



City of  
**Stoke-on-Trent**

# Hackney Carriage and Private Hire Licensing Policy

2021 - 2024

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## **Definitions**

In this policy document unless otherwise stated:

**‘Advertising’** means advertising promoting either the licensee’s business, or other businesses and products on behalf of a third party.

**‘Applicant’** means a person who is applying for either a grant or renewal of a licence (whether that be a driver, vehicle or operator’s licence).

**‘Badge’** means the badge issued to a licensee to represent their drivers licence.

**‘Base’** means the address or addresses where provision is made by a private hire operator for the taking of private hire bookings.

**‘Child and Children’** means a person or persons under the age of 18 years.

**‘Council’** means Stoke-on-Trent City Council.

**‘designated vehicles’** means a vehicle capable of carrying a passenger seated in a wheelchair as defined by The Equalities Act 2010.

**‘Driver’** means a person granted a drivers licence by the Council.

**‘Grandfather rights’** mean the continuation of rights regarding replacement of vehicles given to a person who held a Hackney Carriage proprietors’ (vehicle) licence on the 31 January 2020.

**‘Health’** means physical and mental wellbeing.

**‘Licensed Vehicle’** means a hackney carriage or private hire vehicle for which a proprietors’ (vehicle) licence has been granted by the Council.

**‘Officer and Officers’** means an authorised officer of the Council.

**‘Private Hire Vehicle/ ‘PHV’** A private hire vehicle is a motor vehicle constructed or adapted to seat fewer than nine passengers, other than a hackney carriage, public service vehicle or a London cab, which is provided for hire with the services of a driver for the purpose of carrying passengers

**‘Policy’** means this document including the appendices A-K.

**‘Regulatory functions’** means functions prescribed in the Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

**‘Safeguarding’** means measures to protect the health, well-being and human rights of individuals, which allow people — especially children, young people and vulnerable adults — to live free from abuse, harm and neglect.

**‘Taxi’** means a Hackney Carriage Vehicle. A hackney carriage is a taxi with a meter which is licensed to collect passengers from a taxi rank and is available to be hailed in the street.

**‘Vehicle’** means a Hackney Carriage or Private Hire Vehicle as appropriate.

**‘Type’** means the shape and design of the vehicle.

**‘Vulnerable person’** means any person or people:

(a) who are or may be in need of community care services because of mental or other disability, age or illness, and or

(b) who are unable to care for themselves or unable to protect themselves from significant harm or exploitation.

(c) drunk or under the influence of drugs

(d) tourists and / or people who do not have English as their first language

**‘We’, ‘Us’, ‘Our’** refers to Stoke-on-Trent City Council.

**‘You’** means the licence holder, the licensed proprietor, or the applicant(s) as appropriate.

**‘Your’** means of you.

## **1. Background**

### **Why we have a policy**

- 1.1 Parliament regulates hackney carriages, private hire vehicles, their drivers and their operators through licences issued by the Council under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 as amended.
- 1.2 This Policy sets out the requirements and standards that must be met and maintained and provides guidance to both the trade and members of the public, in relation to the City Council's aim of protecting public safety through the licences it issues for taxis and private hire vehicles, drivers, and operators.
- 1.3 The policy has been developed after consultation with the local trade, the general public, elected members, Staffordshire Police and officers from council services responsible for public protection, children's services, safeguarding, community cohesion and community transport. Regard has also been given to:
  - Department of Transport best practice guidance 'Taxi and Private Hire Vehicle Licensing' March 2010
  - LGA Taxi and PHV licensing handbook November 2017
  - Independent Inquiry into Child Sexual Exploitation, Alexis Jay OBE August 2014
  - Secretary of State report into governance, protection of young people and taxi licensing, Louise Casey CB February 2015
- 1.4 The policy will be subject to review every three years or at such shorter intervals as are necessary to respond to events and changes in legislation.

### **Protecting Public Safety**

- 1.5 When issuing licences for the City the Council's overriding concern is the protection and promotion of public safety. This is a wide concept and involves a number of important objectives including, but not limited to:
  - Protecting vulnerable persons and children from harm, sexual abuse and trafficking
  - Ensuring the safety and health of customers, other road users and licenced drivers
  - Protecting customers from financial harm
  - Ensuring that licensees are fit and proper persons to hold a licence
  - Ensuring that licensees do not pose a threat to customers or members of the public
  - Ensuring that the public are safeguarded from dishonest persons
  - Preventing crime and disorder
  - Making decisions about applications and licences in force in a consistent and fair way
  - Following principles in the statutory Regulators' Code and guidance from the Regulatory Delivery Directorate.

1.6 Secondary objectives include:

- Supporting an efficient and effective public transport system accessible to all
- Protecting the environment
- Supporting and developing business

1.7 To achieve its objectives regarding public safety the Council will seek to:

- Raise awareness amongst the licensed trade of safeguarding issues for children and vulnerable persons, public safety and their responsibilities
- Raise awareness amongst the public of requirements and regulations relating to taxis
- Apply processes and standards in relation to vetting applicants' behaviour, require certain qualifications and training, monitor performance with licence requirements, and operate appropriate disciplinary procedures.
- Work with partners and other stakeholders including the police, children's & safeguarding services, community cohesion and community transport services, and trade bodies representing licence holders.

### **How the policy is used**

1.8 Licensing taxis and private hire services is a regulatory council function discharged by the Licensing and General Purposes Committee, with responsibility for day to day processes delegated from that committee to officers of the Council and a Licensing and Registration Panel of elected members. Policy development, process reviews and discussion of wider licensing matters also occurs at a Licensing Working Group drawn from members of the panel and main committee.

1.9 This Policy will guide the way in which the Council carries out its regulatory functions and the exercise of its discretion regarding the same. However each application or enforcement action will be considered on its own merits.

1.10 In carrying out its regulatory functions, the Council will have regard to this policy when making licensing decisions regarding taxis and private hire vehicles, drivers and operators. Where it is necessary to depart from this policy, clear and compelling reasons will be given for doing so.

1.11 This Policy will take effect from the 1<sup>st</sup> January 2021 and will apply to existing licences and new applications received from the date the policy takes effect.

### **Data Protection**

1.12 The Council may need to share an applicant's personal data with internal departments and/or with external organisations for the purposes of assessing 'fit and proper'. By submitting an application you are giving us your consent to share



your personal data. The Council will obtain an applicant's explicit consent to share their personal data for this purpose when an application is submitted.

- 1.13 The details of any drivers who are refused a drivers licence or have their drivers licence revoked by the Council will be entered on to the NR3, Refusals and Revocations register held by NAFN.

