a licence, the local authority concerned would have to establish that it had, reasonably, been satisfied that there was no significant unmet demand.

31. Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice. Where restrictions are imposed, the Department would urge that the matter should be regularly reconsidered. The Department further urges that the issue to be addressed first in each reconsideration is whether the restrictions should continue at all. It is suggested that the matter should be approached in terms of the interests of the travelling public - that is to say, the people who use taxi services. What benefits or disadvantages arise for them as a result of the continuation of controls; and what benefits or disadvantages would result for the public if the controls were removed? Is there evidence that removal of the controls would result in a deterioration in the amount or quality of taxi service provision?

32. In most cases where quantity restrictions are imposed, vehicle licence plates command a premium, often of tens of thousands of pounds. This indicates that there are people who want to enter the taxi market and provide a service to the public, but who are being prevented from doing so by the quantity restrictions. This seems very hard to justify.

33. If a local authority does nonetheless take the view that a quantity restriction can be justified in principle, there remains the question of the level at which it should be set, bearing in mind the need to demonstrate that there is no significant unmet demand. This issue is usually addressed by means of a survey; it will be necessary for the local licensing authority to carry out a survey sufficiently frequently to be able to respond to any challenge to the satisfaction of a court. An interval of three years is commonly regarded as the maximum reasonable period between surveys.

34. As to the conduct of the survey, the Department's letter of 16 June 2004 set out a range of considerations. But key points are:

- **the length of time that would-be customers have to wait at ranks.** However, this alone is an inadequate indicator of demand; also taken into account should be...
- **waiting times for street hailings and for telephone bookings.** But waiting times at ranks or elsewhere do not in themselves satisfactorily resolve the question of unmet demand. It is also desirable to address...
- **latent demand**, for example people who have responded to long waiting times by not even trying to travel by taxi. This can be assessed by surveys of people who do not use taxis, perhaps using stated preference survey techniques.
- **peaked demand.** It is sometimes argued that delays associated only with peaks in demand (such as morning and evening rush hours, or pub closing times) are not 'significant' for the purpose of the Transport Act 1985. The Department does not share that view. Since the peaks in demand are by definition the most popular times for consumers to use taxis, it can be strongly argued that unmet demand at these times should not be ignored. Local authorities might wish to consider when the peaks occur and who is being disadvantaged through restrictions on provision of taxi services.

- **consultation.** As well as statistical surveys, assessment of quantity restrictions should include consultation with all those concerned, including user groups (which should include groups representing people with disabilities, and people such as students or women), the police, hoteliers, operators of pubs and clubs and visitor attractions, and providers of other transport modes (such as train operators, who want taxis available to take passengers to and from stations);
- **publication.** All the evidence gathered in a survey should be published, together with an explanation of what conclusions have been drawn from it and why. If quantity restrictions are to be continued, their benefits to consumers and the reason for the particular level at which the number is set should be set out.
- **financing of surveys.** It is not good practice for surveys to be paid for by the local taxi trade (except through general revenues from licence fees). To do so can call in question the impartiality and objectivity of the survey process.

35. Quite apart from the requirement of the 1985 Act, the Department's letter of 16 June 2004 asked all local licensing authorities that operate quantity restrictions to review their policy and justify it publicly by 31 March 2005 and at least every three years thereafter. The Department also expects the justification for any policy of quantity restrictions to be included in the five-yearly Local Transport Plan process. A recommended list of questions for local authorities to address when considering quantity controls was attached to the Department's letter. (The questions are listed in Annex A to this Guidance.)

### **Taxi Fares**

36. Local licensing authorities have the power to set taxi fares for journeys within their area, and most do so. (There is no power to set PHV fares.) Fare scales should be designed with a view to practicality. The Department sees it as good practice to review the fare scales at regular intervals, including any graduation of the fare scale by time of day or day of the week. Authorities may wish to consider adopting a simple formula for deciding on fare revisions as this will increase understanding and improve the transparency of the process. The Department also suggests that in reviewing fares authorities should pay particular regard to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay but also to the need to give taxi drivers sufficient incentive to provide a service when it is needed. There may well be a case for higher fares at times of higher demand.

