

# **FAREHAM**

## **BOROUGH COUNCIL**

# **PRIVATE HIRE AND HACKNEY CARRIAGE**

# **HANDBOOK**

June 2022

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## 1. GENERAL INFORMATION

- 1.1 We review the cost of licences annually. Our current fees are available on our website under [Fees and Charges](#).
- 1.2 All drivers should familiarise themselves with the legislation and byelaws that relate to their application.
- 1.3 We may share any information you provide with other Council departments and other bodies that manage or audit public funds. This is to prevent and detect fraud, to investigate any criminal offence, or to perform our statutory duties so that we can carry out public functions in the public interest.
- 1.4 If you give false information or leave out any information, we may refuse or revoke your licence. The local authority is entitled to make further enquiries relating to your application, if it thinks necessary.
- 1.5 The Council is required under Section 2A of the Audit Commission Act 1998 to participate in the National Fraud Initiative (NFI). This is an exercise that matches electronic data within and between audited bodies to prevent and detect fraud. This includes police authorities, fire and rescue authorities as well as local councils and internal services within the Council. All taxi licence data will be provided to the Audit Commission for NFI and will be used for cross-system and cross authority comparison.
- 1.6 All licence holders must observe the requirements of the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 (and any order or regulation made as part of these Acts), any other Act of Parliament, Orders, Regulations and Byelaws, and the conditions of them that relate to the operation, driving and use of hackney carriage and private hire vehicles.

## 2. DRIVERS.

### General Information for Applicants applying for a driver badge

- 2.1 To be a licence holder, you must have enough understanding of the English language to understand the Highway Code, maps and road signage and be able to competently communicate in order to respond to passenger's enquiries whether they be spoken or written.
- 2.2 The applicant must have held a full UK driving licence for at least two years. If the initial application is made with a European driving licence, a full UK driving licence must be applied for and granted before the one-year renewal date.
- 2.3 We cannot give you a specific date as to when we will issue your licence. However, as a guide, we usually grant a straightforward driver's application eight to ten weeks after we receive it (this depends on receiving your medical and on checks with the Disclosure & Barring Service). We would expect the application to take no more than 6 months (depending on availability of the knowledge test).

- 2.4 All driver licences are valid for three years and are renewable on the anniversary of the date granted.
- 2.5 You **must** produce originals of all documents. We will not accept any types of copies.
- 2.6 Every driver must wear the badge provided by the Council in such a position and manner as to be plainly and distinctly visible.
- 2.7 Drivers must inform the Council if they are suffering from a serious illness. In the event of a driver suffering a serious illness, the Local Authority may require a medical certificate of fitness to return to work, all certifications must comply with DVLA group 2 medical standards.
- 2.8 If it appears that for public safety reasons, we are required to revoke the licence with immediate effect, notice will be given to the driver under section 61(2), (a) which includes a statement that this is so, along with an explanation as to why the revocation takes effect, when the notice is given to the driver.
- 2.9 Details of revoked or refused drivers will be added to a database such as NR3 (National Register of Hackney Carriage and PHV Driver Licence Refusals and Revocations).

#### Application Process

- 2.10 All applicants must complete the Pre-application Questionnaire. A letter of Good Conduct may be required from any countries you have resided in outside of the UK. A member of the Licensing Team will be able to advise.

Home Office checks will be undertaken for applicants born outside of the UK or if deemed appropriate to ascertain right to work status. This is carried out via <https://www.gov.uk/prove-right-to-work> and submitting a share code to the Licensing Department.

- 2.11 The DBS is done early in the process as it can *sometimes* take up to 3 months for the report to come back. Several types of identification are required to verify the DBS. We always ask you to bring your driving licence, a passport or birth certificate, a utility bill dated within the last 3 months confirming your address i.e. gas, electricity or mobile phone bill and a letter, card or payslip showing your National Insurance number. You will be required to sign up to the update service.

The fee for the DBS is not refundable, the DBS will charge monthly for the being on the update service.

- 2.12 It is then recommended that the medical is done, a Group II medical application will be provided. You must make an appointment to see your G.P or any doctor in the same surgery who has access to all your notes. Once your doctor has carried out a medical you should then return the completed form to us. Please ensure that the back page is completed and signed by yourself and the GP. We then send this to our consultants to be checked to ensure you reach the DVLA group II standard. This can take up to 2 weeks to be returned to us.

The fee for our consultant is not refundable.