#### **Taxis and Private Hire Services role in local matters**

- 1.14 Drivers and operators of taxi and private hire services can be an important partner in safeguarding. They are in a unique position of being alone with numerous members of the public on a daily basis, and of being able to observe and receive information about many different locations both within and outside the city. While regulating taxi and private hire services the council wishes to support the trade to enable it to be seen as professional and respectable, and as a trained competent resource which recognises and practices the protection it can provide to vulnerable persons, children and all members of society.
- 1.15 Similar factors mean that taxi drivers and operators can and should also be ambassadors for the city through their interaction with businesses, visitors and tourists. The high standards required through this policy for their vehicles, their local knowledge, and their customer service skills are intended to support them in this role and the business advantages it can bring.
- 1.16 Taxis and private hire services are an important part of the City's integrated transport system since they provide accessible 'on-demand' services which other providers do not. Their role is recognised in the Local Transport Plan, and is taken into account when significant changes to the transport network are being considered.

## **2.Application and Renewal Procedures**

**Must be read together with Appendices A, H and J**

- 2.1 Drivers and operators of taxi and private hire services can be an important partner in safeguarding. They are in a unique position of being alone with numerous members of the public on a daily basis, and of being able to observe and receive information about many different locations both within and outside the city. While regulating taxi and private hire services the council wishes to support the trade to enable it to be seen as professional and respectable, and as a trained competent resource which recognises and practices the protection it can provide to vulnerable persons, children and all members of society.
- 2.2 The council will consider each application on its own merits once it is satisfied that the application criteria has been met and it has received all relevant information and supporting evidence in the format or manner described by this policy.
- 2.3 Relevant information and supporting evidence, will involve the applicant providing the Council with data or consent to access data which is of a personal nature.
- 2.4 The provision of timely information to the council as part of licence renewals is critical to ensure that renewal applications are not judged as new applications, attracting more vigorous 'first time controls, namely the licensed drivers training course and Driver and Vehicle Standards Agency assessment for Taxi drivers or similar driving assessment. Since some of the required information relies upon external agencies e.g. the Disclosure and Barring service, licence holders are required to sign-up to online methods provided by Government and their agencies of passing accurate timely information to the council. Examples include the DBS Update service and DVLA 'view my driving licence'. If an application to renew a licence is not received before the expiry of the current licence, it will be treated as a new application, and all "first time controls" will be applied. In addition, as no licence will exist until the new licence is granted, the driver/vehicle/operator will not be able to work.
- 2.5 The duration of the licences issued by the council are prescribed by legislation, however the council has discretion to issue for such lesser period as they think appropriate in the circumstances of the case. As a guide proprietors' (vehicle) licences are issued for 12 months, subject to the age policy, drivers' licences for 3 years, and operator licences for 5 years.

### **3.General Vehicle Requirements**

**Must be read together with Appendices B – G & K**

#### **Specifications and Conditions**

- 3.1 Local authorities have a wide range of discretion over the types of vehicle that they can licence as taxis or private hire vehicles (PHVs). Where certain requirements are specified, or made the subject of conditions, this is on the basis of protecting public safety, satisfying environmental requirements or best practice, or ensuring a taxi and private hire fleet which reflects the city's aspirations of being amongst the best places to live and work in the UK.
- 3.2 Vehicles that are to be licensed in Stoke-on-Trent cannot be licensed by another authority.

#### **Accessibility**

- 3.3 The Council is committed to social inclusion and ensuring a wide variety of opportunity is available to all residents to enjoy a high quality of life. It is recognised that making door to door journeys easily and on-demand is critical to social inclusion for disabled people.
- 3.4 Previous policies promoted a mixed Hackney Carriage fleet comprising of some saloon vehicles with grandfather rights and fully wheelchair accessible vehicles. Any saloon vehicles with grandfather rights for the period of this policy can continue to replace their vehicles on a like for like (other than in respect of colour) at the time they become due for replacement.

#### **Maximum age of vehicles**

- 3.5 The aims of ensuring public safety, reducing environmental impacts, and sustaining a high-quality Hackney Carriage and Private Hire fleet, mean that the age of vehicles joining the fleet is addressed by this policy.
- 3.6 Applications for the grant of a vehicle licence in respect of any vehicle that is 7 years of age or older from the date of first registration or if imported from the date of manufacture will not be accepted.
- 3.7 Licences in respect of vehicles currently licensed by Stoke-on-Trent City Council only, that are 7 years of age or older, but less than 10 years of age from the date of first registration or if imported from the date of manufacture, may be renewed for the same type of licence if the renewal is consecutive to the expiration of the current licence, i.e. there is no break between the expiration of the licence and the renewal.

- 3.8 Conversely the age at which a vehicle should be replaced is a matter for the owner/ operator, provided public safety considerations are met, since it depends upon the care and maintenance afforded to the vehicle coupled with the amount of wear and tear experienced as a result of its business use. The Council will ensure older vehicles do not compromise public safety considerations by operating a system of more frequent safety testing as the vehicle ages.
- 3.9 Licences in respect of vehicles currently licensed by Stoke-on-Trent City Council only, that are 10 years of age or older from the date of first registration or if imported from the date of manufacture, the same type of licence may be renewed for a period of 6 months if the renewal is consecutive to the expiration of the current licence, i.e. there is no break between the expiration of the licence and the renewal.
- 3.10 Vehicles over the age of 10 years will be subject to an MOT and suitability test every 6 months.
- 3.11 The standard to be attained for vehicles over and above the MOT test is set out in the Appendices B,C and G.

### **Wedding Cars and Funeral Cars**

- 3.12 Wedding Cars and Funeral Cars do not need to be licensed as a hackney carriage or private hire vehicle while they are being used in connection with a wedding or funeral.

### **Courtesy Cars provided with a driver**

- 3.13 Courtesy vehicles provided with the services of a driver, the supplying company, and their drivers must be licensed for private hire where the company seeks to obtain a benefit.
- 3.14 The Local Government Miscellaneous Provisions Act 1976 enables Councils to exempt private hire proprietors' (vehicle) licence holders from a requirement to display signs and licence plates on the licensed vehicle. We will accept written applications with supporting evidence for such exemptions. The evidence must demonstrate the business need for such an exemption, for example a client list, a business plan or contracts and the vehicle must meet the criteria in 3.16
- 3.15 Black vehicles are permitted to be licensed as private hire vehicles, only where a valid exemption from displaying plates and signage is held. The exemption must be granted before the proprietors' (vehicle) licence can be applied for.
- 3.16 A complete application will be referred to the Licensing and Registration Panel for a decision. A vehicle for which an exemption has been granted can only be used for executive hire / Chauffeur work and is prohibited from carrying out general private hire work. Any granted exemption is specific to both the vehicle and the vehicle's

owner and cannot be transferred between vehicles. Should ownership of a vehicle change any new owner must apply for a new exemption. A vehicle holding an exemption cannot swap Operators without agreement with the licensing service.

