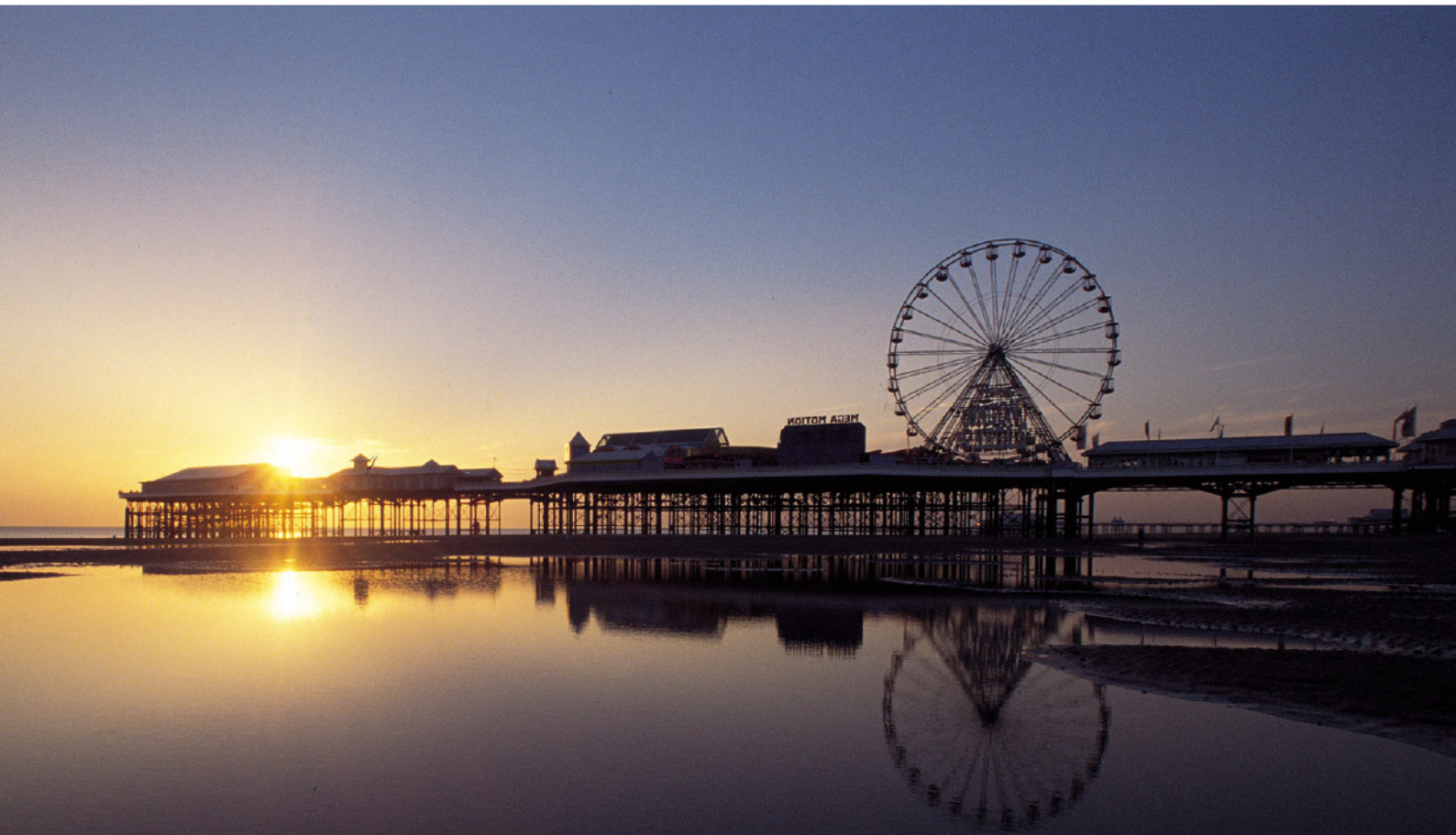


Licensing Service



Hackney Carriage & Private Hire Licensing Policy

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LS/D/503/35/2



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EXECUTIVE SUMMARY OF MAIN PROPOSALS

The original policy came into force in November 2007. Since that date the policy has been subject to constant review by the licensing service.

The main changes in this amended policy are to:

- Clarify the authority's position on accessible vehicles
- Introduce a separate age policy for saloon vehicles
- Introduce a Class 2 medical for all drivers
- Confirm the need for new drivers to undertake either the Btec or other Council approved qualification before they can be licensed.
- Clarify the relevance of convictions and cautions when determining applications
- Introduce the option of a three year driver's licence
- Clarify the conditions imposed on a private hire driver's licence
- Amend the conditions on a private hire operator's licence
- Confirm that certificates of compliance will be available from 1st January 2010.

1 INTRODUCTION

1.1 Powers and Duties

- 1.1.1 The Local Government (Miscellaneous Provisions) Act 1976, as amended, places on Blackpool Council as the Licensing Authority (the "Authority") the duty to carry out its licensing functions in respect of hackney carriage (taxis) and private hire vehicles.

1.2 Objectives

- 1.2.1 Hackney carriage and private hire vehicles have a specific role to play in an integrated transport system. They are able to provide services in situations where public transport is either not available (for example in rural areas, or outside "normal" hours of operation such as in the evenings or on Sundays), or for those with mobility difficulties.

In setting out its policy, the Authority seeks to promote the following objectives:

- (i) The protection of public health and safety;
- (ii) The establishment of a professional and respected hackney carriage and private hire trade;
- (iii) Access to an efficient and effective public transport service;
- (iv) The protection of the environment.

The aim of the licensing process, in this context, is to regulate the hackney carriage and private hire trade in order to promote the above objectives. It is the Authority's wish to facilitate well-run and responsible businesses, which display sensitivity to the wishes and needs of the general public.

- 1.2.2 When considering each of the policies detailed in this document we have endeavoured to ensure that each requirement is properly justified by the risk it seeks to address, balancing the cost of the requirement against the benefit to the public. In accordance with the guidance, when considering each policy, the following question has been asked:

"Whether those costs are really commensurate with the benefits a policy is meant to achieve".

1.3 Best Practice Guidance

In formulating this policy, advice contained in the Taxi And Private Hire Vehicle Licensing Best Practice Guidance issued by the Department for Transport has been taken into account.

1.4 Status

- 1.4.1 In exercising its discretion in carrying out its regulatory functions, the Authority will have regard to this policy document and the objectives set out above.

- 1.4.2 Notwithstanding the existence of this policy, each application or enforcement measure will be considered on its own merits. Where it is necessary for the Authority to depart substantially from its policy, clear and compelling reasons will be given for so doing.



1.5 Implementation

- 1.5.1 This policy takes effect on 1st June 2010 and the Authority expects licence-holders to comply with its terms immediately unless otherwise specified.

1.6 Licensing Profile

The Authority currently licences 256 hackney carriages, 44 Landaus and approximately 450 private hire vehicles as well as 25 private hire operators. It has 699 drivers licensed to drive hackney carriages and 828 licensed for private hire.

2 VEHICLES – (Hackney Carriage & Private Hire)

2.1 Limitation of Numbers

2.1.1 No powers exist for licensing authorities to limit the number of private hire vehicles that they licence. The grant of a hackney carriage licence may be refused, for the purpose of limiting the number of licensed taxis if the Local Authority is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply), which is unmet. In the event of a challenge to a decision to refuse a licence, it would, therefore, have to be established that the authority had reasonably been satisfied that there was no significant unmet demand.

2.1.2



The Authority, to determine whether there is any unmet demand employs The Halcrow Group, to undertake surveys at 3 yearly intervals. The last review took place in October 2009, which indicated no unmet demand.

The number of hackney carriage licences will continue to be restricted to 256 together with 44 landaus.

2.2 Specifications and Conditions

2.2.1 Local authorities have a wide range of discretion over the types of vehicle that they can licence as taxis or private hire vehicles.

2.2.2 The Best Practice Guidance suggests that local licensing authorities should adopt the principle of specifying as many different types of vehicle as possible. They are however encouraged to make use of the “type approval” rules within any specifications they determine.

2.2.3 The Authority is empowered to impose such conditions, as it considers reasonably necessary, in relation to the grant of a hackney carriage or private hire vehicle licence. Hackney carriage and private hire vehicles provide a service to the public, so it is appropriate to set criteria for the external and internal condition of the vehicle, provided that these are not unreasonably onerous. Appendix A sets out the minimum standards, which apply to all licensed vehicles.

2.2.4 Vehicles will, in general, be licensed for the carriage of up to four passengers, but applications in relation to larger vehicles that can accommodate up to eight passengers will be accepted, provided that there is compliance with the specifications applicable to such vehicles. Purpose-built vehicles are amongst those, which a local authority will licence as hackney carriages.

2.2.5 The Authority maintains a current list of approved vehicles, which is regularly updated. If a vehicle does not appear on the list, please contact licensing enforcement who will give further guidance and assistance. In the event of a dispute, the final decision rests with the Public Protection Sub-Committee.