37. Taxi fares are a maximum, and in principle are open to downward negotiation between passenger and driver. It is not good practice to encourage such negotiations at ranks, or for on-street hailings; there would be risks of confusion and security problems. But local licensing authorities can usefully make it clear that published fares are a maximum, especially in the context of telephone bookings, where the customer benefits from competition. There is more likely to be a choice of taxi operators for telephone bookings, and there is scope for differentiation of services to the customer's advantage (for example, lower fares off-peak or for pensioners).

38. There is a case for allowing any taxi operators who wish to do so to make it clear - perhaps by advertising on the vehicle - that they charge less than the maximum fare; publicity such as '5% below the metered fare' might be an example.

## Drivers

### *Duration of Licences*

39. It is obviously important for safety reasons that drivers should be licensed. But it is not necessarily good practice to require licences to be renewed annually. That can impose an undue burden on drivers and licensing authorities alike. Three years is the legal maximum period and is in general the best approach. One argument against 3-year licences has been that a criminal offence may be committed, and not notified, during the duration of the licence. But this can of course also be the case during the duration of a shorter licence. In relation to this, authorities will wish to note that the Home Office in April 2006 issued revised guidance for police forces on the Notifiable Occupations Scheme. Under this new guidance the police are requested to notify the appropriate local licensing authority of convictions and other relevant information when it comes to their attention that an individual is working as a Taxi or PHV driver. (Further details are contained in Home Office Circular 6/2006. Further information can be obtained from the Criminal Records Section, Safeguarding Vulnerable Persons Team, Police Leadership and Powers Unit, Home Office, Fourth Floor, Peel Building, 2 Marsham Street, London SW1P 4DF; e-mail [Robin.Manson@homeoffice.gsi.gov.uk](mailto:Robin.Manson@homeoffice.gsi.gov.uk))

40. However, an annual licence may be preferred by some drivers. That may be because they have plans to move to a different job or a different area, or because they cannot easily pay the fee for a three-year licence, if it is larger than the fee for an annual one. So it can be good practice to offer drivers the choice of an annual licence or a three-year licence.

### **Acceptance of driving licences from other EU member states**

41. Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 as enacted stated that an applicant for a taxi or private hire vehicle (PHV) driver's licence must have held a full ordinary GB driving licence for at least 12 months in order to be granted a taxi or PHV driver's licence. This requirement has subsequently been amended since the 1976 Act was passed. The Driving Licences (Community Driving Licence) Regulations 1996 (SI 1996 No 1974) amended sections 51 and 59 of the 1976 Act to allow full driving licences issued by EEA states to count towards the qualification requirements for the grant of taxi and PHV driver's licences. Since that time, a number of central and eastern European states have joined the EU and the EEA and the Department take the view that drivers from the Accession States are eligible to acquire a taxi or PHV driver's licence under the 1976 Act if they have held an ordinary driving licence for 12 months which was issued by an acceding State. To complete the picture, the Deregulation (Taxis and Private Hire Vehicles) Order 1998 (SI 1998 No 1946) gave equal recognition to Northern Ireland driving licences for the purposes of taxi and PHV driver licensing under the 1976 Act.

### **Criminal Record Checks**

42. A criminal record check is an important safety measure and is widely required. Taxi and PHV drivers can be subject to an Enhanced Disclosure through the Criminal Records Bureau; this level of disclosure includes details of spent convictions and police cautions. In considering an individual's criminal record, local licensing authorities will want to consider each case on its merits, but they will doubtless take a particularly cautious view of any offences involving violence, and especially sexual attack. In order to achieve consistency, and thus avoid the risk of successful legal challenge, local authorities will doubtless want to have a clear policy for the consideration of criminal records, for example the number of years they will require to have elapsed since the commission of particular kinds of offences before they will grant a licence.