- 3.17 An exemption will only be granted to prestigious models of vehicle with above average appearance and levels of equipment. Each application will be considered on its merits but as a guide such vehicles should meet the following criteria:
- A vehicle which is above the standard model and towards the top of the range as offered by the vehicle manufacturer
  - Climate control, all electric windows, and central anti-intrusion locking
  - Front and rear headrests and above average legroom
  - Seats which permit direct access into and out of the vehicle without the need to move, remove or fold down any other seat.
  - Pristine interior and external condition
  - New and/or low mileage
- 3.18 To allow for identification the proprietors' (vehicle) licence plate must be secured in the boot of the vehicle. The licensed driver of the vehicle is not required to display their badge while driving the car but they must carry the badge on their person and produce it upon request.

### **Livery and advertising**

- 3.19 In order that they may be easily identified Hackney Carriages must be Black. The current Blue and White livery for saloon car Hackney Carriages possessing grandfather rights will be continued until the vehicle is next replaced, at which time the replacement must be Black.
- 3.20 New licences will not be issued for Black Private Hire vehicles to establish this distinguishing feature.
- 3.21 Full livery advertising is permitted on hackney carriages, subject to a successful application, in view of the financial commitment necessary to obtain and licence such a vehicle. Advertising, other than that prescribed in the following appendices, is not permitted on private hire vehicles.

### **Wheelchair Accessible Vehicles**

- 3.22 In accordance with the Equality Act 2010 the council maintains a published list of vehicles capable of carrying carry a passenger seated in a wheelchair. For this purpose a wheelchair is the standard reference wheelchair defined in the Public Service Vehicle Accessibility Regulations 2000 which is 1300mm in length, 750mm

wide and 1500mm in height. These vehicles can be hackney carriages or private hire vehicles, and are referred to as “designated vehicles”.

#### **4.General Driver Requirements**

**Must be read together with Appendices H, I and K**

##### **Dual Licences**

- 4.1 The statutory and practical criteria and qualifications for a private hire driver are broadly identical to those for a hackney carriage driver. The policy requirements regarding driver’s licences therefore apply equally to both groups.
- 4.2 Stoke-on-Trent City Council issues dual drivers’ licences, permitting the driver to drive either a Hackney Carriage or a private hire vehicle.

##### **Fit and Proper Test**

- 4.3 Before issuing a drivers licence the council must be satisfied that the applicant is a fit and proper person as part of the consideration of public safety. To assist the council assess the suitability, all applicants applying for a grant or renewal must complete an enhanced Disclosure and Barring Service (DBS) check with a check of both the adult and child barred lists, which must have been obtained no more than three months before the date of the application.

The Council will have regard to the Institute of Licensing Guidelines on Suitability.

- 4.4 The council will also make such additional checks as it deems necessary with partner agencies, including but not limited to police forces, other council departments including children and adult safeguarding boards, and other local councils.
- 4.5 When considering whether an applicant is fit and proper the information received regarding any criminal history from whatever source will be considered as a whole with all other known information regarding the applicant including:
  - Cautions, warnings and reprimands
  - Driving endorsements
  - Right to Work
  - Medical Fitness
  - Standard of driving / driving ability
  - Must have held a drivers licence for at least 18 months
  - Disqualifications
  - Complaints about conduct or customer service

- Previous breaches of licence conditions
  - Any other information we consider relevant
- 4.6 The Rehabilitation of Offenders Act 1974 which states periods after which criminal convictions are usually considered 'spent' does not apply for hackney carriage and private hire drivers and all criminal matters on which information is provided, from whatever source and however old, will be considered.
- 4.7 Previous convictions may not automatically exclude a person from obtaining a licence, but consideration will be given to the nature of the offence, when the offence occurred, and the sentence and duration when determining whether an applicant is 'fit and proper'.
- All applications for licences which reveal that the applicant has conviction that has not being previously considered previous unconsidered criminal convictions will be referred to the Licensing and Registration Panel for determination.
- While the Licensing and Registration Panel will determine each application on its own merits, as a general guide it is unlikely that licences will be issued to applicants with convictions for:
- Murder
  - Rape
  - Terrorism offences
  - Or applicants who are on the DBS barred list.
- 4.8 Information used to judge 'fit and proper' will not be confined to issues which occurred while the applicant was engaged in a professional driving role as the intention is to consider patterns of behaviour and conduct which may indicate that the safety and welfare of the public may be at risk from the applicant.
- 4.9 Regard will be had when making a determination to all evidence, which can include any positive comments and references, submitted with the application.
- 4.10 The onus is on an applicant to satisfy the Council that they are 'fit and proper' at the time of application. Simply being free from convictions is not enough. Licence holders must ensure that they remain 'fit and proper' at all times to ensure that they retain their licence.

Failure to do so will result in sanctions and the likelihood that the licence will be reviewed, suspended or revoked. In order that licence holders may understand what is and is not considered acceptable behaviour under a fit and proper assessment, further guidance is provided in Appendix I.

## **Age and Experience**

- 4.11 A licence to drive a hackney carriage or private hire vehicle cannot be granted to a person who is under 18 years of age. In addition, a licence cannot be granted to anyone over 18 who has not held a full UK (not provisional) or EEA member state driving licence for a period of one year.
- 4.12 For drivers over the age of 65 an enhanced regime of medical assessment is operated on the grounds of public safety.

### **Safeguarding Training**

- 4.13 Training to promote awareness of safeguarding issues for children and vulnerable persons is considered to be an important part of understanding the role and responsibility of a licensed driver.
- 4.14 All new applicants for a drivers licence will be required to provide evidence that they have attended an awareness raising course in relation to safeguarding children and vulnerable persons approved by Stoke-on-Trent licensing service.
- 4.15 All existing drivers licence holders must attend a course in relation to safeguarding children and vulnerable persons approved by Stoke-on-Trent licensing service every three years.
- 4.16 'Approved by Stoke-on-Trent Licensing Service' means a course provided by Stoke-on-Trent Council or assessed as adequate by Stoke-on-Trent Council.

### **Local Knowledge Tests**

- 4.17 Hackney Carriage and Private Hire drivers need knowledge of the local conditions and highway code. New drivers are required to take and pass a test of local knowledge as a pre application requirement for the grant of their first licence. The test will examine English comprehension and arithmetic skills, and include written and practical elements which test knowledge of the local conditions.
- 4.18 Equality, Diversity and Safeguarding are important elements of a public facing service and the local knowledge test contains tested elements on these matters to ensure that licence holders are fully familiar with discrimination and equality legislation, diversity considerations, safeguarding responsibilities, and both appropriate and inappropriate behaviour.
- 4.19 Any breach of the Code of Conduct will be seen as a reflection upon the licence holders status as 'fit and proper'.