2.3 Accessibility

2.3.1 The Authority currently licences 256 hackney carriages, **180** of which are wheelchair accessible. The authority is committed to maintaining a mainly accessible fleet and has no plans to implement a policy that all hackney carriages should be wheelchair accessible. The Government in early 2009 consulted on accessibility proposals and the Authority understands that further information will be available in due course. Until further information becomes available, the Authority intends to encourage the purchase of accessible vehicles, in part by its age policy detailed below. Any changes to the existing policy will result in additional consultation

2.3.2 Any purpose built Hackney Carriage must be equipped with appropriate ramps and supports/securing straps to ensure wheelchairs are securely and safely positioned in the vehicle before any vehicle commences its journey. The specified equipment must be used at all times whilst conveying wheelchair passengers.



2.3.3 There is a rebuttable presumption that all Hackney Carriage Drivers will accept a hiring from either a wheelchair user or a person defined as disabled within the definition of s1 of the Disability Discrimination Act 1995. The exception to this is if the driver can demonstrate a reasonable excuse not to accept a hiring. Practical examples will include a valid medical exemption certificate which relates to the driver refusing the hiring.

2.3.4 Since 2001 licensed taxi drivers have been under a duty to carry guide, hearing and other prescribed assistance dogs in their taxis without additional charge. Failure to comply with this duty is an offence. Drivers with medical conditions aggravated by exposure to dogs may apply to the Authority for exemption on medical grounds

2.4 Maximum Age of Vehicles

2.4.1 The Department of Transport Best Practice Guidance reminds licensing authorities that it is perfectly possible for an older vehicle to be in good condition and the setting of an age limit beyond which they will not licence vehicles may be arbitrary and disproportionate. The licensing authority has regard to the objectives set out in paragraph 1.2 above and considers that a policy on the age of vehicles can assist in their promotion. Further see paragraph 2.5 below with regard to a greater frequency of testing for older vehicles.

2.4.2 Local licensing authorities are also advised to consider how far their vehicle licensing policies can and should support any local environmental initiatives by, perhaps, setting vehicle emissions standards or promoting cleaner fuels.

2.4.3 A further government report suggests that, by adopting targeted air quality policies for road transport, significant reductions can be achieved for noxious pollutants in the atmosphere. It highlights the impact European wide emission limits are having on improving air quality. In private cars these standards are introduced for new vehicles as follows:

Euro 1 Technology – became mandatory for new cars from 1993 (light goods vehicles 1994)

Euro II Technology – became mandatory for new cars from 1997 (light goods vehicles from 1998)

Euro III Technology - became mandatory for new cars from 2001 (light goods vehicles from 2002)

Euro IV Technology - became mandatory for new vehicles in 2006

Air quality improvements are clearly hampered through the length of time it takes for vehicles to be retired. As an example, even with a maximum vehicle lifetime of 15 years, vehicles only began to meet the minimum Euro I standard from 2008.

2.4.4 Consideration needs to be given as to whether, in the interests of the environment, tougher emissions standards should be introduced for all licensed vehicles and, in particular, whether it would be appropriate to shorten the period of time from when new standards are introduced to when full fleet compliance with those standards is achieved. Any introduction of emissions standards would, however, need to be phased, to ensure that operating profits were maintained. This would mean, not only following the adoption dates for Euro standards, but also introducing strict retirement dates for vehicles that fail to meet the latest standards. It is proposed that the pit test be extended to include testing the vehicle's emissions.

2.4.5 A further important consideration for the Authority is the difference between the purpose built/wheelchair accessible vehicle and the saloon/non-wheelchair accessible vehicle which make up a significant proportion of the hackney fleet and the majority of the private hire fleet. Generally saloon vehicles are not constructed to undertake the high level of mileage, in contrast to purpose built vehicles. A 10 year old saloon is not as likely to be in as good condition mechanically and from the point of view of the customer experience as a purpose built vehicle. Purpose built vehicles have been developed to withstand the mileage undertaken by the hackney carriage trade and as a result are more expensive to purchase. These

vehicles are instantly recognisable as hackney carriage vehicles and allow the authority to maintain a hackney fleet with a high proportion of wheelchair accessible vehicles. The authority are committed to ensuring that a high proportion of both hackney and private hire fleets are wheelchair accessible. For this reason a differing age limit is applied in respect of purpose built/wheelchair accessible vehicles.

2.4.6 Whilst the Authority is committed to reducing the overall age of the fleet, we acknowledge the improvements the age policy has already achieved and recognise that in present economic climate it may not be the best time to place unnecessary financial burdens on the trade.

2.4.7 Applications for the grant/renewal of hackney carriage or private hire vehicle licence will be subject to the maximum age limits detailed below:

Year	Purpose built/wheelchair accessible	Non-wheelchair accessible
2010	14	14
2011	13	12
2013	12	10

2.4.8 The exceptional quality policy (see Appendix B) details the standards to be reached by a vehicle if it is to continue to be licensed beyond the maximum age limit. In addition to meeting emissions standards, vehicles are required to meet minimum standards with regard to the condition of both the interior and exterior of the vehicle.

2.5 Vehicle Testing

2.5.1 Hackney carriage and private hire vehicles will be tested in accordance with the table below. Certificates of Compliance are issued to vehicles who meet the required standard.

1 –5 years old	1 inspection per year
5 – 10 years old	2 inspections per year
Over 10 years of age	3 inspections per year

2.5.2 Vehicle testing arrangements are currently exclusively through the Authority's vehicle inspection facility.

2.6 Signage and Advertising

2.6.1 Within the Blackpool area, hackney vehicles are required to display plates on both the front and rear of the vehicle. This is a key feature in helping to identify vehicles that are properly licensed. All hackney vehicles, except for minibuses, transits, people carrier type vehicles and those with built-in roof signs, should carry illuminated roof-mounted signs indicating that they are a taxi. Minibuses, transits and people carrier type vehicles which do not have roof signs, will have to display the single word "Taxi" on the front and rear of the vehicle. In order to differentiate between the two types of licensed vehicle, private hire vehicles will not be able to carry roof-mounted signs of any kind or any references to the words "Taxi" or "Hackney".

2.6.2 It is essential that members of the public should be able to easily identify the difference between a hackney carriage and a private hire vehicle. Private hire vehicles will display signs indicating that they must be pre-booked.

- 2.6.3 Every licensed hackney and private hire vehicle must display a “How Am I Driving?” plate clearly visible to the rear of the vehicle. The plate will display the telephone number 0800 0730628. This number is linked to the Authority’s Public Protection Section who will record and investigate any complaints made.

“How Am I Driving?” plates will be provided by the Authority’s Licensing Service.

- 2.6.4 Some advertising, generally limited to the proprietor’s company name, logo and telephone number along with details of fare scales or discounts charged by the owner/proprietor will be allowed on vehicles but that the size and position of such information be strictly controlled with such advertising being kept to a minimum on private hire vehicles with more latitude being allowed for hackneys.

2.7 Taxi Sharing Scheme

- 2.7.1 This Scheme, detailed fully in Appendix H, permits shared use of a hackney carriage at a set fare per passenger along designated popular routes provided the consent of each sharing passenger is obtained prior to the commencement of the journey.

2.8 Security/CCTV

- 2.8.1 The hackney and private hire trade provide a valuable public service especially late at night when other forms of public transport are no longer available. Security for drivers and passengers is of paramount importance. CCTV can be a valuable deterrent as well as protecting the driver from unjustified complaints.



- 2.8.2 It is not proposed that such measures such as CCTV and Safety Shields should be required, as part of the licensing regime, as it is considered that they are best left to the judgement of the owners and drivers themselves. The hackney carriage and private hire trades are, however, encouraged to consider the installation of CCTV and Safety Shields in their vehicles on a voluntary basis. The Licensing Authority have been sourcing funding for the installation of both CCTV systems and safety shields, vehicle owners interested in having these items installed should contact the licensing department.

2.9 Application Procedures

- 2.9.1 The application procedures for hackney carriage or private hire vehicle licences are set out in Appendix C

2.10 Consideration of Applications

- 2.10.1 The Authority will consider all applications on their own merits once it is satisfied that the appropriate criteria have been met and the application form and supporting documents are complete.

2.11 Grant and Renewal of Licences

- 2.11.1 Hackney carriage or private hire vehicle licences will be granted for a one-year period from the date of grant, subject to the power to grant a licence for a shorter period, should this be appropriate in the circumstances.
- 2.11.2 Application forms, appropriate fees, and supporting documentation, as set out in Appendix C, must be submitted at least 7 days prior to the expiry of the previous licence. Failure to apply 7 days in advance may mean that the vehicle cannot be used once the current licence has expired.
- 2.11.3 To assist owners who wish to be able to change vehicles half way through the licence period, they will be able to transfer the un-expired portion of the annual licence from one vehicle to another, however, the new vehicle must continue to be tested in accordance with the current procedure.

2.12 Environmental Considerations

2.12.1



Appendix A makes it clear that LPG conversions to vehicles are perfectly acceptable. The policy proposed at 2.4.3 above will, furthermore, assist in this respect by ensuring that older and therefore less efficient vehicles will no longer be licensed.