43. Local licensing authorities will also want to have a policy on background checks for applicants from elsewhere in the EU and other overseas countries. One approach is to require a certificate of good conduct authenticated by the relevant embassy. The Criminal Records Bureau website ([www.crb.gov.uk](http://www.crb.gov.uk)) gives information about obtaining certificates of good conduct, or similar documents, from a number of countries. More generally, the Home Office's Employers' Helpline

(0845 010 6677) can be used by licensing staff to obtain general guidance on immigration documentation, although this Helpline is not able to advise on individual cases. The authority can obtain case specific immigration status information, including whether a licensing applicant is permitted to work or details of work restrictions, from the Evidence and Enquiry Unit, Floor 12, Lunar House, Wellesley Road, Croydon CR9 2BY . Further details on the procedures involved can be obtained by contacting the Unit (020 8196 3011).

44. It would seem best practice for Criminal Records Bureau disclosures to be sought when a licence is first applied for and then every three years, even if a licence is renewed annually, provided drivers are obliged to report all new convictions and cautions to the licensing authority.

### **Medical Criteria**

45. It is clearly good practice for medical checks to be made on each driver before the initial grant of a licence and thereafter for each renewal. It is common for licensing authorities to apply the 'Group 2' medical standards - applied by DVLA to the licensing of lorry and bus drivers - to taxi and PHV drivers. This seems best practice. The Group 2 standards preclude the licensing of drivers with insulin treated diabetes. However, exceptional arrangements do exist for drivers with insulin treated diabetes, who can meet a series of medical criteria, to obtain a licence to drive category C1 vehicles (i.e. 3500-7500 kgs lorries); the position is summarised at Annex B to the Guidance. In the light of the latest guidance from the Secretary of State's Honorary Medical Advisory Panel on Diabetes Mellitus and Driving, it is suggested that best practice is to apply the C1 standards to taxi and PHV drivers with insulin treated diabetes.

### **Age Limits**

46. It does not seem necessary to set a maximum age limit for drivers provided that regular medical checks are made. Nor do minimum age limits, beyond the statutory periods for holding a full driver licence, seem appropriate. Applicants should be assessed on their merits.

### **Driving Proficiency**

47. Many local authorities rely on the standard car driving licence as evidence of driving proficiency. Others require some further driving test to be taken. Local authorities will want to consider carefully whether this produces benefits which are commensurate with the costs involved for would-be drivers, the costs being in terms of both money and broader obstacles to entry to the trade. However, they will note that the Driving Standards Agency provides a driving assessment specifically designed for taxis.

### **Other training**

48. There may well be advantage in encouraging drivers to obtain one of the nationally-recognised vocational qualifications for the taxi and PHV trades. These will cover customer care, including how best to meet the needs of people with disabilities. More information about these qualifications can be obtained from *GoSkills*, the Sector Skills Council for Passenger Transport. *GoSkills* is working on a project funded by the Department to raise standards in the industry and *GoSkills* can guide and support licensing authorities through its regional network of Business Advisers. Some licensing authorities have already established training initiatives and others are being developed; it is seen as important to do this in consultation with the local taxi and PHV trades. Training can cover customer care, including how best to meet the needs of people with disabilities and other sections of the community, and also topics such as the relevant legislation, road safety, the use of maps and GPS, the handling of emergencies, and how to defuse difficult situations and manage conflict. Authorities may wish to note that nationally recognised qualifications and training programmes sometimes have advantages over purely local arrangements (for example, in that the qualification will be more widely recognised).

Contact details are:

GoSkills, Concorde House, Trinity Park, Solihull, Birmingham, B37 7UQ.

Tel: 0121-635-5520

Fax: 0121-635-5521

Website: [www.goskills.org](http://www.goskills.org)

e-mail: [info@goskills.org](mailto:info@goskills.org)

### **Topographical Knowledge**

49. Taxi drivers need a good working knowledge of the area for which they are licensed, because taxis can be hired immediately, directly with the driver, at ranks or on the street. So most licensing authorities require would-be taxi-drivers to pass a test of local topographical knowledge as a pre-requisite to the first grant of a licence (though the stringency of the test should reflect the complexity or otherwise of the local geography, in accordance with the principle of ensuring that barriers to entry are not unnecessarily high).