### **Driving Proficiency and Vocational Qualifications**

- 4.20 Driving competency is an important part of being a safe and successful licensed driver. Applicants for the grant of a new Drivers licence are required to take and pass the Driver and Vehicle Standards Agency assessment for taxi drivers or similar driving assessment that has been approved by the Licensing Department, prior to their application being accepted.



- 4.21 Driver's whose licence is reviewed following motoring convictions, or other evidence of poor driving standards, may be required to take and pass the Driver and Vehicle Standards Agency assessment for taxi drivers or similar driving assessment that has been approved by the Licensing Department.
- 4.22 Customer service and care is considered to be an important qualification for applicants wishing to obtain a driver's licence. All new applicants for a driver's licence will be required to attend a taxi and private hire drivers training session provided by Stoke-on-Trent City Council prior to their application being considered.

### **Medical Examination**

- 4.23 Hackney Carriage and Private Hire drivers have an elevated risk of certain medical conditions as they spend considerably longer behind the wheel than normal domestic drivers. New licence applicants must provide a medical examination certificate in support of their application which includes confirmation that their medical history has been checked and at 6 yearly intervals thereafter. Licence holders over the age of 65 are required to undertake annual medical examinations. The test applied is the DVLA Group II medical standard for HGV and PSV drivers. Examination fees are the responsibility of the licence holder.
- 4.24 Licence holders must advise the Council of any deterioration in their health that may affect their driving capabilities, and may be referred for an independent assessment.

### **Convictions, Cautions, Endorsements and Questioning**

- 4.25 Drivers are required to report to the Council when they have been interviewed and/or arrested by the Police, as well as all new convictions, cautions, and endorsements as they occur in accordance with Appendix I of this Policy. Such matters which come to light following complaints, enforcement action, investigations or as part of licence renewals will be referred to the Licensing Panel.

### **Wheelchair Accessible Vehicles**

- 4.26 Drivers of vehicles designated under the Equality Act 2010 to carry a passenger seated in a wheelchair have several duties under the Act which are:
- To carry a passenger while in the wheelchair;
  - Not to make any additional charge for doing so;
  - To carry the wheelchair in the vehicle if the passenger chooses to sit in a passenger seat;
  - To ensure the passenger is carried in safety and comfort;
- To provide appropriate mobility assistance to enter or exit the vehicle including to load any luggage and/or wheelchair.

- 4.27 Drivers can apply for a temporary exemption of up to 3 months from the requirement to carry wheelchair passengers, if they provide a letter from their own doctor detailing a temporary medical condition, disability, or physical impairment and how this makes compliance impossible or unreasonably difficult.

Drivers can apply for additional temporary exemptions if appropriate.

This application will be considered by Licensing officers.

- 4.28 Applications for longer or permanent exemptions need to be accompanied by a report from a specialist doctor or consultant providing information detailing a medical condition, disability, or physical impairment, how this makes compliance impossible or unreasonably difficult, and an opinion regarding whether the condition will improve.

These applications will be referred to the Licensing and Registration Panel for determination.

## **5.General Private Hire Operators Requirements**

**Must be read together with Appendix J & K**

### **Fit and Proper Test**

- 5.1 Before issuing an operator's licence the council must be satisfied that the applicant is a fit and proper person as part of the consideration of public safety.

Operator licences can be granted to an individual, individuals in a partnership, or a limited company.

Limited companies must ensure that all of the company directors are named on the licence application and must inform the council of any changes of directors. It should be noted that new directors cannot be added to a licence and a new licence must be applied for.

- 5.2 To assist the council with this determination all applicants on initial application and renewal must complete a basic disclosure check obtained no more than three months before the date of the application. Basic disclosure will provide details of unspent convictions only.
- 5.3 The council may also make such additional checks as it deems necessary with partner agencies, including but not limited to relevant police forces, other council departments including the children and adult safeguarding board, and other relevant local councils.
- 5.4 When considering whether an applicant is fit and proper the information received regarding any criminal history from whatever source will be considered as a whole with all other information known regarding the applicant including:
- Cautions, warnings and reprimands
  - Previous breaches of licence conditions
  - The findings of any licensing service audit of the licensee's operation
  - Complaints about conduct or customer service
  - Right to Work
  - Any other information we consider relevant
- 5.5 Information being considered will not be confined to issues which occurred while the applicant operated a private hire service as the intention is to consider patterns of behaviour and conduct which may indicate that the safety and welfare of the public may be at risk from the applicant.
- 5.6 Regard will be had when making a determination to all evidence, which can include any positive comments and references, submitted with the application.
- 5.7 The onus is on an applicant to satisfy the Council that they are 'fit and proper' at the time of application. Simply being free from convictions is not enough.

Licence holders must ensure that they remain 'fit and proper' at all times to ensure that they retain their licence. Failure to do so will result in sanctions and the likelihood that the licence will be reviewed, suspended or revoked.

### **Safeguarding Training**

- 5.8 Training to promote awareness of safeguarding issues for children and vulnerable persons is considered to be an important part of understanding the role and responsibility of a licensed operator.
- 5.9 All new applicants for an operator's licence will be required to provide evidence that they have attended an awareness raising course approved by Stoke-on-Trent Council in relation to safeguarding children and vulnerable people.
- 5.10 All existing operators or directors must attend a course approved by Stoke-on-Trent licensing service in relation to safeguarding children and vulnerable persons every five years, in line with their operator renewal.

### **Address from which an Operator may operate**

- 5.11 Upon grant of an operator's licence, the Council will specify the address from which the operator may operate. The operator must notify the Council in writing of any change of address, (whether this is a home address or the business address) during the period of the licence, within 7 days of such change taking place.

### **Bases outside the City Council Area**

- 5.12 The legislation prevents the Council from granting an operator's licence for an operator with an operating base that is outside the City Council area.

### **Records**

- 5.13 Accurate booking records including the name of the passenger, the destination, the name of the driver and the number of the vehicle are must be maintained by Private Hire Operators. Full details can be found in Appendix J paragraph 6.1 Where booking records are kept electronically the operator must ensure that the system clock is set accurately to either GMT or BST whichever is appropriate.
- 5.14 On occasions licensing and other council departments may need to share personal passenger information with operators as part of safety considerations. All such data must be held securely and kept confidential with release only to persons who have a legitimate safety reason for possessing it. Breaches of data protection will be considered as a serious licence breach.

### **Sub-contracting**

- 5.15 Sections 55A & 55B of the Local Government (Miscellaneous Provisions) Act 1976 allow a private hire operator to sub-contract bookings to another licensed operator.