- 2.13 We recommend you submit your completed application form to us once the DBS Certificate and medical has been returned to us. The cost can differ at this stage depending on what type of badge you wish to hold.
- 2.14 A tax check code must be supplied and verified in order to renew your badge. This is available from the [www.gov.uk](http://www.gov.uk) website.
- 2.15 We will carry out the check on your driving licence. Please bring it along with your National Insurance number and your post code. We will then check your details with you on-line. Alternatively, you can access the code which enables us to check without you being present. Please access <https://www.gov.uk/view-driving-licence> and collect the code and bring this into us.
- 2.16 Applicants are required to take a Blue Lamp Driving test. This is a 45 minute practical driving test which must be booked direct with Blue Lamp via their website: [https://bluelamptrust.org.uk/taxi\\_homepage/](https://bluelamptrust.org.uk/taxi_homepage/) or by calling 0333 700 0157. Once the test has been passed you must present the certificate to us in the office. This test cannot be taken in a plated vehicle.

These fees are not refundable.

- 2.17 Finally, applicants (Private Hire and Hackney Carriage) must sit a knowledge test to show they know the Fareham Borough area and can speak and understand a good level of English. The applicant may have 3 attempts to pass this test, there is a fee for each test. This fee is non-refundable unless the applicant has been refused by the Licensing Panel, in this case we will only refund a maximum of one knowledge test.

If an applicant fails to pass a knowledge test after 3 attempts, they will be withdrawn from the application process and will not be able to re-apply for 1 year (from the date of the last failed test), in which time they will need to start the application process again. The applicant will only be refunded the application fee and one knowledge test fee.

Each test contains the following sets of questions:

Hackney (time allowed 70 minutes)

Hackney Conditions	15 questions asked, minimum pass rate 10 correct
Highway Code	10 questions asked, minimum pass rate 8 correct
Road Signs	7 questions asked, minimum pass rate 5 correct
Routes	10 questions asked, minimum pass rate 7 correct
Points of Interest	15 questions asked, minimum pass rate 10 correct
Safeguarding	10 questions asked, minimum pass rate 8 correct

Private Hire (time allowed 50 minutes)

Private Hire Conditions	15 questions asked, minimum pass rate 10 correct
Highway Code	7 questions asked, minimum pass rate 8 correct
Road Signs	7 questions asked, minimum pass rate 5 correct
Points of Interest	7 questions asked, minimum pass rate 4 correct
Safeguarding	10 questions asked, minimum pass rate 8 correct

Dual (time allowed 90 minutes)

Hackney Conditions	15 questions asked, minimum pass rate 10 correct
Private Hire Conditions	15 questions asked, minimum pass rate 8 correct
Highway Code	10 questions asked, minimum pass rate 8 correct
Road Signs	7 questions asked, minimum pass rate 5 correct
Routes	10 questions asked, minimum pass rate 7 correct
Points of Interest	15 questions asked, minimum pass rate 10 correct
Safeguarding	10 questions asked, minimum pass rate 8 correct

2.18 Where a Private Hire driver provides evidence that they are solely working for an operator which carries out a specific type of work (e.g. school contracts, airport trips only), a knowledge test will not be required. The Operator will be required to inform the Licensing Team if this driver leaves the Operator. If the driver chooses to carry out non-specific types of work, a retrospective knowledge test must be undertaken.

2.19 Applicants who have *any* driving points on their licence or any relevant offence on their DBS will be referred to the Licensing Team to decide if the application can proceed, or if the applicant needs to attend a Panel where it will be decided if the Applicant can hold a licence. An applicant can only attend Panel once the application process is complete. The licence application fee paid to the Council is refundable if the applicant is refused by the Licensing Panel.

#### Procedure for Renewing Drivers

2.20 You are required to renew your badge on the anniversary of grant, usually every three years. We will send out the appropriate paperwork up to three months in advance. This is to give you time to have a medical if required.

2.21 The DBS is checked every six months. All drivers are required to subscribe to the update service, direct with DBS.

2.22 A tax check code must be supplied and verified in order to renew your badge. This is available from the [www.gov.uk](http://www.gov.uk) website, further information will be provided with your renewal paperwork.

2.23 Although we send out the paperwork early and will assist you where we can, if you do not return the required documents and fees to us in time for whatever reason, your badge will expire. It is your responsibility to ensure you present the correct documentation in plenty of time in order to continue driving.

2.24 Unless you have or develop a medical condition, you will not be required to undertake a further medical until you are 45. It is then a requirement that a

medical is carried out every 5 years until you are 65. Once you are 65 a medical is required annually.