50. However, PHVs are not legally available for immediate hiring in the same way as taxis. To hire a PHV the would-be passenger has to go through an operator, so the driver will have an opportunity to check the details of a route before starting a journey. So it may be unnecessarily burdensome to require a would-be PHV driver to pass the same 'knowledge' test as a taxi driver, though it may be thought appropriate to test candidates' ability to read a map and their knowledge of key places such as main roads and railway stations.

### **PHV Operators**

51. The objective in licensing PHV operators is, again, the safety of the public, who will be using operators' premises and vehicles and drivers arranged through them.

### **Criminal Record Checks**

52. PHV operators (as opposed to PHV drivers) are not exceptions to the Rehabilitation of Offenders Act 1974, so Standard or Enhanced disclosures cannot be required as a condition of grant of an operator's licence. But a Basic Disclosure could be seen as appropriate, after such a system has been introduced by the Criminal Records Bureau. No firm date for introduction has yet been set; the Home Office during 2006/07 will be undertaking a new feasibility study in this regard. Overseas applicants may be required to provide a certificate of good conduct from the relevant embassy if they have not been long in this country. Local licensing authorities may want to require a reference, covering for example the applicant's financial record, as well as the checks outlined above.

### **Record Keeping**

53. It is good practice to require operators to keep records of each booking, including the name of the passenger, the destination, the name of the driver, the number of the vehicle and any fare quoted at the time of booking. That will, for example, enable police checks to be made if any mishap should befall a passenger and may also be of use to licensing authorities in enforcement enquiries. It is suggested that 6 months is generally appropriate as the length of time that records should be kept.

### **Insurance**

54. It is appropriate for a licensing authority to check that appropriate public liability insurance has been taken out for premises that are open to the public.

### **Licence Duration**

55. A requirement for annual licence renewal does not seem necessary or appropriate for PHV operators, whose involvement with the public is less direct than a driver (who will be alone with passengers). Indeed, a licence period of five years may well be appropriate in the average case. Although the authority may wish to offer operators the option of a licence for a shorter period if requested.

## Enforcement

56. Well-directed enforcement activity by the local licensing authority benefits not only the public but also the responsible people in the taxi and PHV trades. The resources devoted by licensing authorities to enforcement will vary according to local circumstances, including for example any difficulties with touting by unlicensed drivers and vehicles (a problem in some urban areas). Local authorities will also wish to liaise closely with the police.

57. Local licensing authorities often use enforcement staff to check a range of licensed activities (such as market traders) as well as the taxi and PHV trades, to make the best use of staff time. But it is desirable to ensure that taxi and PHV enforcement effort is at least partly directed to the late-night period, when problems such as touting tend most often to arise.

58. Some local licensing authorities employ taxi marshals in busy city centres where there are lots of hirings, again perhaps late at night, to help taxi drivers picking up, and would-be passengers queuing for taxis.

59. As part of enforcement, local licensing authorities will often make spot checks, which can lead to their suspending or revoking licences. They will wish to consider carefully which power should best be used for this purpose. They will note, among other things, that section 60 of the Local Government (Miscellaneous Provisions) Act 1976 provides a right of appeal for the licence-holder, whereas section 68, which is also sometimes used, does not; this can complicate any challenge by the licence-holder.

## Taxi Zones

60. The areas of some local licensing authorities are divided into two or more zones for taxi licensing purposes. Drivers may be licensed to ply for hire in one zone only. Zones may exist for historical reasons, perhaps because of local authority boundary changes.