If this practice is operated, operators must:

- keep records of any jobs that are sub contracted to another private hire operator and that operator's licence number and issuing authority
  - tell the customer that their job is being subcontracted to another operator and give them the name and contact number for that operator.
- 5.16 If you dispatch bookings to Hackney Carriage proprietors working for you to provide private hire activities you must:
- keep a copy of the licence for the driver and vehicle of any hackney carriage that works for you.

### **Fares and Charges**

- 5.17 While fares and charges for private hire journeys are a matter between the operator and the customer, the Equality Act 2010 makes it clear that discrimination in the provision of goods and services on the basis of disability is illegal. It is clear that this has been the practice of some private hire operators in the past and it must cease. The council will prosecute and take action against the operators licence where evidence of this practice is found.

### **Insurance**

- 5.18 If the private hire operator has a public waiting room, then the applicant must produce evidence that they have taken out appropriate public liability insurance for the premises to be licensed, before the application can be accepted.

### **Signage**

- 5.19 Before a licence is granted, the operator must have had approval for the signage to be displayed on any licensed vehicle proposed to be operated under the licence.

### **Convictions, Cautions, and Endorsements**

- 5.20 Operators are required to report all new convictions, cautions, and endorsements to the Council in accordance with Appendix J. Such matters which come to light following complaints, enforcement action, investigations or as part of licence renewals will be referred to the Licensing and Registration Panel.

## **6. Offences**

6.1 Offences in relation to private hire and hackney carriages are derived from the following sources:

- Town Police Clauses Act 1847 (Hackney Carriages only)
- Local Government (Miscellaneous Provisions) Act 1976 (Hackney Carriages and Private Hire)
- Transport Act 1980 (Private Hire Only)

Licence holders are expected to know, understand and comply with the requirements imposed upon them by these Acts and by their licence conditions which are set out in this policy and its Appendices.

### **Plying for Hire and Touting**

6.2 Private hire drivers are strongly advised to read conditions 3.7 and 3.8 of Appendix I in order that they are aware of the restrictions upon them in respect of plying for hire, touting, and lingering in prohibited areas

6.3 Offences of plying for hire, touting, and lingering in prohibited areas are considered to be serious matters by the council as they deliberately ignore restrictions imposed by parliament and the council to protect public safety and distinguish between private hire and hackney carriage vehicles.

## **7. Delegated Powers**

### **Licensing and General Purposes Committee**

7.1 The Licensing and General Purposes Committee is responsible for discharging the Council's non-executive regulatory functions with regard to Hackney Carriages and Private Hire Vehicles and Operators. This includes setting, reviewing and adopting policy for this area and any other matters considered to require the attention of the full committee.

The Chair or Vice Chair of the Committee in conjunction with the Director, may immediately revoke a hackney carriage or private hire drivers' licence as set out in the delegation framework detailed in the Council's constitution.

### **Licensing and Registration Panel**

7.2 The Panel reviews licences and applications in circumstances where information has come to light that suggests the licence should be revoked or varied, or the application should be refused. They may also warn licence holders regarding their future conduct or require them to undertake training to correct evidenced deficiencies in their own conduct, the conduct of drivers under their control, or the care and maintenance of vehicles.

The Panel may also hear applications for prescribed licence conditions not to apply, and applications for novelty or vintage vehicles to be licensed.

They may require an individual applicant or licensee to satisfy tailored criteria before being issued with or retaining a licence.

## **Officers**

- 7.3 Officers have delegated authority to make the licensing decisions prescribed in the Council's Constitution and this policy. These include the ability to approve applications where all pre-conditions are met, and the ability to refuse, suspend or revoke licences in prescribed circumstances.

## **8.Enforcement Measures**

**Must be read together with Appendices E, F, I ,J & K**

### **Licence conditions and Code Of Conduct for Drivers**

- 8.1 The Council attaches conditions it considers are necessary and appropriate to promote the Council's licensing objectives to the licences it issues.
- 8.2
- 8.3 Breaches of conditions attached to operator and proprietors' (vehicle) licences which come to light following complaints, enforcement action or investigations will be dealt with in accordance with the principles set out in this policy.

### **Enforcement policy and practice**

- 8.3 In pursuance of its licensing objectives the Council will operate a firm but fair disciplinary and enforcement regime, aimed at balancing the promotion of public safety with the need to permit individuals to maintain their livelihood without undue interference. The Council will only take enforcement action where it is necessary and proportionate to do so.

### **Appeals Against Decisions**

- 8.4 Where a licence has been refused, suspended or revoked, the applicant or licence holder has a right of appeal to the relevant court against the decision within 21 days of receiving a notice from the Council detailing the decision.  
  
Any right of appeal against a decision will be communicated in the decision letter.
- 8.5 An appeal against a decision means that the decision does not take effect until the appeal is determined, unless the Licensing and Registration Panel has expressly stated that a licensed driver cannot drive a Hackney Carriage or Private Hire vehicle during the appeal period.



## **9. Hackney Carriage Fares**

**Must be read together with Appendices B, C, E, F, I and J**

### **Hackney Carriage Fares**

- 9.1 Hackney Carriage fares set by a Local Authority are the maximum for journeys within the City and can be negotiated downwards by the hirer. A table of authorised fares is provided to each hackney carriage licence holder and must be displayed in each vehicle so that it is easily visible to all passengers.

### **Negotiated Fares**

- 9.2 Out of City journeys must be at the metered fare unless an alternative fare has been negotiated prior to the commencement of the journey in Hackney Carriages.

### **Discriminatory Fares**

- 9.3 The Council deplores any practice by license holders when providing services that discriminates on the basis of disability. The Council will hold licensees accountable through their licence conditions where evidence of such practice is revealed.

### **Taximeters**

- 9.4 An approved, sealed, calibrated, and illuminated taximeter must be used to calculate and display the maximum fare for all journeys inside the city in all hackney carriages. It must not operate until the passenger is seated in the vehicle and the driver is seated and ready to move the vehicle to commence the journey. Once the journey is concluded by reaching the destination requested by the customer or passenger the fare displayed on the taximeter should be stated to the passenger and they or the customer should be requested to pay no more than the fare displayed.

### **Rate Reviews**

- 9.4 Hackney carriage fare rates may be reviewed by the Council following representations from the trade or from a particular sector of the trade, users, or at the discretion of the Council.

### **Receipts**

- 9.5 A hackney carriage and private hire driver must, on request, provide the customer with a written receipt for the fare paid, with adequate details to identify the journey, vehicle and driver.

## **10. Licence Fees**

**Must be read together with Appendices A & H**

- 10.1 Fees payable for licences, deposits or vehicle inspections must be paid to the Council, when the application is made. The Council does not make refunds in respect of unexpired portions of any licence fee.
- 10.2 Incomplete applications by virtue of dishonoured payments will automatically result in the respective licence being suspended until the licence is paid for. Charges of theft may be brought in respect of any dishonest payment.
- 10.3 Fees are subject to regular review based upon the principle of full service cost recovery so far as the legislation allows.