### 3. VEHICLES

#### General Information for Applicants

- 3.1 Please be aware that licences will not be issued on demand. Therefore, we *advise you not to make arrangements to use a vehicle before you have obtained a licence.*
- 3.2 All vehicle licences are valid for one year and will be renewable on the anniversary of the grant of the licence.
- 3.3 You **must** produce originals of all documents. We will not accept photocopies, faxes or any other types of duplication.
- 3.4 Only a driver licensed by Fareham Borough Council can drive a vehicle licensed by Fareham Borough Council and if it is private hire it must also have an operator licenced by Fareham Borough Council, partners, friends and family or a driver licensed by another Local Authority are not allowed to do so.

#### Vehicle Requirements

- 3.5 The vehicle must comply with the following requirements (stretched limousines or novelty vehicles may be subject to amended or additional conditions, as detailed in the relevant section of this document):
  - i. suitable in type and design for use as a licensed vehicle and capable of carrying not less than four and no more than eight passengers;
  - ii. in a suitable mechanical and physical condition;
  - iii. All vehicles must have at least 4 wheels and must carry a spare wheel to the same specification as the road wheels, or a space saver wheel or any approved manufacturer's device including an inflation kit.
  - iv. safe;
  - v. seats are of adequate comfort
  - vi. must be right hand drive
  - vii. where necessary there must be satisfactory provision of a suitable luggage gate or similar structure to ensure passenger safety.
  - viii. on initial application both Hackney Carriage vehicles and Private Hire vehicles may be no older than 5 years since the date of first registration.

- ix. Vehicles must be a maximum of 5 years old on first registration. Transfer vehicles must be newer than the original vehicle and a maximum of 5 years old. Disabled access vehicles can be up to 10 years old upon transfer.
- x. the vehicle wheelbase measured from the centre of front and rear wheels must be minimum distance is 2540 mm (100ins).



- xii Measurements of seats in vehicle:
  - i. Single seats should measure minimum of 16ins (401mm)
  - ii. Rear bench seat should measure across from the widest point a minimum of 48ins (1220mm)
  - iii. Distinct seats across the rear of the vehicle should also measure minimum of 16in (401mm) equalling minimum 48ins (1220mm)

**If you have any uncertainty regarding your vehicles ability to meet any of the requirements, please contact the licensing team for clarification.**

- 3.6 Licence plates remain the property of the Council and, on surrender, revocation, expiry or suspension of the licence, must be returned within seven days or after the service on the proprietor by the Council of a notice requiring its return. No fees will be owing.

#### Procedure for New Vehicles

- 3.7 Providing your vehicle meets the requirements and specifications you can then licence it. (If in doubt you may contact the Licensing Team for visual inspection prior to purchasing the vehicle.)
- 3.8 There are two types of licence plates, hackney and private hire. Hackney vehicles may be used for private hire, but private hire vehicles cannot be used as hackney vehicles.
- 3.9 Private hire vehicles must be run by a licensed operator within the Fareham Borough.
- 3.10 In order to licence a vehicle, you must present the following original documentation to the licensing team; copies will not be accepted:
  - Vehicle application form
  - V5 registration document (alternatively Bill of Sale, or proof of purchase)
  - Vehicle engineer's report form
  - Valid insurance certificate which must have the required limitations to use, i.e. carriage of passengers under hire and reward.
  - Meter installation / calibration certificate (HC vehicles only)
  - Applicable fee

- 3.11 The engineers report is to be completed and signed by an independent fitter who has carried out the inspection and his signature and qualifications are to be authenticated by the addition of the name and address of the garage by means of a rubber business stamp
- 3.12 All licensed hackney carriage vehicles to be subject to an annual MOT test after the age of one year. For Private Hire vehicles the requirement is the same as for private vehicles.
- 3.13 Once all your paperwork has been processed an Officer will make contact with you and arrange a vehicle inspection. This will be within 5 working days of the paperwork being submitted.
- 3.14 The officer will be checking the following:

Bodywork is in immaculate condition	Roof sign is working - with the word 'taxi' showing on either side, and shines red to the rear (hackney only)
Door seals not worn	Interior is in immaculate condition
Seat belts are operational	Seat belt sign in clear view (issued by Fareham Council)
No smoking signs - 1 in each compartment (of any type, i.e. e-cigarettes or vape)	You have a tariff card in clear view (issued by Fareham Council) (hackney only)
Wheelbase at least 100 inches - centre front wheel to centre rear wheel	All seats must measure at least 16 inches across (see additional information in the Requirements below).
Tyres will be checked for defects	Spare tyre or manufacturer supplied alternative
All lights will be checked, front and rear of the vehicle	Time on the meter accurate and running correctly on measured mile carried out by officer.

- 3.15 If the vehicle passes the visual inspection, the plate and paper licence will be issued.
- 3.16 Once the vehicle is licensed you must display the plate at all times on the outside rear of the vehicle, in the area of the bumper unless you have a dispensation from the Council.