61. The Department recommends the abolition of zones. That is chiefly for the benefit of the travelling public. Zoning tends to diminish the supply of taxis and the scope for customer choice - for example, if fifty taxis were licensed overall by a local authority, but with only twenty five of them entitled to ply for hire in each of two zones. It can be confusing and frustrating for people wishing to hire a taxi to find that a vehicle licensed by the relevant local authority is nonetheless unable to pick them up (unless pre-booked) because they are in the wrong part of the local authority area. Abolition of zones can also reduce costs for the local authority, for example through simpler administration and enforcement. It can also promote fuel efficiency, because taxis can pick up a passenger anywhere in the local authority area, rather than having to return empty to their licensed zone after dropping a passenger in another zone.

62. It should be noted that the Government intends to make a Regulatory Reform Order which will remove the need for the Secretary of State to approve amalgamation resolutions made by local licensing authorities. It is intended that the RRO should be introduced for Parliamentary scrutiny during 2006.

## Flexible Transport Services

63. It is possible for taxis and PHVs to provide flexible transport services in a number of different ways. Such services can play a valuable role in meeting a range of transport needs, especially in rural areas - though potentially in many other places as well. In recent years there has been a significant increase in the provision of flexible services, due partly to the availability of Rural Bus Subsidy Grant and Rural Bus Challenge Support from the Department.

64. The Department encourages local licensing authorities, as a matter of best practice, to play their part in promoting flexible services, so as to increase the availability of transport to the travelling public. This can be done partly by drawing the possibilities to the attention of taxi and PHV trade. It

also should be borne in mind that vehicles with a higher seating capacity than the vehicles typically licensed as taxis (for example those with 6, 7 or 8 passenger seats) may be used for flexible services and should be considered for licensing in this context.

65. The main legal provisions under which flexible services can be operated are:

- **Shared taxis and PHVs - advance bookings (section 11, Transport Act 1985):** licensed taxis and PHVs can provide a service at separate fares for up to eight passengers sharing the vehicle. The operator takes the initiative to match up passengers who book in advance and agree to share the vehicle at separate fares (lower than for a single hiring). An example could be passengers being picked up at home to go to a shopping centre, or returning from the shops to their homes. The operator benefits through increased passenger loadings and total revenues.
- **Shared taxis - immediate hirings (section 10, Transport Act 1985):** such a scheme is at the initiative of the local licensing authority, which can set up schemes whereby licensed taxis (not PHVs) can be hired at separate fares by up to eight people from ranks or other places that have been designated by the authority. (The authority is required to set up such a scheme if holders of 10% or more of the taxi licences in the area ask for one.) The passengers pay only part of the metered fare, for example in going home after a trip to the local town, and without pre-booking, but the driver receives more than the metered fare.
- **Taxibuses (section 12, Transport Act 1985):** owners of licensed taxis can apply to the Traffic Commissioner for a 'restricted public service vehicle (PSV) operator licence'. The taxi owner can then use the vehicle to run a bus service for up to eight passengers. The route must be registered with the Traffic Commissioner and must have at least one stopping place in the area of the local authority that licensed the taxi, though it can go beyond it. The bus service will be eligible for Bus Service Operators Grant (subject to certain conditions) and taxibuses can be used for local authority subsidised bus services. The travelling public have another transport opportunity opened for them, and taxi owners have another business opportunity.

66. The Department is very keen to encourage the use of these types of services. More details can be found in the Department's publication 'Flexible Transport Services' (available from [dft@twoten.press.net](mailto:dft@twoten.press.net)). The document itself can be accessed at: [www.dft.gov.uk/stellent/groups/dft\\_localtrans/documents/page/dft\\_localtrans\\_504004.hcsp](http://www.dft.gov.uk/stellent/groups/dft_localtrans/documents/page/dft_localtrans_504004.hcsp).

### Local Transport Plans

67. The Transport Act 2000 requires most local transport authorities in England (not London) to produce and maintain a Local Transport Plan (LTP), having regard to any guidance issued by the Secretary of State. The latest guidance was published in December 2004 asking for a provisional LTP by 29 July 2005 and a final one by 31 March 2006. LTPs set out the authority's local transport strategies and policies, and an implementation programme over a five year period. Authorities report each year on their delivery of policies and programmes in Annual Progress Reports.