## **11. Taxi Ranks**

**Must be read together with Appendix I**

**Waiting on stands**

- 11.1 It is an offence for any person to cause or permit any vehicle other than a hackney carriage to wait on any stand for hackney carriages. Drivers of hackney carriages licensed by Stoke-on-Trent City Council may only wait on a stand in the city whilst waiting for a fare.

Drivers who park on a stand and leave their vehicle unattended are committing an offence and breaching their licence conditions.

## **Appendix A**

### **Vehicle Licence Applications**

Definitions for this Appendix only

‘You’ means the person applying for a Hackney Carriage Proprietors’ (vehicle) licence or Private Hire Proprietors’ (vehicle) licence

‘We’, ‘Us’, ‘Our’ means Stoke on Trent City Council

‘Vehicle’ means the vehicle for which a Hackney Carriage Proprietors’ (vehicle) licence or Private Hire Proprietors’ (vehicle) licence is being requested.

### **Important things to Note**

- 1.1 The steps to getting a licence are set out below. Each step requires the ones before to have been carried out by you for your application to progress.
- 1.2 Officers have no authority to allow you to miss or jump a step. Any request from you to an officer to do this will result in the application process being stopped pending a review by the licensing manager.
- 1.3 All documents required by a step must be produced by you, and checked by us for the application to progress. DOCUMENTS MUST BE THE ORIGINAL NOT A PHOTO COPY.
- 1.4 The documents you provide to us will be copied, with the copies retained on our office records for future reference.
- 1.5 All fees must be paid at the step indicated otherwise the application process will be stopped.
- 1.6 IT IS YOUR RESPONSIBILITY TO APPLY FOR A NEW LICENCE WITH TIME TO ALLOW FOR THE APPLICATION TO BE PROCESSED BEFORE YOUR CURRENT ONE EXPIRES  
  
Your application does not become our priority because you have not re-applied in time.
- 1.7 New licence applications may be made up to one month before any existing one expires to ensure you can continue to trade.  
  
Your new licence then comes into force on the expiry date of the old one so that you get the full benefit of the licence fee paid.
- 1.8 Passing the vehicle test does not mean your vehicle can be used as a hackney carriage or Private Hire vehicle. This right only occurs when your licence application has been completed and you are issued with a plate, licence and the relevant vehicle signs are displayed on your vehicle as prescribed.
- 1.9 Licensing officers will grant a licence in situation where all the evidence required by the steps set out below is provided.

## 2.APPLYING FOR A PROPRIETORS' (VEHICLE) LICENCE

Steps	Actions you must take	Things to note
Step 1	<p>Check your vehicle meets our standards regarding:</p> <ul style="list-style-type: none"> <li>• AGE</li> <li>• DESIGN</li> <li>• EQUIPMENT</li> <li>• CONDITION</li> </ul>	<p>Appendix B &amp; C contains information on vehicle design and equipment. Appendix G contains information on vehicle condition</p>
Step 2	<p>Book a date and time for your Vehicle to be Tested for:</p> <ul style="list-style-type: none"> <li>• Safety (MOT test)</li> <li>• Reliability (MOT test)</li> <li>• Emissions (MOT test)</li> </ul> <p>Suitability</p>	<p>The Council's approved testing station is at Cromer Road, Northwood. Test appointments can be made by calling 01782 232774 or online at <a href="http://www.stoke.gov.uk">www.stoke.gov.uk</a> For current fee see <a href="http://www.stoke.gov.uk">www.stoke.gov.uk</a> Retests will attract an additional fee Appendix G contains information on vehicle condition</p>
Step 3	<p>Book, and attend an appointment with Licensing Services WITHIN ONE MONTH of your vehicle passing its test YOU MUST BRING WITH YOU Application form signed by you AND an authorised signatory of the operator you wish to work for MOT Test certificate from our testing station Suitability certificate V5 registration certificate (log book) A valid Insurance Certificate or cover note Cash, cheque or card payment Hire agreement where applicable</p>	<p>Licensing Services are based at Hanley Town Hall, Albion Street, Hanley.</p> <p>Appointments can be made by calling tel no.01782 232774 or by emailing <a href="mailto:hcp.licensing@stoke.gov.uk">hcp.licensing@stoke.gov.uk</a></p> <p>Application forms are available at <a href="http://www.stoke.gov.uk">www.stoke.gov.uk</a>, from licensing services or by calling 01782 232774.</p> <p>For current fee see <a href="http://www.stoke.gov.uk">www.stoke.gov.uk</a> or call 01782 232774</p>

Steps	Actions you must take	Things to note
	Type approval where applicable Previous vehicle signs/plates if you are re-licensing the vehicle	

## **Appendix B**

### **Vehicle Specifications – Hackney Carriages**

Definitions for this Appendix only

**‘You’** means the licensee, the licensees, the applicant or the applicants as appropriate.

**‘We’, ‘Us’, ‘Our’** means Stoke on Trent City Council

**‘Vehicle’ and ‘Vehicles’** means the vehicle for which a Hackney carriage proprietors’ (vehicle) licence is being requested.

**‘Grandfather rights’** mean the continuation of rights regarding replacement of vehicles given to a person who held a Hackney Carriage proprietors’ (vehicle) licence on the 31 January 2008.

**‘Type’** means the shape and design of the vehicle.

**‘Advertising’** means advertising promoting either the licensee’s business, or other businesses and products on behalf of a third party.

## **1. Vehicle Type – Vehicles with Grandfather rights**

- 1.1 Any Hackney Carriage proprietors' (vehicle) licence granted to a person for a saloon type vehicle may be renewed for a replacement non wheelchair accessible vehicle, subject to compliance with sections 4, 7, and 12 of this appendix.
- 1.2 Any replacement vehicle proposed to be licensed as a hackney carriage vehicle under Grandfather rights must be BLACK in colour.
- 1.3 The vehicle must comply with:
  - The Motor Vehicle (Type Approval) Regulations 1980
  - The Motor Vehicle (Type Approval) Regulations (Great Britain) 1984
  - The Road Vehicles (Construction and Use) Regulations 1986

And have one of the following:

- European Whole Vehicle approval certificate
- British National Type approval certificate
- British Single Vehicle approval certificate
- Converted vehicles require one of the above. If not available a certificate can be obtained from the Vehicle Certification Agency (fee applicable). This is called an Individual Type Approval Certificate (IVA) see link for more information <https://www.gov.uk/vehicle-approval/inspection-fees>

## **2. Vehicle Type - Vehicles with no Grandfather rights – Wheelchair Accessible Vehicles**

- 2.1 The only vehicles without grandfather rights which will be considered for a hackney carriage proprietors' (vehicle) licence are vehicles that are capable of carrying a wheelchair bound passenger whilst they remain seated in their wheelchair, as detailed below.
- 2.2 All hackney carriages must be BLACK.
- 2.3 Vehicles must be able to accommodate and travel with at least one passenger remaining in a wheelchair.
- 2.4 Vehicles shall have a designated space capable of accepting a reference wheelchair, of at least 1200mm by 700mm (measured front to back and side to side) with a minimum headroom of 1350mm measured from the floor of the vehicle for each passenger who uses a wheelchair.
- 2.5 Wheelchairs can be loaded from the side or rear of the vehicle.
- 2.6 The wheelchair tie down for the effective anchoring of wheelchairs must be provided such that they only face forwards or rearwards when the vehicle is in motion.