2.13 Stretched Limousines

2.13.1



In accordance with the guidance, all applications to licence stretched limousines as private hire vehicles will be treated on their merits. Imported stretched limousine type vehicles:

- are granted an exemption from the requirement under the conditions of licence for private hire vehicles to be right hand drive;
- authorised as prestige type private hire vehicles; and
- are approved for licensing as private hire vehicles subject to the additional conditions detailed in the separate policy document;

2.14 Funeral Vehicles

- 2.14.1 There is no requirement for a vehicle to be licensed where it is being used in connection with a funeral, or is being wholly or mainly used by a person carrying on the business of a Funeral Director for the purpose of funerals.

2.15 Wedding Vehicles

2.15.1 A vehicle does not need to be licensed while it is being used in connection with a wedding.

Written certification from the Authority of the relevant exemption claimed is not currently required and it is not proposed to change this arrangement.



3 DRIVERS

3.1 Parallel Procedures

- 3.1.1 The statutory and practical criteria and qualifications for a private hire driver are broadly identical to those for a hackney carriage driver. The sections below, therefore, apply equally to private hire and hackney carriage drivers.

3.2 Licences

- 3.2.1 Separate driver's licences must be held in respect of hackney carriage and private hire vehicles.
- 3.2.2 Drivers have the option of applying for either a one year or three year licence subject to the CRB and medical cycle being aligned with the licence renewal. This option will not be available to drivers subject to annual CRBs. The Public Protection Sub-Committee will also retain discretion to remove driver's ability to apply for a three year licence.

3.3 Age and Experience

- 3.3.1 A licence to drive a hackney carriage or private hire vehicle will not be granted to a person who is under 18 years of age there is no upper age limit. In addition, a licence will not be granted to anyone over 18 who have not held a full driving licence for a period of one year.

3.4 Topographical Knowledge (Driver Knowledge Tests)

- 3.4.1 Hackney carriage drivers clearly need a good working knowledge of the area for which they are licensed, because hackney carriages can be hired immediately, directly with the driver, at ranks or on the street. The Authority also considers it necessary for private hire drivers to know the area.
- 3.4.2 In order to determine fitness to hold a licence, new applicants are required to undertake a written test as to their knowledge of the local geography. This also tests the applicant's knowledge of customer care and the byelaws. Previously licensed drivers, they will not be required to pass the knowledge test if they have been licensed by Blackpool Council as a hackney carriage or private hire driver within the preceding three years.

The procedures in relation to the above are set out in Appendix C.

3.5 Driving Proficiency and Qualifications

- 3.5.1 The Driving Standards Agency (DSA) provides a driving assessment specifically designed for taxi drivers. Some authorities require the above-mentioned DSA test or some further driving test to be taken.
- 3.5.2 The Authority believes that the standard car-driving test provides sufficient evidence of driving competency for the drivers of hackney carriage and private hire vehicles in this area. It is considered that introducing a requirement that drivers pass the specific DSA test or indeed any other competency qualification would not produces benefits, which are commensurate with the costs involved.

3.6 Medical Fitness

3.6.1 The Authority is of the opinion that it is appropriate for licensed drivers to be subject to more stringent medical standards than those applicable to normal care drivers because:

- They carry members of the public who expect a safe journey
- They are on the road for longer hours than the most car drivers
- They have to assist disabled passengers and handle luggage.



3.6.2 The DVLA recommend that hackney carriage and private hire vehicle drivers should be subject to the Group 2 medical standards applicable to applicants for licences to drive buses and lorries therefore with effect from 1st September 2010 new applicants and existing drivers applying for renewal will be required to satisfy this medical standard.

Existing drivers not able to meet this requirement will be entitled to address the Public Protection Sub-Committee in person and provide any necessary medical evidence to satisfy the Sub-Committee of their fitness to drive a hackney carriage or private hire vehicle.

3.6.3 Existing licence holders of 65 and over must be examined annually. Drivers aged less than 65 yrs of age must undergo a medical every 3 years. Holders of current PSV and/or HGV Licences, where the holder is able to produce proof of current medical examination, will not be required to undergo a further medical examination.

3.6.4 Licence holders must advise the Authority of any deterioration in their health that may affect their driving capabilities.

3.6.5 Where there is any doubt as to the medical fitness of the Applicant, the Authority may require the Applicant to undergo and pay for a further medical examination by a Doctor appointed by the Authority.

3.6.6 Where there remains any doubt about the fitness of any applicant, the Public Protection Sub Committee will review the medical evidence and make any final decision in light of the medical evidence available.

3.6.7 On renewal no licence will be issued until medical clearance (if required) has been established.

3.7 Criminal Record Bureau (CRB) Disclosures

3.7.1 A criminal record check on a driver is seen as an important safety measure. Enhanced Disclosure through the Criminal Records Bureau is required as these disclosures include details of spent convictions and police cautions.

3.7.2 The Rehabilitation of Offenders Act 1974 does not apply to applicants for both hackney and private hire driving licences. They are required to disclose all convictions, including those that would normally be regarded as spent. Applicants will be required to confirm by signing a declaration that either they have no convictions, or that they have disclosed all convictions.

In addition applicants are required to disclose any pending criminal matters which would include but is not limited to offences which are currently subject of Court proceedings, or for which the applicant is on police bail.

3.7.3 Before an application for a driver's licence will be considered, the applicant must provide a current (less than 3 months old) Enhanced CRB Disclosure of criminal convictions or a certificate of good conduct from the relevant embassy in the case of an overseas applicant.

3.7.4 CRB checks will be required once in every three-year period. The Public Protection Sub-Committee has the discretion to require annual CRB checks. The Authority is an approved Criminal Records Bureau body; therefore, applicants can deal with the Criminal Records Bureau through the Authority and will be charged an appropriate fee.

3.7.5 Licensed drivers are obliged to notify the Authority without delay of any criminal convictions. Any breach of this requirement will immediately become the subject of a disciplinary hearing before the Public Protection Sub-Committee.

3.7.6 The Authority is bound by rules of confidentiality, and will not divulge information obtained to any third parties. The Applicant for a CRB disclosure will be sent a separate disclosure report to their home address, while the Authority will also receive a copy of the report.

3.8 Relevance of Convictions and Cautions

3.8.1 In relation to previous convictions and formal cautions, the Authority will have regard to the following:

- (i) Whether the convictions are spent or unspent;
- (ii) The class of the offences;
- (iii) The age of the offences;
- (iv) The apparent seriousness, as gauged by the penalty.

3.8.2 Where an applicant's CRB check discloses an unspent conviction, the application will be referred to the Public Protection Sub-Committee for determination.

Where cautions or spent convictions are disclosed, each case will be viewed on its merits when deciding whether a referral to the Public Protection Sub-Committee for determination is necessary

3.8.3 The overriding test is whether the applicant is fit and proper.

3.9 Application Procedure

- 3.9.1 An application for a hackney carriage or private hire driver's licence must be made on the specified application form. The application procedure is set out in Appendix C.

3.10 Grant and Renewal of Licences

- 3.10.1 Application forms, appropriate fees, and supporting documentation, as set out in Appendix C, must be submitted at least 7 days prior to the expiry of the previous licence. Failure to apply 7 days in advance may mean that the applicant will be unable to drive once the current licence has expired.

Once the licence has expired, renewal applications cannot be accepted and all applications will be treated as "new". Applications submitted less than 28 days after expiry will be able to rely on existing medical and CRB clearance (if in date) however, applicants should note that they will be unable to drive until the licence and badge have been issued to them – this may take a few days.

Applications received more than 28 days after the expiry of the licence will be treated as full new applications and new CRB and Medical clearance will be required before the new licence will be granted.

- 3.10.2 Applicants for renewal of a hackney carriage or private hire driver's licence are required to provide a current (less than 3 months old) enhanced criminal record check from the Criminal Records Bureau every third year. Applicants who are aged 65 or over must provide evidence of their medical fitness to hold a licence upon renewal each year.
- 3.10.3 No licences will be issued or renewed unless medical clearance has been established.

3.11 Conditions of Licence

- 3.11.1 The Authority is not permitted to attach conditions to a hackney carriage driver's licence. It is, however, empowered to attach such conditions to a private hire driver's licence as are considered necessary.
- 3.11.2 Private hire drivers are subject to the conditions in Appendix D.
- 3.11.3 Hackney carriage drivers are subject to the Blackpool Borough Council Hackney Carriage Byelaws.

3.12 Arrest and/or Convictions during period of licence

- 3.12.1 Drivers, who are convicted of any criminal or motoring offence during the currency of their hackney or private hire driver's licence, must disclose the conviction and the penalty involved to the Authority within seven days. For these purposes, a fixed penalty motoring offence amounts to a conviction. In addition drivers are required to disclose any pending criminal matters which would include but is not limited to offences which are currently subject of Court proceedings, or for which



the driver is on police bail.

- 3.12.2 Any breaches of the relevant legislation or conditions attached to driver, operator and vehicle licences, which may come to light following complaints, enforcement action or investigations should be dealt with by the Public Protection Sub-Committee

3.13 Code of Good Conduct

- 3.13.1 Adopting a Code of Good Conduct for hackney carriage and private hire drivers serves to promote the Authority's licensing objectives in respect of the hackney carriage and private hire trades.

- 3.13.2 The standards expected of licensed drivers are set out in the Code of Good conduct, included in this policy document at Appendix E, and should be read in conjunction with the other statutory and policy requirements set out in this document.