- 3.17 A Hackney Carriage must have a roof sign at all times. As it is always a Hackney Carriage (by law) and cannot be driven by anyone other than a driver licensed with Fareham Borough Council.
- 3.18 Regular enforcement is carried out by the licensing team so your vehicle should be in presentable condition at all times.
- 3.19 The proprietor of any vehicle licensed by the Council shall, at the request of any authorised officer of the Council, produce for inspection the vehicle licence and any other documentation as required.

#### Procedure for Renewals

- 3.20 All vehicles are to be renewed by the anniversary of the grant of the licence.
- 3.21 Paperwork will be sent in the post for the proprietor to complete. Once completed, please present at the Civic Offices with the correct fee and supporting documents.
- 3.22 Whilst we send out the paperwork as a reminder, it is up to the owner to ensure the vehicle is always licensed.
- 3.23 Partly completed applications, or applications without the correct documents or fee will not be accepted.
- 3.24 Vehicles will be inspected by the Licensing Team and will need to meet the inspection criteria (as per details under Licensing New Vehicles) before the new plate and paper licence is issued.

#### 3.25 Procedure for Transfers

##### Plate Transfer (putting an existing plate onto a new vehicle)

- 3.26 Where a vehicle is already licensed this plate can be transferred on to a replacement vehicle. The replacement vehicle must be newer than the vehicle it is being transferred from (this is calculated by the vehicle date of registration) but must still be less than 5 years old from first date of registration (if a Hackney Carriage).

##### Vehicle and Plate Transfer to New Owner

- 3.27 If a proprietor transfers a licensed vehicle to another person, they shall within fourteen days give notice in writing to the Council specifying the name and address of the person to whom the vehicle has been transferred.
- 3.28 Once a vehicle is plated, the vehicle and plate must remain together until such time as either the plate is cancelled, or another vehicle is transferred onto the plate. The plate cannot be sold independently of the vehicle.
- 3.29 Transferring a plated vehicle to another licensed driver is purely a paper exercise, no inspection is required. The paperwork will need to be presented to

the licensing team within fourteen days of the transfer taking place. The licensing team will then update the details on the system and send out the vehicle paper licence in the name of the new owner.

3.30 Diesel vehicles which are not Euro 6 cannot be transferred to a new owner.

### 3.31 Wheelchair Accessibility

#### Duties to Assist Passengers in Wheelchairs

3.32 Section 165 of the Equality Act 2010 - Taxis and Private Hire Vehicles places duties on drivers of designated wheelchair accessible taxis and private hire vehicles. Designated vehicles are those listed by the licensing authority under Section 167 (see 2.6.3).

- To carry the passenger while in the wheelchair;
- Not to make any additional charge for doing so;
- If the passenger chooses to sit in a passenger seat to carry the wheelchair
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- To give the passenger such mobility assistance as is reasonably required.

3.33 Wheelchair accessible vehicles can be up to 10 years old upon transfer.

#### Exemptions from Duties

3.34 Section 166 allows licensing authorities to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for him or her to comply with the duties.

3.35 Consequently, if you drive a designated wheelchair accessible taxi or private hire vehicle you will be able to apply for an exemption. We will maintain a list of wheelchair accessible vehicles in our area and will be putting in place a system for assessing drivers and granting exemption certificates for those drivers who we consider should be exempt.

#### Lists of Wheelchair Accessible Vehicles

3.36 Section 167 allows licensing authorities to maintain a list of "designated vehicles", that is, a list of wheelchair accessible taxis and private hire vehicles licensed by them. The consequence of being on this list is that the driver must undertake the duties in Section 165.

3.37 Please contact the Licensing Team if you own/drive a wheelchair accessible vehicle but wish to be exempted from the duties listed above.

#### Fitness of Vehicles

- 3.38 The proprietor of a licensed vehicle shall report as soon as is reasonably practicable to the Council (within seventy-two hours), any accident involving the vehicle which causes material damage affecting the safety, performance or appearance of the vehicle or the comfort or convenience of the passengers.

#### Specific Requirements for: Hackney Carriages

- 3.39 A sign shall be displayed on the roof of each licensed hackney carriage bearing the word "taxi". This sign is to be illuminated when switched on and must shine red to the rear. Roof signs to be approved by the Council.
- 3.40 Licensed Hackney vehicles will be required under S.37 of the Disability Discrimination Act 1995 to carry guide, hearing and certain other assistance dogs accompanying disabled people, and to do so without additional charge, the dog must be allowed to remain with the passenger. Drivers who have a medical condition preventing them from carrying dogs, must obtain a medical exemption certificate from the Licensing Officer to display in their licensed vehicle.
- 3.41 All proprietors of Hackney Carriage vehicles must advise their drivers that they are required to take travel vouchers in lieu of cash.
- 3.42 The vehicle must be of sufficient seating capacity to carry not less than four nor more than eight passengers in comfort in addition to the luggage of the passengers and the driver. The seating capacity to be determined in accordance with Reg 42 of the Road Vehicle (Registration and Licensing) Regulations 1871.
- 3.43 In no circumstances must Hackney Carriages be left unattended while the driver carries out activities away from the rank except for short comfort breaks.