A suitable restraint must be available to the occupant of the wheelchair.

Both of these must comply with the requirements of ISO 10542 -1 : 2012.

- 2.7 All new wheelchair accessible vehicles must provide an appropriate certificate to prove the conversion has been carried out to the required standard. Converted vehicles require a European Wide Type Approval Certificate. If not available a certificate can be obtained from the Vehicle Certification Agency (fee applicable). This is called an Individual Type Approval Certificate (IVA) see link for more information <https://www.gov.uk/vehicle-approval/inspection-fees>
- 2.8 A ramp or ramps, or other approved lifting device must be present and available for use to enable the safe loading and unloading of any passenger using a wheelchair, and be capable of supporting a wheelchair, occupant and helper. When deployed ramps must run flush with the vehicles interior floor level.
- 2.9 All ramps must comply with the requirements of BSI's PAS 2012 – 1 standard.
- 2.10 Any lifting device fitted must be regularly tested in accordance with any applicable health and safety regulations for such devices and maintained in good working order.

### **3. Vehicle Design – All Vehicles**

- 3.1 The vehicle must have 4 side-opening doors capable of being opened from the inside and the outside, which allow the driver and passengers to get in and out easily and safely.  
  
Minibuses, van type vehicles and people carrier type vehicles must have at least 3 doors not including any tailgate or rear doors.
- 3.2 The vehicle must have a diagonal 3 point seat belt at each Passenger seat.
- 3.3 The vehicle must be capable of carrying a reasonable amount of luggage securely and without affecting the passenger seating area or exits. Two thirds of any boot space provided must be available for luggage.
- 3.4 The vehicle must have a fire extinguisher equivalent to a British Standard 1kg ABC dry powder type extinguisher, permanently marked with the vehicle registration number, located safely and unpacked, ready for use by the driver.
- 3.5 Any installed device (including any navigation system, radio or communication devices) must be fixed and secured so that they do not interfere with the vehicle controls or view of the road for the driver.
- 3.6 The vehicle must not have 'bull bars' or other modifications fitted that increases the risk of damage to passengers, pedestrians or other road users in the event of a collision.

## **4. Taximeters – All Vehicles**

- 4.1 A taximeter must be fitted in a position easily visible to the main passenger. All letters and figures on its face must be plainly visible, and illuminated throughout any part of the hiring which is during the hours of darkness or at any time at the request of the hirer
- 4.2 The taximeter must be sealed and calibrated, with only the fare rates approved by us installed. When the taximeter is operating there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the maximum fare that can be charged for a journey.
- 4.3 The taximeter must not be operated until the passenger is seated in the vehicle and the driver is seated and ready to move the vehicle to commence the journey. Once the journey is concluded by reaching the destination requested by the customer or passenger the taximeter must be stopped and the fare displayed on the taximeter should be stated to the passenger and they or the customer should be requested to pay no more than the fare displayed.
- 4.4 It is recommended that the taximeter is capable of being locked into a calendar-controlled mode.

The vehicle must have a fire extinguisher equivalent to a British Standard 1kg ABC dry powder type extinguisher, permanently marked with the vehicle registration number, located safely and unpacked, ready for use by the driver.

## **5. Advertising –All Vehicles**

- 5.1 Advertising is allowed on hackney carriage vehicles provided:
  - We have approved the design in writing before it is applied
  - Copies of the graphics have been provided showing how the advertising will appear on the vehicle
  - You have paid appropriate application fee to us
- 5.2 In considering whether advertising should be approved we will look at whether:
  - It interferes with other signage required by the licence
  - It could cause offence to a reasonable person
  - It promotes irresponsible, unsafe or criminal behaviour
  - It promotes a negative image of the City or its inhabitants
- 5.3 Applications will be immediately refused which contain abusive words or images, or similar words or characters communicating what could be interpreted as an abusive or offensive message.



## **6. Signs – All Vehicles**

- 6.1 We issue you with a number of signs identifying your vehicle to the public and your customers as a hackney carriage vehicle, which you are required to fit to the vehicle. Details of these signs and their required position are shown in Appendix D.
- 6.2 The vehicle must be fitted with an illuminated external sign on and above its roof which:
- has 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 from the vehicle
  - is centrally mounted on the vehicle roof and adequately secured either directly to the roof or mounted on a single roof bar and secured by sufficient fixings to safely secure the sign for driving at high speed or in high winds. Magnetic or suction fittings alone are not suitable without additional means of fixing
- 6.3 You must permanently affix a sign 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.

## **7. Internal Lights – All Vehicles**

- 7.1 The vehicle must have one or more interior lights. Any lights in the driver’s compartment must only be capable of being activated by the driver but lights in the passenger compartment must be capable of being activated by either the driver or the passenger
- 7.2 The vehicle must have a permanent light fitted in the boot or rear luggage area, which operates automatically when the boot is opened.

## **8. Getting In and Out – All Vehicles**

- 8.1 Floor areas and passageways must be free from steps or trip hazards and have a slip resistant surface finish.
- 8.2 Any gap through which a passenger can be expected to pass shall be a minimum width of 400mm through which an adult can pass freely in a normal manner without undue difficulty.
- 8.3 A mechanism must be fitted to all sliding doors, which positively holds the door in the open position whilst in use so that it must deliberately be closed.