3.14 Driver's Dress Code

- 3.14.1 Anything that serves to enhance the professional image of the hackney carriage and private hire trade, and promotes the concept that drivers of licensed vehicles are vocational drivers is to be welcomed. The code is to be found at appendix F.

4 DISCIPLINARY AND ENFORCEMENT MEASURES

4.1 Enforcement

- 4.1.1 Blackpool Council's Quality Standards Enforcement Policy will ensure that the Authority's enforcement effort is reasonable, transparent and well directed.

4.2 Disciplinary Hearings

- 4.2.1 Disciplinary matters may be referred to the Authority's Public Protection Sub Committee. One of the functions of this Committee is to consider the impact of transgressions of the law on the fitness of an individual to hold a hackney carriage or private hire licence, and to take the action appropriate to the circumstances.



4.3 Range of Powers

4.3.1 Issuing of Warnings

Warnings may be issued either by the Public Protection Sub-Committee or by the Principal Solicitor or Licensing Solicitor in consultation with the Chair or Vice Chair of the Public Protection Sub-Committee

4.3.2 Suspension

(i) Vehicles

Vehicles can be suspended in accordance with section 68 of the Local Government (Miscellaneous Provisions) Act 1976 if an officer is not satisfied as to the fitness of a vehicle. The Principal Solicitor or Licensing Solicitor in the event the licensing service cannot be satisfied that the vehicle is suitably covered by insurance. A suspension will always be given in writing.

(ii) Drivers

The Authority may exercise its discretion to suspend the operation of a driver's licence for a specified period. The PPC are mainly responsible for any suspension of licence. An immediate suspension can only be taken by either the Principal Solicitor or Licensing Solicitor in consultation with the Chair or Vice Chair of the Public Protection Sub-Committee. The matter must then be referred to the PPC for consideration.

4.3.3 **Revocation**

Where a licence holder has been referred to the Public Protection Sub-Committee, the Committee may order the revocation or suspension of the licence.

4.3.4 **Refusal to Renew**

As an alternative to revocation, the Committee may decide that the appropriate action, in a situation where the licence is shortly to expire, is to order that the licence shall not be renewed.

4.3.5 **Prosecution**

The Authority will prosecute in accordance with the Quality Standards Enforcement Policy.

5 DELEGATED POWERS

5.1 Public Protection Sub-Committee

5.1.1 The Public Protection Sub-Committee of the Authority is responsible for the management of the hackney carriage and Private Hire licensing regime in the district, along with the formulation and review of its policy in this regard.

5.2 Officer Delegation

5.2.1 The Principal Solicitor or Licensing Solicitor in consultation with the Chair or Vice Chair of the Public Protection Sub-Committee may:

- Issue warning letters on behalf of the Public Protection Sub-Committee;
- Suspend hackney carriage or private hire drivers licence with immediate effect

5.2.2 The Principal Solicitor or Licensing Solicitor may suspend a hackney carriage or private hire vehicle licence with immediate effect when they cannot be satisfied that the vehicle is suitably insured.

6 PRIVATE HIRE OPERATORS

6.1 Requirements & Obligations

6.1.1 A private hire vehicle may only be despatched to a customer by a private hire operator who holds an operator's licence. Such a licence permits the operator to make provision for the invitation or acceptance of bookings for a private hire vehicle. A private hire operator must ensure that every private hire vehicle is driven by a person who holds a private hire driver's licence.

6.1.2 Applications for operator's licences must be made on the prescribed form, together with the appropriate fee. The Authority will then decide whether the

applicant is a fit and proper person to hold an operator's licence. In the case of a company, the Authority must be satisfied that all company directors/secretary are fit and proper.

6.2 Criminal Record Checks

6.2.1 Private hire operators are not exceptions in respect of the Rehabilitation of Offenders Act 1974, so Standard or Enhanced disclosures cannot be required as a condition of grant of an operator's licence. A Basic Disclosure from the Criminal Records Bureau or a certificate of good conduct from the relevant embassy for



overseas applicants are, nevertheless, seen as appropriate. A reference, covering for example the applicant's financial record, as well as or instead of the checks outlined above is also seen as useful.

6.2.2 Before an application for a private hire operator's licence will be considered and every three years thereafter, the applicant (In the case of a company, all directors/secretary) must provide a current (less than 3 months old) Basic CRB Disclosure of criminal convictions or a certificate of good conduct from the relevant embassy in the case of an overseas applicant unless the applicant is already a driver licensed by this authority.

6.3 Conditions

6.3.1 The Authority has power to impose such conditions on an operator's licence, as it considers reasonably necessary.

6.3.2 The conditions set out in Appendix G are considered to be reasonably necessary.

6.4 Insurance

6.4.1 The private hire operator is required to produce to the Licensing Service an appropriate certificate of public liability insurance for their premises.

6.5 Licence Duration

6.5.1 Applicants may apply for a private hire operators licence for either a one year or three-year period, subject to the power to grant a licence for a shorter period, should this be appropriate in the circumstances

6.5.2 Application forms for renewal appropriate fees, and supporting documentation, must be submitted at least 7 days prior to the expiry of the previous licence. Failure to apply 7 days in advance may mean that the applicant will be unable to operate once the current licence has expired.

6.6 Address from which an Operator may operate

6.6.1 Upon grant of an operator's licence, the Authority will specify the address from which the operator may operate. The operator must notify the Authority in writing of any change of his/her address, (whether this is a home address or the address from he/she operates) during the period of the

licence, within 7 days of such change, taking place.

6.7 Bases outside the Blackpool Council Area

- 6.7.1 The Authority will not grant an operator's licence for an operator with an operating base that is outside the Authority's area. This is to ensure that proper regulation and enforcement measures may be taken by the Authority and is in no way intended to be a restraint of trade.

7 FARES

7.1 General

7.1.1



Taxi fares, set by a Local Authority, are a maximum, and can be negotiated downwards by the hirer. Licensing authorities have the power to set taxi fares for journeys within their area.. When determining the level of fares consideration will be given to what it is reasonable to expect the travelling public to pay as well as the need to give the drivers an incentive to provide a service at the times it is needed.

- 7.1.2 These regulations do not apply to private hire vehicles. However where a meter is fitted in a private hire vehicle, the rate cannot exceed that set by the Authority in respect of hackney carriages.

- 7.1.3 Out of Borough journeys can be negotiated prior to the commencement of the journey in both private hire vehicles and hackney carriages.

7.2 Table of Fares

- 7.2.1 A table of authorised maximum fares will be provided to each hackney carriage licence holder, which must then be displayed in each vehicle so that it is easily visible to all hirers.

7.3 Review

- 7.3.1 Fares rates are currently, normally only reviewed by the Authority following representations from the trade or from a particular sector of the trade.

7.4 Receipts

- 7.4.1 A hackney carriage driver must, if requested by the passenger, provide him/her with a written receipt for the fare paid.

8 FEES

8.1 Fee Structure

- 8.1.1 The legislation provides that these should be sufficient to cover the costs of inspecting the vehicles, providing hackney carriage stands, and

administering the control and supervision of hackney carriages and private hire vehicles.

8.2 Payments

8.2.1 Fees for licences, or vehicle inspections must be made payable to Blackpool Council.

8.3 Payment Refunds and Transfers

8.3.1 The appropriate fee must be paid when the application is submitted and that a charge will be levied to cover the administrative costs associated with the transfer of a vehicle. In the case of vehicle licences, where licence holder's surrender their licence prior to their expiry date. The Authority does not make any refunds in respect of the unexpired portions of the licence fees.

9 TAXI RANKS

9.1 Appointed Ranks

9.1.1 A booklet including the ranks and byelaws is available upon request.

10 TRAINING

10.1 All existing drivers must have taken a Council approved qualification on or before 1st January 2011. Please contact the Licensing Service for details.

10.2 With effect from 1st January 2011, all new applicants must, before being granted a drivers licence, undertake a Council approved qualification.

APPENDIX A

VEHICLES - SPECIFICATIONS

1 GENERAL

1.1 All licensed vehicles shall comply in all respects with the requirements set out below as appropriate for the type of vehicle (hackney or private hire). This is in addition to all requirements of the road traffic legislation, which relates to all motor vehicles. All hackney carriage vehicles will also be subject to the requirements of the byelaws made in respect of hackney carriages in so far as they relate to vehicles.

1.2 All vehicles shall have an appropriate "type approval" which is either a :-

- i) European Whole Vehicle Type approval;
- ii) British National Type approval; or
- iii) British Single Vehicle Approval.

It is also recommended that vehicles with Euro NCAP star ratings of 4 or more should be considered when purchasing a new vehicle.

1.3 All vehicles shall be capable of carrying not less than 4 passengers, be fitted with a right hand drive (special conditions apply to stretched limousines) and shall have an engine size not less than 1298cc.

Applications for specialist or novelty vehicles will be considered on merit.

Tuk Tuks or similar vehicles may be licensed for private hire use to carry two or three passengers.

1.4 All vehicles shall comply with all construction and use/type approval requirements applicable to it. The maximum permitted length is 18 ft. The maximum permitted weight is 3500 kg

1.5 All vehicles shall be either a purpose built taxi, or a 4-door saloon or 5-door estate/ multi-passenger vehicle, except that a private hire vehicle shall not be of the London Taxi type.