#### Specific Requirements for Private Hire Vehicles

- 3.44 Private Hire vehicles must not display on or above the roof of any sign, notice, mark illumination or other feature, which may suggest that the vehicle is a taxi (HCV).
- 3.45 The vehicle should not be of such a design and appearance as to lead any person to believe that the vehicle is a taxi (HCV).
- 3.46 If a taximeter is installed in a Private Hire vehicle it must be calibrated to the current Licensing Authority Taxi Tariff.

#### Taximeters

- 3.47 All Hackney Carriage vehicles and those Private Hire vehicles fitted with a taximeter must use a meter approved by the Public Carriage Office. These vehicles must always display the council's current tariff card.

#### Advertising

3.48 Advertising may be placed on the front lower driver and passenger doors of a Hackney Carriage or Private Hire vehicle. This may contain the name and telephone number of the company and for Private Hire companies the words “pre-booked only”. In addition, a small strip providing only the company details on the rear windscreen (name, telephone number). Internal advertising will be at the proprietor’s discretion. All advertising must be approved by the Licensing Officer prior to it being placed on the vehicle.

3.49 There shall not, on any private hire vehicle licensed as such in the Borough of Fareham, be displayed on or from that vehicle any sign, notice or mark which consists of or includes:

- a) The word “taxi” or “cab”, whether in the singular or plural, or “hire” or any other word similar meaning or appearance to any of those words, whether alone or as part of another word, or
- b) Any illumination or other feature which, having regard to the time and place at which it is displayed and to any other circumstances, may suggest to a person seeking to hire a private hire vehicle or a taxi-cab that the vehicle is used for the purpose of carrying passengers for hire or reward, ie roof sign.

3.50 The above refers to advertising in all forms of media.

#### Novelty Vehicles

44. In order to widen the licensing regime without compromising public safety, a system to licence Novelty Vehicles under the Private Hire provisions has been adopted. A Novelty Vehicle is a vehicle that cannot meet one or more of the existing licensing conditions. The vehicle will be subject to those existing licensing conditions that can reasonably be applied together with any additional conditions identified by the Licensing Board to address the exceptional nature of the vehicle. A complete application must be made for the vehicle prior to the Licensing Board including MOT certificate, logbook/V5c document, insurance certificate, engineers report etc.) to provide a degree of confidence in the condition of the vehicle on initial application.

#### Interpretation Novelty Vehicle

45. For the purposes of this policy and license conditions a novelty vehicle is defined as follows: -

- a) any vehicle that has been specially constructed adapted or converted by a low volume specialist vehicle manufacture or modifier;
- b) any vehicle that has been specially modified from its original design or specification
- c) any vehicle that, in the opinion of the Head of Environmental Health because of its specialist design/styling or origin requires to be classed as a Novelty Vehicle;

d) any vehicle granted a licence under the Novelty Vehicle provision, will only be able to be operated in accordance with the business model submitted to and approved by the Panel.

### Executive Vehicles

46 There is no legal definition of Executive vehicle; however, there is common acceptance that an Executive vehicle would be a relatively expensive vehicle that includes additional features designed to increase the comfort of the driver and passengers, which exhibits the qualities of luxury, prestige, and refinement. Vehicles qualifying for executive status must be of a high-end vehicle specification and must still meet the private hire vehicle criteria. The Head of Environmental Health shall decide in their absolute discretion whether a vehicle is an Executive vehicle. Those vehicles classed as Executive will qualify for a plate dispensation.

47. Where a vehicle is classified as an Executive Vehicle, Novelty Vehicle or Stretched Limousine, an application for a dispensation may be made to the Licensing Officer to allow for the rear plate to be kept in the boot of the vehicle. This will apply to specific contract work only and will be at the discretion of the Licensing Officer. Window plates will be issued once an application for dispensation has been granted and must always be displayed in the front windscreen.

### Stretched Limousines

48. Where practicable the existing Hackney Carriage and Private Hire conditions of this Council will apply to Stretched Limousines. The following additional or alternative conditions will also apply.