68. All modes of transport including taxi and PHV services have a valuable part to play in overall transport provision, and so local licensing authorities have an input to make to the LTP process. The key policy themes for such services could be availability and accessibility. LTP input could include statements of policy on:

- quantity controls, if any, and plans for their review;
- licensing conditions, with a view to safety but also to good supply of taxi and PHV services;
- fares;
- on-street availability, especially through provision of taxi ranks;
- vehicle accessibility for people with disabilities;



- encouragement of flexible services.

69. There should also be a statement of changes in policy since the last LTP and changes that are intended. It would be useful to provide statistics of changes in the number of licences for vehicles, drivers and operators, so that trends in availability can be identified.

## **Annex A: Taxi and Private Hire Vehicle Licensing: Best Practice Guidance**

### **Useful questions when assessing quantity controls of taxi licences**

- Have you considered the Government's view that quantity controls should be removed unless a specific case that such controls benefit the consumer can be made?

### **Questions relating to the policy of controlling numbers**

- Have you recently reviewed the need for your policy of quantity controls?
- What form did the review of your policy of quantity controls take?
- Who was involved in the review?
- What decision was reached about retaining or removing quantity controls?
- Are you satisfied that your policy justifies restricting entry to the trade?
- Are you satisfied that quantity controls do not:
  - reduce the availability of taxis;
  - increase waiting times for consumers;
  - reduce choice and safety for consumers?
- What special circumstances justify retention of quantity controls?
- How does your policy benefit consumers, particularly in remote rural areas?
- How does your policy benefit the trade?
- If you have a local accessibility policy, how does this fit with restricting taxi licences?

### **Questions relating to setting the number of taxi licences**

- When last did you assess unmet demand?
- How is your taxi limit assessed?
- Have you considered latent demand, ie potential consumers who would use taxis if more were available, but currently do not?
- Are you satisfied that your limit is set at the correct level?
- How does the need for adequate taxi ranks affect your policy of quantity controls?

### **Questions relating to consultation and other public transport service provision**

- When consulting, have you included etc
  - all those working in the market;
  - consumer and passenger (including disabled) groups;
  - groups which represent those passengers with special needs;
  - local interest groups, eg hospitals or visitor attractions;
  - the police;

## Taxi and Private Hire Vehicle Licensing: Best Practice Guidance

- a wide range of transport stakeholders eg rail/bus/coach providers and traffic managers?
- Do you receive representations about taxi availability?
- What is the level of service currently available to consumers (including other public transport modes)?

## **Annex B: Taxi and Private Hire Vehicle Licensing: Best Practice Guidance**

### **Assessing applicants for a taxi or PHV driver licence in accordance with C1 standard**

*Exceptional circumstances under which DVLA will consider granting licences for vehicles over 3.5 tonnes or with more than 8 passenger seats.*

Insulin treated diabetes is a legal bar to driving these vehicles. The exceptional arrangements that were introduced in September 1998 were only in respect of drivers who were employed to drive small lorries between 3.5 tonnes and 7.5 tonnes (category C1). The arrangements mean that those with good diabetic control and who have no significant complications can be treated as "exceptional cases" and may have their application for a licence for category C1 considered. The criteria are

- To have been taking insulin for at least 4 weeks;
- Not to have suffered an episode of hypoglycaemia requiring the assistance of another person whilst driving in the last 12 months;
- To attend an examination by a hospital consultant specialising in the treatment of diabetes at intervals of not more than 12 months and to provide a report from such a consultant in support of the application which confirms a history of responsible diabetic control with a minimal risk of incapacity due to hypoglycaemia;
- To provide evidence of at least twice daily blood glucose monitoring at times when C1 vehicles are being driven (those that have not held C1 entitlement in the preceding 12 months may provide evidence of blood glucose monitoring while driving other vehicles);
- To have no other condition which would render the driver a danger when driving C1 vehicles; and
- To sign an undertaking to comply with the directions of the doctor(s) treating the diabetes and to report immediately to DVLA any significant change in condition.