1.6 Vehicles should have no damage affecting the structural safety of the vehicle and must not have been written off for insurance purposes at any time.

1.7 Sufficient means shall be provided by which any person in the vehicle may communicate with the driver.

1.8 All vehicles shall at all times be maintained in sound and roadworthy condition and serviced according to the manufacturer's recommendations.

2 DOORS

2.1 All saloons, estates or purpose built taxi vehicles shall have at least 4 side-opening doors, which may be opened from the inside and the outside. Minibuses, transits and people carrier type vehicles shall have at least 3 doors not including any tailgate or rear doors. There must be a minimum of 54 inches width between door handles.

- 2.2 All vehicles shall be constructed so that the doors open sufficiently wide as to allow easy access into and egress from the vehicle.
- 2.3 All vehicles, including larger passenger vehicles (multi-purpose vehicles), must have sufficient safe and suitable access and egress from the vehicle for the driver and all passengers, excluding the rear exit and the driver's front door.

3 INTERIOR DIMENSIONS

- 3.1 Height Inside: there must be sufficient space between the seat cushions and the lowest part of the roof to safely accommodate the driver and passengers in reasonable comfort. 34 inches minimum is recommended.
- 3.2 Knee Space: there must be sufficient space between the front and back seats to safely accommodate the driver and passengers in reasonable comfort. There must be at least 7 inches between the back of the front seat and the front of the next row of rearward seats.

4 SEATS

- 4.1 Access to every passenger seat must be unobstructed and be easily accessible to passengers and without the need for more than one passenger to move. Mini buses and MPVs that are unable to comply with this requirement may still be approved at the discretion of the Authority.
- 4.2 Passenger seats must be at least 16 inches, or the metric equivalent, wide per passenger with no significant intrusion by wheel arches, armrests or other parts of the vehicle. There must be a minimum of 34 inches headroom for all passenger seats measured from the rear of the seat cushion to the roof lining. There must be a minimum of 180mm legroom for all passenger seats measured from the front edge of the seat to the rear of any seat, dashboard or internal panel in front.
- 4.3 In relation to the carriage of child passengers under 3 years of age in the front seat, an appropriate child restraint **MUST** be worn. Where a child passenger is between 3-11 years old an adult seat belt must be worn if an appropriate child restraint is not available.

5 SEAT BELTS

- 5.1 All vehicles must be fitted with fully operational rear seat belts, one for each passenger to be carried, fully compliant with British Standards except where the law specifically provides an exemption.

6 PASSENGER CAPACITY

- 6.1 The carrying capacity of all vehicles shall be at the discretion of the Authority having regard to manufacturer's specifications and compliance with dimensions referred to previously.

7 MODIFICATIONS

- 7.1 No material alteration or change in the specification, design, condition or appearance of the vehicle may be made without first complying with road traffic and insurance legislation and secondly the approval of the Licensing Office, at any time while the licence is in force. It is unlikely that anything, not of the manufacturer's specification, will be authorised.

8 LICENCE PLATES AND STICKERS

- 8.1 Except as provided at 8.4 below, at all times while the vehicle is being used as a hackney or private hire vehicle there shall be securely fixed to the front and rear of the vehicle the appropriate vehicle licence plates supplied by the Authority.
- 8.2 The number of persons licensed to be carried in the vehicle shall be exhibited outside the vehicle on the vehicle licence plates referred to above. (For these purposes children (of any age) are counted as one person).
- 8.3 At all times while the vehicle is being used as either a hackney carriage or private hire vehicle there shall be displayed on the windscreen of such vehicle (top left-hand corner of the windscreen) the licence disc, which identifies the vehicle as either a private hire or hackney carriage vehicle. On this will be displayed the registration number of the vehicle and the number of passengers permitted to be carried.
- 8.4 Every licensed hackney and private hire vehicle must display a "How Am I Driving?" plate clearly visible to the rear of the vehicle. The plate will display the telephone number 0800 0730628. This number is linked to the Authority's Public Protection Section who will record and investigate any complaints made.
- 8.5 Provided that they have received express written consent from the Authority, limousines and other professionally chauffeured vehicles may, in certain circumstances, not be required to display the external vehicle licence plates but must comply with the requirements of 8.3 above in respect of displaying the internal licence disc.

9 SIGNAGE

9 Hackney Vehicle Markings

- 9.1.1 Hackney carriage vehicles, other than minibuses, transits, people carrier type vehicles and those with built-in roof signs, must be fitted with an illuminated external sign on and above the roof of the vehicle showing the word "TAXI" on the side facing the front and the name of the company, or its telephone number, or "TAXI", or any combination of the three on the side facing towards the rear of the vehicle. The roof sign and lettering shall be of an appropriate size to enable it to be read clearly from a distance of 14 metres.
- 9.1.2 The roof sign must be centrally mounted on the vehicle roof and be adequately secured either directly to the roof or mounted on a single roof bar and secured by bolts, straps, or clamps. Magnetic or suction fittings alone are not considered suitable without additional means of fixing.
- 9.1.3 On purpose built vehicles, with built-in roof signs, the roof light must be turned off when the fare meter is in use.
- 9.1.4 Minibuses, transits and people carrier type vehicles which are not fitted with an appropriate roof sign, as indicated above, shall have the word "Taxi" in letters of between 25cm and 30 cm in height displayed on the front and rear of the vehicles so that they can be clearly identified as a hackney carriage vehicle.

10 Private Hire Vehicle markings

- 10.1.1 The only signage permitted on a private hire vehicle is self-adhesive identification signs with a small company logo as approved or supplied by the Authority, indicating that " Not insured unless pre - booked " must be affixed to the drivers' door and front passenger door panels of the vehicle. These signs should not be tampered with in any way and must be displayed at all times whilst the vehicle is licensed as a private hire vehicle.
- 10.1.2 A private hire vehicle must not carry any roof sign or any markings that might give the impression that it is a hackney carriage.

11 ADVERTISING ETC

- 11.1 Subject to the following provisions of this section, a sign must be affixed to the outside or inside of the vehicle indicating that smoking is prohibited in the vehicle or requesting passengers to refrain from smoking inside the vehicle.
- 11.2 No sign or advertisement shall obliterate or be confused with the vehicle's licence plate or the number plates of the vehicle.
- 11.3 **Hackney Carriages**

All proposed advertising must be approved by the Licensing Service

- (i) For saloons and estate cars the lettering of all advertising/graphics etc must be a maximum height of 15 cm and may be displayed on either the sides of the vehicle, front and rear wings, doors or on the bonnet or the rear of the vehicle
- (ii) For minibuses, transits and people carrier type vehicles, the lettering of all advertising/graphics etc must be a maximum height of 25 cm and may be displayed on either side of the vehicle, front and rear wings, doors or on the rear of the vehicle. In addition, the single word "Taxi", to a maximum height of 30 cm, may be placed on the front and rear of the vehicle.
- (iii) Any advertising may include details of current fare scales or discounts charged by the owner/proprietor.
- (iv) No advertising will be permitted that obscures the windows of any vehicle.

11.4 Private Hire Vehicles

- (i) No signs whatsoever, other than the identification signs approved or supplied by the Council must be affixed to the drivers' door and front passenger door panels of the vehicle.
- (ii) Any advertising on the vehicle must be restricted to the name, logo or insignia, telephone number, free-phone number, fax number, E-mail address or Web site of the owner or operator of the vehicle. Advertising of other businesses or products or services is **not** permitted on private hire vehicles and no art works, slogans or other displays of any kind are permitted

12 METERS

12.1 Hackney carriages

- 12.1.1 A calendar-controlled taximeter must be fitted in the headlining of all purpose built hackney carriages and must be correctly calibrated, sealed and fully functional in accordance with the current Council approved fare structure and easily visible to passengers.
- 12.1.2 The taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances during the pit test, so as not to be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances. The taximeter must be sealed by the Authority.
- 12.1.3 If the taximeter has been altered for whatever reason, the proprietor of the vehicle shall forthwith report the alteration to the licensing department so that arrangements for resealing may be made.

12.2 Private Hire

- 12.2.1 All Private hire vehicles fitted with a calendar-controlled taximeter must be tested, approved and sealed by the Authority and must not exceed the current set fares.

13 TRAILERS

- 13.1 Trailers may only be used with the prior approval of the Authority and subject to the following requirements:
 - (i) Trailers can only be used in connection with private hire bookings and cannot be used for plying for hire on a rank;
 - (ii) The trailer must at all times comply with all requirements of Road Traffic legislation in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986;
 - (iii) The vehicle insurance must include cover for towing a trailer;
 - (iv) Trailers must not be left unattended anywhere on the highway;
 - (v) The speed restrictions applicable to trailers must be observed at all times;
 - (vi) A suitable lid or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever in use.
 - (vii) Trailers must be approved by the Authority.
 - (viii) Trailers must undergo the Authority's inspection and licensing regime
 - (ix) Trailers must display an identification plate as specified by the Authority.