SL1. The vehicle must not be over 5 years old on first application for licensing. Vehicles over 8 years old will be subject to the licensing regime adopted for Exceptional Vehicles in addition to the special conditions for Stretched Limousines.

SL2. DVLA V5 or equivalent shall be produced to authenticate registration.

SL3. A Department for Transport (DfT), Single Vehicle Approval (SVA) documentation shall be produced to prove vehicle compliance with EC Type Approval Standards.

SL4. The VIN plate shall display '1L1' to confirm conversion completed by an authorised dealer.

SL5. The applicant shall confirm, by a badge or other appropriate documentation the conversion dealer.

SL6. The vehicle must have a minimum of 4 doors. They must be of sufficient size to allow easy access and egress to seats for passengers. This should not require the passenger to use a static tip up seat mechanism.

SL7. Where the vehicle is fitted with continuous seats, one person shall be counted for each complete length of 41 centimetres (16 inches).

SL8. Every seat shall have fitted a suitable seat belt or restraint for each passenger.

SL9. The interior and exterior of the vehicle must be maintained in a clean and proper manner to the reasonable satisfaction of the Council.

SL10. There shall be no passengers carried in the front compartment.

SL11. A plate on the door pillar shall confirm the total weight of the vehicle.

SL12. No intoxicating liquor shall be provided in the vehicle unless there is in force an appropriate licence permitting the sale or supply of the same.

SL13. A stretched limousine vehicle will be subject to twice-yearly mechanical examination, at an authorised testing station. Vehicles licensed under the Exceptional scheme will be subject to mechanical inspection at 4 monthly intervals.

SL14. Tinted glass shall conform to the legal requirements as laid down by the Vehicle and Operators Services Agency (VOSA).

SL15. The vehicle shall display the licence plate issued by the Council on the rear of the vehicle. Unless a dispensation has been granted by the Head of Environmental Health, in this case only a window plate will be required to be on display. The requirement to display "Pre Booking Only" stickers will not be applied to such vehicles.

SL16. The driver of the vehicle must display in a prominent position a Private Hire Drivers Licence badge issued by this Council when operating the vehicle.

#### 4. **OPERATORS**

##### Definition

- 4.1 A **private hire operator** is any person who, as a business, invites or accepts bookings for a private hire vehicle, and manages controls or allocates work to drivers through a central system.

##### General Information for Applicants

- 4.2 You must use the appropriate application form.
- 4.3 To be an operator, you must have sufficient understanding of the English language to understand the Highway Code, maps and road signage and be able to competently communicate in order to respond to passenger's enquiries whether they be spoken or written.

- 4.4 The operating address for any private hire operator must be within the Borough of Fareham. When applying to be a licensed private hire operator, it is important to consider whether the premises that the business will operate from is suitable, and whether planning permission is needed. For more information, contact the Planning Service at the Council offices on 01329 236100.
- 4.5 All operator licences are valid for one, three or five years.
- 4.6 You **must** produce originals of all documents. We will not accept photocopies, faxes or other types of copying.
- 4.7 A record shall be kept of all journeys undertaken by each vehicle operated by the licence holder, such record to include the name and address of the client.
- 4.8 The words “taxi” or “cab” or similar words likely to mislead members of the public must not be included in the title describing the operator’s undertakings and from any advertising material, unless the proprietor of the vehicle is also the proprietor of a Hackney Carriage company licensed by Fareham Borough Council and registered as such.
- 4.9 Upon initial enquiry the client should be properly informed of what charges will be incurred and the fact that the booking is in respect of a private hire vehicle.
- 4.10 If for any reason a surcharge is to be imposed on the normal fare, the hirer will be informed of the intent at the time of booking.

#### Application Process for Operator Licence

- 4.11 A completed application form along with a DBS and fee must be submitted to the Council.
- 4.12 A tax check code must be supplied and verified to renew your licence. This is available from the [www.gov.uk](http://www.gov.uk) website, further information will be provided with your renewal paperwork.
- 4.13 The application process will involve consultation with the Planning Department.

#### Renewal Process for Operator Licence

- 4.14 A renewal application will be sent out for completion and return with the payable fee.

### **5. ADDITIONAL INFORMATION FOR ALL APPLICANTS**

#### Drivers Appearance

- 5.1 The personal appearance and hygiene of all drivers is important to the comfort of the passengers and is in the best interests of the Trade in general. The authorised officer must be satisfied that an acceptable standard is maintained

by all drivers in as much as a driver shall always be clean and respectable in their appearance and behave in a civil and orderly manner.

- 5.2 All drivers shall always whilst operating a vehicle licensed as a hackney carriage or private hire vehicle, conduct themselves in an orderly manner and with civility and propriety towards every person, and shall comply with every reasonable requirement of the person hiring the vehicle.

#### Found Property

- 5.3 All drivers shall immediately having finished a hiring, or as soon as possible afterwards, carefully search the vehicle for any property that has been left inside. If you find any property, or any property is handed to you, in the first instance it should be returned to its owner. If this is not possible, you must take it to the Licensing Team at the Civic Offices at the earliest opportunity.

#### Seat Belt Regulations

- 5.4 All drivers should be fully aware of the current seat belt regulations and adhere to them. For more information about the law relating to seat belts for children, visit [www.childcarseats.org.uk](http://www.childcarseats.org.uk)

#### Notification Timelines

- 5.5 Drivers and where appropriate operators must notify the licensing officer within 28 days of any criminal convictions or cautions received during the period of the current licence.
- 5.6 All licence holders must notify the Council within 2 weeks of any a change of address.

#### Byelaws

- 5.7 Made under Section 68 of the Town Police Clauses Act 1847, and Section 171 of the Public Health Act 1875, by the Fareham Borough with respect to Hackney Carriages in the Borough of Fareham.

#### Interpretation

- 5.8 Throughout these byelaws "the council" mean Fareham Borough Council and "the district" means Borough of Fareham.

#### Provisions regulating the way the number of each Hackney Carriage corresponding with the number of its licence shall be displayed.

- 5.9 The proprietor of a hackney carriage shall cause the number of the license granted to him/her in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto and such plate displayed outside the carriage shall be affixed above the rear bumper.
- 5.10 A proprietor or driver of a hackney carriage shall:

- a) Not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
- b) Not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how Hackney Carriages are to be furnished or provided

5.11 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

5.12 The proprietor of a hackney Carriage shall cause the same to be provided with a taximeter so constructed, attached, and maintained as to comply with the following requirements, that is to say:

- a. If the words taximeter is fitted with a flag or other device bearing the words "FOR HIRE":
  - a) The words "FOR HIRE" shall be exhibited on each side of the flag or other device in plain letters at least 2" in height and the flag or other device shall be capable of being locked in position in which the words are horizontal and legible.
  - b) When the flag or other devise is so locked the machinery of the taximeter shall not be in action and a means of bringing it into action shall be by moving the flag or other device so ta the words are not conveniently legible;
  - c) When the flag or other device is so locked that the aforesaid words are horizontal and legible no fare shall be recorded on the face of the taximeter.
- b. If the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE";

- a) the taximeter shall be fitted with a key or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRE" to appear on the face of the taximeter.
- b) Such key or device shall be capable of being locked in such a position that
- c) the machinery of the taximeter is not in action and 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 figures clearly legible and free from ambiguity a fare not exceeding the rates or fare which the proprietor or driver is entitled to demand and take in pursuance of the byelaw in that behalf for the hire of the carriage by distance.
- d. The word "FARE" shall be printed on the face of the taximeter in plain letters so as to clearly apply to the fare recorded thereon.
- e. The taximeter shall be so placed that all letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring.
- f. The taximeter and all the fittings thereof shall be so fixed 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 seal of other appliances.
- g. The proprietor of a Hackney Carriage provided with a taximeter not fitted with a flag or other device bearing the words "FOR HIRE" shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say,
  - a) the sign shall bear the words "FOR HIRE" in plain letters at least 2" in height;
  - b) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire.

Provisions regulating the conduct of the proprietors and drivers of Hackney Carriages plying within the district in their several employments and determining whether such drivers shall wear any and what badges.

5.13 The driver of a Hackney Carriage shall:

- a If the taximeter is fitted with a flag or other device bearing the words "FOR HIRE":

- a) when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible;
  - b) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the flag or other device so that the words are not conveniently legible and keep the machinery of the taximeter in action until the termination of the hiring;
- b) if the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE".
- a) when standing or plying for hire keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of Byelaw 4(2)(b) so that the words "FOR HIRE" are clearly and conveniently legible by persons outside the carriage.
  - b) As soon as the carriage is hired whether by distance or by time, operate the said sign so that the words "FOR HIRE" are not conveniently legible by persons outside the carriage;
  - c) As soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the key or other device fitted for the purpose so that the word "HIRED" is clearly legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;
- c) Cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972 and also at any other time at the request of the hirer.

5.14 Subject to the provisions of Byelaws 4(1)(i)(e) and 4(2)(a) a proprietor or driver of the Hackney Carriage shall not place or suffer to be placed on any part of such vehicles, either inside or outside any printed, written or other matter by way of advertisement, except with the consent of the Council.

5.15 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.