14 DISABILITY ACCESS

- 14.1 In the case of vehicles, which are built or adapted for disabled passengers, the design of the vehicle should ensure that any wheelchair is loaded from the side rather than the rear of the vehicle. The only exceptions being when hydraulic lifting platforms are fitted to the vehicle.

- 14.2 Where a vehicle is utilised for the carriage of passengers in a wheelchair, the following conditions shall apply:
- (i) Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus.
 - (ii) Wheelchair internal anchorage must be of the manufacturer's design and construction and secured in such a position as not to obstruct any emergency exit.
 - (iii) A suitable restraint must be available for the occupant of a wheelchair. Such restraint must be used whenever carrying a wheelchair bound passenger
 - (iv) Access ramps or lifts to the vehicle must be securely fixed prior to use, and be able to support the wheelchair, occupant and helper.
 - (v) Ramps and lifts must be securely stored in the vehicle before it may move off.
- 14.3 Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (S.I. 1998/2307). Any such equipment must be maintained in good working order and be available for use at all times.
- 14.4 Where a vehicle is designed or adapted to carry a wheelchair, the proprietor shall ensure that the driver has received sufficient training to load and convey wheelchair bound passengers.
- 14.5 Subject to the provisions of section 11 above, a sign may be affixed to the outside of the vehicle indicating that it is able to convey passengers in wheelchairs provided that the vehicle has been manufactured or properly adapted for that purpose.

15 CONVERSIONS/VEHICLES POWERED BY LIQUID PETROLEUM GAS (LPG)

- 15.1 An applicant for a licence involving a vehicle that has been converted to run on LPG is required to produce, prior to a licence being issued, a certificate issued by a member of the LPG Association confirming satisfactory installation, examination and testing of the vehicle in accordance with LPG Association Code of Practice; and that the vehicle is therefore considered safe
- 15.2 If an LPG conversion involves installation of an LPG fuel tank in a vehicle's boot space (and possible relocation of the spare wheel) it shall be a requirement that an amount of space shall remain free for the stowage of a reasonable amount of luggage and any spare wheel displaced as a result must be stowed in a location that does not impinge on the passenger carrying area of a vehicle.
- 15.3 All fuel must be capable of being replenished from the exterior of the vehicle

16 TINTED WINDOWS

- 16.1 The windows or windscreen of any vehicle shall not have been treated so that less than 75% of light is transmitted through it, unless the following criteria can be met:
- (i) The vehicle is licensed only for private hire purposes and
 - (ii) The vehicle is a stretched limousine or prestige type vehicle and
 - (iii) The vehicle will not be engaged at all in any contract for the carriage of school children or based around the carriage of children/young persons
 - (iv) The Operator must, unless such a vehicle has been specifically requested, inform a hirer that such a vehicle will be supplied.

17 CHANGES

- 17.1 Any change affecting this vehicle licence must be notified within 14 days of such change, to the Licensing Service.
- 17.2 When the holder of a vehicle licence wishes to transfer the licence to another person he must notify the Licensing Service, in writing, before such change takes place. Failure to do so is likely to result in the refusal to renew the licence.

18 UNAUTHORISED USE

- 18.1 The proprietor of a private hire vehicle or hackney carriage shall not allow the vehicle to be driven and used for hire by any person who does not hold a current private hire or hackney carriage driver's licence, as appropriate, issued by the Authority.

19 ACCIDENT REPORTING

- 19.1 If any licensed vehicle is involved in an accident, this must be reported to the Licensing Service within 72 hours of the event.
- 19.2 Where, following an accident or damage to a licensed vehicle, it is the intention of the owner or operator to continue licensed use, the vehicle must be inspected (at the owner's or operator's expense) to determine its fitness for continued use. An Authorised Officer may suspend the use of a licensed vehicle until it is suitably repaired.
- 19.3 A licensed vehicle which has suffered major accident damage or requires substantial mechanical repair may be replaced by a hire vehicle, provided:
- (i) the damage to, or defect in, the vehicle has been reported;
 - (ii) application is made in the usual way for a change of vehicle (albeit temporarily);
 - (iii) the replacement vehicle meets the licensing criteria and is suitable to be used for hire purposes;
 - (iv) the hiring of the hire vehicle is organised and paid for by the affected licensed owner or operator.

20 MISCELLANEOUS

- 20.1 The proprietor shall not knowingly cause or permit the vehicle to be used for any illegal or immoral purpose whatsoever.

21 DISPENSATION/ VARIATION

- 21.1 The Authority may in exceptional circumstances by way of special condition dispense with or vary any of the requirements/conditions set out herein.

APPENDIX B

Exceptional Quality Policy

Vehicles must meet minimum emissions standards with reference to the year of manufacture as detailed in paragraph 2.4.3 of this policy.

1. The vehicle must pass the initial pit test – vehicles with four or fewer faults (excluding consumables – see guidance notes) will be permitted to undertake the necessary repairs and submit for a re-test; vehicles with five or more faults will fail and will not be permitted a re-test; and

2. The vehicle must meet the full exterior and interior specification detailed below (each point listed below would constitute one defect). Vehicles with five or fewer defects as detailed below will be permitted to undertake necessary repairs and submit for a re-test. Vehicles with six or more defects will fail, and will not be permitted a re-test.

Exterior

- All bodywork to be clean and sound, free from rust, corrosion, dents, scrapes or significant scratches or loose panels.
- All paintwork must be in good condition when the vehicle is viewed in normal light conditions
- All wheel trims to be fitted according to the manufacturer's specification and all matched
- Door or wing mirrors to be in good condition. 2 wing mirrors and an interior mirror are required.
- Front and rear registration plates to be clean, clear, unbroken and conform to the relevant legislation. Hinging rear number plates must be maintained so that the number plate is visible at all times.
- Front and rear bumpers to have no rust, corrosion, dents, cracks or scrapes and be securely fitted. End caps must be fitted
- Mud flaps, if fitted should be maintained
- No broken, cracked or missing glass or surrounds on all front and rear lights where fitted and must display the correct colour
- Radiator grills should be secure and the original specification
- Windscreen and rear screen wiper arms should be in good condition and rust free and properly fitted
- All door locks and boot locks fitted to be in working order
- All doors should be easily opened and in good working order
- All door handles should be properly fitted easily operated and of original specification
- A spare wheel which conforms to legal requirements must be carried and securely fitted along with the relevant jack and wheel brace
- All tyres to conform to legal requirements
- All road wheels to be clean and free from significant marks or damage
- Vehicle to have a current MOT certificate or certificate of compliance
- Evidence of servicing and maintenance over the last twelve months must be produced.

Interior

- ❑ All seats to be manufacturer's original design, should match, be securely fitted with no holes or tears,
- ❑ All seat belts should be clean, in good working order. There must be sufficient seatbelts to cover every licensed seat. All anchorage point covers should be properly fitted and match original trim
- ❑ All panels should be clean and match original trim
- ❑ Fitted carpets should be of original specification, securely fitted with no rips or holes
- ❑ All instruments and accessories should be fitted securely, match trim and be in good working order.
- ❑ Headlining to be clean with no holes or tears (unless repaired)
- ❑ All windows to operate correctly and easily
- ❑ Brake, clutch and accelerator pedal rubbers to be fitted and in good condition
- ❑ The inside of the vehicle should be free from any trailing or loose wires
- ❑ The boot and/or luggage space should be clean and tidy with an unstained carpet or cover to manufacturer's specification
- ❑ If a hatchback, the boot cover must be original with both lifting straps fitted. A cargo guard should be fitted in estate vehicles
- ❑ Gear lever gaiters, if fitted, should be in good condition
- ❑ All lights should be in working order with appropriate covers securely fitted
- ❑ Window locks, handles where provided by the manufacturer to be in working order
- ❑ Heated rear screen to be in proper working order.
- ❑ Ramps, if fitted must be in good working order.

Guidance notes

Mot items – Any individual fault which would cause the vehicle to fail the standard MOT test will count as one fault. For example a leaking brake cylinder and a bald tyre are **2 faults**.

Interior and exterior faults – as a general rule, each defect identified during the inspection will count as one fault, however multiple faults of an identical nature will count as one fault. For example – holes in two seats will count as one fault. Similarly, dents found on two separate panels will count as one fault.

Fixing – all trim should be present, correctly aligned and fixed in accordance with the manufacturer's specification.

Poor Workmanship – repairs should be carried out to a high standard. Defects resulting from poor preparation or poor application of a paint finish are likely to result in the vehicle not reaching the required standard. Such defects may include runs, dust in the paint, orbital sander marks, poor paint coverage and overspray.

Gloss Finish – Paintwork should have a gloss finish over the whole vehicle. Where the paintwork has begun to fade due to age and the effects of ultraviolet degradation over large areas of the vehicle, where it cannot be returned to an acceptable gloss level by the use of cutting compounds refinishing may be required.

Replacement panels – vehicles which have been damaged and had replacement panels fitted are acceptable as hackney carriage and private hire vehicles provided that

- The repairs have been carried out to a high standard
- The replacement panel has been fitted to the vehicle manufacturer's specification using approved fittings, and
- The replacement panel has been correctly aligned, level with all adjacent panels. The gaps between panels should be uniform and similar to those between original panels.