**Subject to the requirements of the proviso to Byelaw 16 with respect to stands fixed on railway property**

5.16 The driver of a Hackney Carriage shall, when plying for hire in any street and not actually hired:

- a. Proceed with a reasonable speed to one of the stands fixed by the Byelaw in that behalf;

- b. If a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
  - c. On arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face the same direction;
  - d. From time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
- 5.17 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 this purpose
- 5.18 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.
- 5.19 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.
- 5.20 The driver of a hackney carriage 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.
- 5.21 A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
- 5.22 If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
- 5.23 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 the entrance of any building, station or place at which he may take up or set down such person.
- 5.24 The proprietor of a Hackney carriage shall cause a statement of the fares fixed by the Byelaw in that behalf to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- 5.25 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.

## CODE OF PRACTICE: TAXI RANKS

All taxis are to be moved up the rank as space becomes available.

The front car must always have its driver in attendance.

Taxis on the ranks should not be left unattended by the driver. In the event that use of the public convenience is required, the driver should advise the driver to the rear of his/her vehicle. The vehicle should not be left unattended for any other reason.

The only times the front car may not be used are as follows:

- a. When a five seater is required, use the first five seater in line.
- b. When an old or disabled person requires a specific type of vehicle.
- c. When a member of the public wishes to use his/her regular company.

No overtaking in the Borough en-route to the ranks unless signalled to do so by the driver in front.

Taxis are to pick up facing north on the station rank.

No parking is permitted overnight or for any part of the day on the station rank whilst not working the taxi.

No taxi will drop off passengers or accept payment for a fare on the ranks, this must be carried out prior to re-joining the ranks.

Parking on the ranks for any purpose, other than picking up fares is not permitted.

No "For Hire" sign or roof sign is to be illuminated outside of the Borough.

This Code of Practice is part of the Hackney Carriage Vehicle Conditions and should always be adhered to.

### TAXI RANK PROVISION

Taxi ranks are provided in the location shown below. Any Fareham Borough Council licensed Hackney Carriage may use any of these ranks (also known as stands). In addition, Fareham railway station provides a rank on their own land and will for a set fee, give a permit to licensed vehicles to work from this rank based on one permit per vehicle. Fareham licenced Hackney Carriage vehicles may never, in any circumstances, use ranks outside the Fareham area and, vehicles licensed by other councils likewise may never use Fareham ranks.

#### **Fareham Ranks**

<u>Rank Location</u>	<u>Spaces</u>
Rank Harper Way	16
Corner of West Street and High Street, Fareham	3

Maytree Road northern end on eastern side near junction With West Street	3
Fareham Railway Station outside front entrance BR property	12
Stubbington Green on eastern side of war memorial	3
East side of service road to rear of Methodist Church, Castle Street, Portchester (rear of Cooperative)	4
The Square, Titchfield, western side of Square, outside number 35.	1
Middle Road, Locksheath on eastern side of road opposite number 7	1

## **SAFEGUARDING**

Everyone has responsibility for protecting and safeguarding children and adults who may be vulnerable. In the event that the Hackney Carriage driver, Private Hire driver or operator has concerns a child or adult is suffering or is likely to suffer from any form of maltreatment (whether financial, physical, sexual, emotional or neglect) this should be reported in the following ways:

1. If a child or vulnerable adult is in immediate danger or left alone, contact the police on 101 or call an ambulance on 999.
2. In all other cases involving children, referrals should be made to Hampshire Children's Services telephone 0300 555 1384 (daytime) 0300 555 1373 (out of hours).
3. In all other cases involving adults, referrals should be made to Hampshire Adult Services on 0300 555 1386.

## **CHILD SEXUAL EXPLOITATION AND ABUSE**

Sexual exploitation of under 18's includes situations, contents and relationships where something is received in exchange for them participating in sexual activities. This could be food, accommodation, drugs, alcohol, cigarettes, affection, gifts or money. Those exploiting them have power over them due to their age, intellect, strength or lack of resources. Violence, coercion and intimidation are common.

All drivers are expected to report any suspicion or concerns that a child or young person is being transported for the purposes of sexual abuse.

Where a driver becomes aware or concerned that they or other drivers are transporting a young person or a number of young people to specific premises or venues either accompanied or alone on a regular basis and they suspect the young person may be subject to exploitation they must report their concerns to Hampshire Constabulary as a matter of urgency on the above number.

Drivers are also expected to inform their manager that they have reported their concerns to Hampshire Constabulary or a Licensing Officer.

## **WEARING OF IDENTIFICATION BADGES**

The law requires that all drivers wear their badges. This serves to identify drivers to customers, especially at night and enhances the feeling of security which the public must feel when hiring a car.