Appeals

Where a proprietor is aggrieved by the decision of a vehicle tester concerning the standard of the vehicle, the initial appeal shall be to the mechanics supervisor. In the event that the proprietor remains aggrieved, a further appeal will lie with the manager of the Authority's vehicle inspection unit.

Further details of the appeals process are available on request.

Definition of consumables

The following items will not be counted as faults, but should be rectified as soon as reasonably practicable:

- Light bulbs not working
- No fire extinguisher
- No fare card on display
- Absence of vehicle signage
- A missing licence plate
- Taxi meter not operating correctly

APPENDIX C

1. Application Procedures – Vehicles

- 1.1 When presenting an application, the following documents must accompany the application form-
- (i) **Registration Document** (which must show the vehicle as belonging to the applicant either wholly or jointly with any other person(s));
 - (ii) **Insurance Certificate** (if a cover note, licence holders will be required to produce further insurance certificates on or before the expiry of the cover note.
 - (iii) **MOT Certificate /Certificate of Compliance**
- 1.2 Appointments can be arranged for a vehicle to be tested following application being made to the Licensing Department.
- 1.3 Prior to submitting the vehicle for testing, owners must ensure that the vehicle is in good condition, i.e., mechanically sound, bodywork in a satisfactory condition and the engine and full chassis steam cleaned if necessary.
- 1.4 Owners of vehicles will be subject to a retest fee in respect of vehicles that have to be re-submitted for a second inspection test on the grounds of mechanical/M.O.T. related failures.
- 1.5 The full retest fee will be charged to drivers/owners who fail to attend for inspections/ re-inspections.
- 1.6 When a vehicle is successfully tested it should be licensed at the Licensing Offices as soon as practicable.

2. Application procedures - Drivers

- 2.1 When presenting an application, the following documents must accompany the application form –
- (i) DVLA driving licence
 - (ii) Advanced Check Mandate
 - (iii) Criminal Records Bureau Form
- 2.2 Before being granted a licence you will need to produce evidence of medical suitability

3. New Driver Tests

3.1 Introduction

- 3.1.2 Applicants for new drivers' licences are required to undergo a written test, by appointment, as part of the process of satisfying the Authority that they are suitable persons to hold such a licence.

- ❑ Applicants will be tested on their knowledge of the Blackpool Borough area's geography, by recording the shortest routes between locations in the area, the start and finish of prominent streets, the locations of major hotels, surgeries, hospitals, clubs and schools. Questions will include Customer Care, Highway Code and taxi/private hire law
- ❑ 45 minutes are allowed to take a 40 question written examination.
- ❑ 4 attempts are permitted before the application is refused
- ❑ In the event of 4 failures the application will be refused and a period of 1 year must elapse before further application is permitted.
- ❑ A fee is charged for each attempt.

4. The consideration of applications

- 4.1 Upon receipt of a completed application form, an officer of the Licensing Service shall consider the application, unless there are details, which are missing from the application form, or the supporting documents are incomplete. Where the application is incomplete, it shall not be considered until all the missing details or documents are supplied.
- 4.2 If satisfied, from the information available, that the applicant is a fit and proper person to hold a hackney carriage and private hire licence, the officer has the delegated power to grant the application.
- 4.3 Successful applicants will be notified in writing and issued with the appropriate licence. Those who are granted drivers' licences shall be issued with a drivers' badge, which shall remain the property of the Authority and must be surrendered when the driver ceases employment as a driver.
- 4.4 Where the Licensing Officer is not satisfied, on the information before him/her, that the applicant should be granted a licence, the matter must be referred to the Public Protection Sub-Committee. The applicant will be advised of the date, time and venue of the Committee at which the application will be considered.
- 4.5 At the Public Protection Sub Committee meeting, the Sub-Committee members will receive a report from the Senior Licensing Officer, hear representations from the applicant and may ask any questions before deciding upon whether a licence should be granted. The applicant will be told of the outcome immediately and this will be confirmed in writing within 7 days.
- 4.6 Unsuccessful applicants will be informed of their right to appeal to the Magistrates' Court within 21 days of being notified of the decision.

APPENDIX D

PRIVATE HIRE DRIVER'S LICENCE CONDITIONS

1. In the event of the licence holder being convicted of an offence of whatever kind during the currency of the licence, he shall forthwith notify the Council in writing of the conviction, giving such particulars of the time and place of the conviction, the nature of the charge and the penalty imposed, together with such further information concerning the offence as the Council may require.

2. The licence holder, whilst acting as driver of a private hire vehicle, which is hired, shall not permit or suffer any person to be carried in or upon such vehicle during such hire without the express consent of the person hiring the same.

3. The licence holder, whilst acting as driver of a private hire vehicle shall not by any means encourage people to hire the vehicle.

4. The licence holder, whilst acting as driver of a private hire vehicle, shall be clean and respectable in his dress and person, shall behave in an orderly manner, shall conduct himself with civility and propriety towards every person hiring or being conveyed in the vehicle, shall take all reasonable precautions to ensure the safety of the persons conveyed in or entering or alighting from the vehicle and shall comply with every reasonable requirement of any person hiring or being conveyed in the vehicle.

5. The licence holder who has agreed or has been hired to be in attendance with the vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such vehicle at such appointed time and place.

6. The licence holder shall not convey in a private hire vehicle any greater number of persons than the number of persons specified in the licence granted by the Council in respect of the vehicle.

7. The licence holder, whilst acting as the driver of a private hire vehicle shall when requested by any person hiring the vehicle:

- Convey a reasonable quantity of luggage;
- Afford reasonable assistance in loading and unloading;
- Afford reasonable assistance in removing any luggage to or from the entrance of any house, station or place at which he may take up or set down such person.

8. The licence holder when acting as the driver of a private hire vehicle shall immediately, after the termination of any hiring or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left therein and carry it as soon as possible and in any event within 48 hours to the nearest Police Station and leave it in the custody of an authorised officer on his giving a receipt for it.

9. If the licence holder acts as the driver of a private hire vehicle fitted with a taximeter then (unless the hirer expresses at the commencement of the journey his desire to engage by time) he shall bring the machinery of the taximeter into action at the commencement of the journey and neither he nor the proprietor or operator of the vehicle shall be entitled to demand or take a fare greater than that fixed by the Council in connection with the hire of hackney carriages.

Notwithstanding the above, in the event of a journey commencing in, but ending outside the Blackpool Borough there may be charged for the journey such fare or rate of fare, if any, as was agreed before the hiring was effected.

APPENDIX E

CODE OF GOOD CONDUCT FOR LICENSED DRIVERS

This Code of Good Conduct should be read in conjunction with the other statutory and policy requirements set out in this document.

1 Responsibility to the Trade

Licence holders shall endeavour to promote the image of the hackney carriage and private hire trade by:

- (a) complying with this Code of Good Conduct;
- (b) complying with all the Conditions of their Licence and the Authority's Hackney Carriage and Private Hire Licensing Policy and the hackney carriage byelaws;
- (c) behaving in a civil, orderly and responsible manner at all times.

2 Responsibility to Clients

Licence holders shall:

- (a) maintain their vehicles in a safe and satisfactory condition at all times;
- (b) keep their vehicles clean and suitable for hire to the public at all times;
- (c) attend punctually when undertaking pre-booked hiring;
- (d) assist, where necessary, passengers into and out of vehicles;
- (e) offer passengers reasonable assistance with luggage.
- (f) All hackney and private hire vehicles will be smoke-free areas at all times. This includes occasions when no passengers are being carried.

3 Responsibility to Residents

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

- (a) not sound the vehicle's horn illegally;
- (b) keep the volume of radio/music system to a minimum;
- (c) switch off the engine if required to wait;
- (d) take whatever additional action is necessary to avoid disturbance to residents in the neighbourhood.

At taxi ranks and other places where hackney carriages ply for hire by forming queues, drivers shall, in addition to the requirements above:

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

At private hire offices a licence holder shall:

- (a) not undertake servicing or repairs of vehicles;
- (b) not allow their radio/music system to cause disturbance to residents of the neighbourhood;
- (c) take whatever additional action is necessary to avoid disturbance to residents of the neighbourhood, which might arise from the conduct of their business.

4 General

Drivers shall:

- (a) pay attention to personal hygiene and dress so as to present a professional image to the public;
- (b) be polite, helpful and fair to passengers;
- (c) drive with care and due consideration for other road users and pedestrians and in particular shall not use a hand held mobile phone whilst driving;
- (d) obey all Traffic Regulation Orders and directions at all time;
- (e) not smoke at any time when inside the vehicle;
- (f) not consume alcohol* immediately before or at any time whilst driving or being in charge of a hackney carriage or private hire vehicle;
- (g) not drive while having misused legal or illegal drugs;
- (h) fulfil their responsibility to ensure compliance with legislation regarding the length of working hours;
- (i) not eat in the vehicle in the presence of customers

***ANY AMOUNT OF ALCOHOL OR DRUGS CAN AFFECT A DRIVER'S JUDGEMENT**

APPENDIX F

DRESS CODE FOR LICENSED DRIVERS

The Authority is committed to encouraging the professional image of the trade. The Authority considers that drivers should conform to a minimum standard of dress, as set out below, in order to raise and maintain the profile of the licensed trade.

The Authority does not impose such standards by way of conditions to any licence. It is expected, however, that such standards will be maintained at all times.

Acceptable Standards of Dress within this code

(1) Tops

- ❖ Shirts, blouses, T-shirts, or sweat tops should cover the shoulders and be capable of being worn inside trousers or shorts.
- ❖ Shirts or blouses can be worn with a tie or open-necked.

(2) Trousers/Shorts/Skirts

- ❖ Trousers may be either full length or shorts.
- ❖ Shorts should be tailored.
- ❖ It is recommended that female drivers do not wear short skirts for personal safety reasons.

(3) Footwear

- ❖ Footwear should fit around the heel of the foot. (Safety shoes with protected toecaps are recommended.)

Unacceptable Standards of Dress within this Code

The following are deemed to be unacceptable:

- ❖ Bare chests
- ❖ Clothing or footwear which is unclean or damaged
- ❖ Clothing printed with words, logos or graphics, which might offend
- ❖ Sports shirts e.g. football, rugby or cricket tops or track suits
- ❖ Studs or sharp-edged clothing
- ❖ Beach-type footwear (e.g. flip-flops or mules)
- ❖ Sports shorts

APPENDIX G

PRIVATE HIRE OPERATOR'S LICENCE CONDITIONS

1 Records

Records, which must be kept by operators, under the Local Government (Miscellaneous Provisions) Act 1976 shall be kept in a non-erasable form in a suitable log or book, the pages of which are numbered consecutively for a period of 2 years.

1.1 Bookings

Prior to each journey, the operator shall enter the following particulars of every booking of a private hire vehicle accepted, pursuant to section 56 (2) of the Local Government (Miscellaneous Provisions) Act 1976, containing the following particulars, namely: -

- the date of the booking
- the name of the hirer
- the time of pick-up
- the address of the point of pick-up
- the time at which a driver was allocated to the booking
- the plate number (or other identification) of the vehicle allocated

1.2 Vehicles

The operator shall keep records of the particulars of all private hire vehicles operated by him/her, pursuant to section 56 (3) of the Act such details to include the following particulars, namely: -

- type, Make, Model, Colour and Engine Size of Vehicles
- the year when the vehicle was first licensed for private hire
- vehicle Registration Numbers
- the number of seats for passengers
- owners
- a copy of a current insurance certificate
- whether a meter is fitted
- Private Hire Vehicle Plate Numbers
- A copy of the Private Hire Vehicle licence

1.3 Drivers

The operator shall keep records of the particulars of all drivers of private hire vehicles operated by him/her, pursuant to section 56 (3) of the Act such details to include the following particulars, namely: -

- details as to the drivers of the vehicles, and their call signs
- details of when any new driver begins service
- details of when any driver's service ceases
- details of any change of address of any driver in service
- if he/she becomes aware that any driver is suffering from any illness, disability or condition which may affect the driver's ability to safely carry out his/her duties, details of that information
- expiry dates of driver's badges and vehicle licences
- a copy of the Private Hire drivers licence

- a copy of the DVLA licence (both card and counterpart)

All records must be maintained by the operator shall be kept for at least 12 months after entry and shall be produced for inspection, on request, by any authorised officer.

2 Change of Address, etc

The operator shall notify the Authority in writing of any change affecting this licence including change of address (including any address from which he operates or otherwise conducts his business), which takes place during the currency of the licence. Such notice shall be given within 14 days of the change to the Licensing Officer.

3 Disclosure of Convictions

The operator shall, within 7 days of conviction, notify the Licensing Service in writing of any conviction or fixed penalty imposed on him during the currency of his/her operator's licence. If the operator is a company or partnership, this requirement shall apply if any of the directors or partners receives a conviction or fixed penalty.

4 Insurance

The operator shall ensure that a certificate of motor insurance covers every private hire vehicle operated by him under the licence, which is compliant with the Road Traffic Act 1988 as regards the carriage of passengers for hire or reward.

If the Operator has premises to which the public have access, in connection with the hiring of vehicles, he shall ensure that there is public liability insurance in force, which indemnifies him against any claim for loss, damage or personal injury by any person using those premises.

APPENDIX H

Taxi Sharing

Blackpool Council, in exercise of the powers conferred by Section 10 (4) of the Transport Act 1985 and having obtained the consents and carried out the consultations required by the Taxis (Schemes for Hire at Separate Fares) Regulations 1986, hereby resolve to make the following scheme.

Citation and Commencement

This scheme may be cited as the Blackpool Borough Council (Taxi Hire at Separate Fares) Scheme 1990.

Interpretation

In this scheme, unless the context otherwise requires: -

“the Act” means the Transport Act 1985;

“the Council” means the Blackpool Borough Council;

“taxi” means a vehicle licensed by the Council under Section 37 of the Town Police Clauses Act 1847;

“authorised place” has the meaning given by Section 10 (5) of the Act;

“designated area” means the Borough of Blackpool;

“exclusive service” means a service other than at separate fares; and

“shared service” means at separate fares.

Application

Any taxi licensed by the Council to play for hire in the designated area may at the option of the holder of the licence be used for the carriage of passengers at separate fares under the terms of this scheme.

Authorised Places

The places listed in Schedule 1 to this scheme are authorised places at the times and for the journeys indicated in that Schedule.

Signs on Vehicles

There should be displayed on any taxi available for hire under the terms of this scheme at an authorised place (in addition to any other sign, mark or notice which is required to be displayed on the taxi) a notice containing the sign described in Schedule 2 to this scheme.

Fares

The fare payable by each passenger for a journey made under this scheme shall be calculated in accordance with Schedule 3 to this scheme.

The fare table specified in Schedule 4 to this scheme shall be displayed in a manner that is clearly legible to passengers, in any vehicle standing for hire or hired under this scheme.

Operation

A taxi shall be available for hire under this scheme when it is standing at an authorised place and displaying the sign specified in paragraph 5 hereof.

If: -

- a) a person at any time seeks to hire for an exclusive service a taxi available for hire under this scheme; and
- b) the driver and a person seeking a shared service are not waiting for another person to accept the hiring; and
- c) the driver accepts the hiring although not required to do so, then the taxi shall thereupon cease to be available for hire under this scheme until the expiry of that hiring.

If a person seeks to hire for a shared service a taxi available for hire under this scheme and the driver is unable to find at least three other persons to share the hiring within a reasonable time then, no fare shall be payable and, subject to paragraph 9 of this scheme, the driver shall be free to seek an alternative hiring, provided that the driver and that person may continue to wait for another person to offer to share the taxi for so long as they both agree to do so.

Before a taxi has left an authorised place for the purpose of a shared service, any person may decide not to be carried as a passenger by him.

The driver shall not refuse to carry luggage in his taxi provided that the luggage can be accepted safely within the luggage compartment of the taxi having regard to the luggage of other passengers.

The driver shall determine the route taken by the taxi and the order in which passengers are set down, but he shall not unreasonably prolong the journey of any passenger.

SCHEDULE 2: SIGNS ON VEHICLES

The notice referred to in paragraph 5 of the scheme shall be in the following terms: -

“AVAILABLE FOR SHARED HIRE”

The fare to be charged to each person shall be in accordance with the following table: -

SCHEDULE 3: FARES

FARE TABLE FOR SHARED SERVICES

START OF JOURNEY	DESTINATION	FARE (PER PERSON)
Pricebusters	Blackpool Zoo	£1.20
Pricebusters	Stanley Park	£1.20
Blackpool Pleasure Beach	Blackpool Tower	£1.20
Promenade (immediately south of Adelaide Street)	Blackpool Pleasure Beach	£1.20
Blackpool Zoo	Pricebusters	£1.20
Stanley Park	Pricebusters	£1.20
South Pier	Blackpool Tower	£1.20
Promenade (Waterloo Road)	Blackpool Tower	£1.20
Promenade (Alexandra Road)	Blackpool Tower	£1.20
Promenade (Woodfield Road)	Blackpool Tower	£1.20
Promenade (St Chad's Road)	Blackpool Tower	£1.20
Promenade (Barton Avenue)	Blackpool Tower	£1.20
Promenade (Manchester Square)	Blackpool Tower	£1.20
Promenade (Foxhall)	Blackpool Tower	£1.20
Central Pier	Blackpool Tower	£1.20
Promenade (Uncle Tom's Cabin)	Blackpool Tower	£1.20

Promenade (Wilshaw Road)	Blackpool Tower	£1.20
Gynn Square	Blackpool Tower	£1.20
Promenade (Pembroke Hotel)	Blackpool Tower	£1.20
Blackpool Tower	South Pier	£1.20
Blackpool Tower	Waterloo Road	£1.20
Blackpool Tower	Alexandra Road	£1.20
Blackpool Tower	Woodfield Road	£1.20
Blackpool Tower	St Chad's Road	£1.20
Blackpool Tower	Barton Avenue	£1.20
Blackpool Tower	Manchester Square	£1.20
Blackpool Tower	Foxhall	£1.20
Blackpool Tower	Central Pier	£1.20
Blackpool Tower	Uncle Tom's Cabin	£1.20
Blackpool Tower	Wilshaw Road	£1.20
Blackpool Tower	Gynn Square	£1.20
Blackpool Tower	Pembroke Hotel	£1.20