## **9. Bulkheads, Driver Safety and Communications – All Vehicles**

- 9.1 If a bulkhead or safety screen is fitted, then it must be a full width and full height screen fitted in the vehicle directly behind the driver's seat. The upper section must be a clear vision panel so that the driver can see a substantial amount of the passenger compartment including all access doors.
- 9.2 The bulkhead or safety screen must be continuous material to prevent any passenger reaching into the driver's compartment from the passenger compartment.
- 9.3 The vision panel section of the bulkhead or safety screen must be constructed of safety glass without tint to the standard required for windscreens laid down in Regulations 30,31 & 32 of The Road Vehicles (Construction and Use) Regulations 1986 or any clear impact resistant material such as safety glass or polycarbonate
- 9.4 Where seats are mounted onto the bulkhead or a wheelchair is secured against it, the remainder of the bulkhead must have been subjected to a separate static pull-test consistent with the number of seats and seat belts fixed to it.
- 9.5 A means of passing payment must be incorporated into any screen to enable payment to be made from within the vehicle.
- 9.6 The vehicle design must allow passengers to speak directly and easily with the driver.
- 9.7 Where an induction loop facility is fitted it must be clearly signed for the use of passengers with hearing aids.

## **10. Passenger Comfort - All Vehicles**

- 10.1 All vehicles must have a system which enables the passenger areas to be heated.

## **11. Fare Cards – All Vehicles**

- 11.1 An official copy of the Council's fare card must be clearly displayed in the vehicle so as to be plainly visible to passengers carried therein and shall not be located so as to significantly obscure the vision of the driver while the vehicle is being driven on a road.

## **Appendix C**

### **Vehicle Specifications – Private Hire**

Definitions for this Appendix only

‘You’ means the licensee, the licensees, the applicant or the applicants as appropriate.

‘We’ and ‘Us’ means Stoke on Trent City Council

‘Vehicle’ and ‘Vehicles’ means the vehicle for which a Private Hire proprietors’ (vehicle) licence is being requested.

‘Private Hire Vehicle’ means a motor vehicle constructed or adapted to seat fewer than nine passengers, other than a hackney carriage or public service vehicle or a London cab or tramcar, which is provided for hire with the services of a driver for the purpose of carrying passengers;

‘Limousine and Limousines’ means a vehicle that has been lengthened by the insertion of an additional body section.

‘Novelty Vehicle’ means a vehicle that may not meet all of the standard private hire conditions due to unusual or unique features of its design.

‘Vintage’ means a vehicle for which a private hire proprietors’ (vehicle) licence is being requested which was manufactured before 01 January 1990.

## **1.Vehicle Type**

1.1 No London style cab will be licensed as a private hire vehicle.

1.2 The vehicle must comply with:

- The Motor Vehicle (Type Approval) Regulations 1980
- The Motor Vehicle (Type Approval) Regulations (Great Britain) 1984
- The Road Vehicles (Construction and Use) Regulations 1986

And have one of the following:

- European Whole Vehicle approval certificate
- British National Type approval certificate
- British Single Vehicle approval certificate
- Converted vehicles require one of the above. If not available a certificate can be obtained from the Vehicle Certification Agency (fee applicable). This is called an Individual Type Approval Certificate (IVA) see link for more information <https://www.gov.uk/vehicle-approval/inspection-fees>

## **2.Vehicle Design**

2.4 The vehicle must have 4 side-opening doors capable of being opened from the inside and the outside, which allow the driver and passengers to get in and out easily and safely.

Minibuses, van type vehicles and people carrier type vehicles must have at least 3 doors not including any tailgate or rear doors.

2.5 The vehicle must have a diagonal 3 point seat belt at each Passenger seat.

2.6 The vehicle must be capable of carrying a reasonable amount of luggage securely and without affecting the passenger seating area or exits. Two thirds of any boot space provided must be available for luggage.

2.7 The vehicle must have a fire extinguisher equivalent to a British Standard 1kg ABC dry powder type extinguisher, permanently marked with the vehicle registration number, located safely and unpacked, ready for use by the driver.

2.8 The vehicle design must allow passengers to speak directly and easily with the driver.

2.9 Any installed device (including any navigation system, radio or communication devices) must be fixed and secured so that they do not interfere with the vehicle controls or view of the road for the driver.

2.10 The vehicle must not have 'bull bars' or other modifications fitted that increases the risk of damage to passengers, pedestrians or other road users in the event of a collision.

### **3.Vehicle Colour**

- 3.1 A private hire vehicle must have the same colour paintwork on each of part of its bodywork.
- 3.2 Private hire vehicles may have any colour paintwork other than black. Any licensed private hire vehicles which are painted black on the 01/07/2013 may continue to be licensed until the vehicle is replaced, at which time the replacement vehicle must not be black.
- 3.3 Private Hire Vehicles that carry out executive hire / chauffeur work and which have been granted an exemption under Section 75(3) of the Local Government Miscellaneous Provisions Act 1976 may be black, as long as they continue to hold an exemption.

### **4. Vehicles adapted for Wheelchair Users**

- 4.1 Vehicles must be able to accommodate and travel with at least one passenger remaining in a wheelchair.
- 4.2 Vehicles shall have a designated space capable of accepting a reference wheelchair, of at least 1200mm by 700mm (measured front to back and side to side) with a minimum headroom of 1350mm measured from the floor of the vehicle for each passenger who uses a wheelchair.
- 4.3 Wheelchairs can be loaded from the side or rear of the vehicle.
- 4.4 A system for the effective anchoring of wheelchairs must be provided such that they only face forwards or rearwards when the vehicle is in motion.
- 4.5 A suitable restraint must be available to the occupant of the wheelchair.
- 4.6 All new wheelchair accessible vehicles must provide an appropriate certificate to prove the conversion has been carried out to the required standard. Converted vehicles require a European Wide Type Approval Certificate. If not available a certificate can be obtained from the Vehicle Certification Agency (fee applicable). This is called an Individual Type Approval Certificate (IVA) see link for more information <https://www.gov.uk/vehicle-approval/inspection-fees>
- 4.7 A ramp or ramps, or other approved lifting device must be present and available for use to enable the safe loading and unloading of any passenger using a wheelchair, and be capable of supporting a wheelchair, occupant and helper. When deployed ramps must run flush with the vehicles interior floor level.
- 4.8 Any lifting device fitted must be regularly tested in accordance with any applicable health and safety regulations for such devices and maintained in good working order.

## **5. Getting In and Out**

- 5.1 Floor areas and passageways must be free from steps or trip hazards and have a slip resistant surface finish.
- 5.2 The vehicle must have steps fitted at the main access door into the passenger compartment if the internal floor is more than 300mm above the road level and handrails in a contrasting highly visible colour.

A slip resistant step must be provided for every 300mm of rise. The tread of each step must be at least 150mm deep with all open edges highlighted in a contrasting highly visible colour to match handrails and seat markings.

The tread of each step must be capable of supporting 150kg.

## **6. Internal Lights**

- 6.1 The vehicle must have one or more interior lights which can be turned on and off by the driver and which illuminate automatically when any of the doors are opened.
- 6.2 The vehicle must have a permanent light fitted in the boot, if a boot is present, which operates automatically when the boot is opened.

## **7. Passenger Comfort**

- 7.1 All vehicles must have a system which enables the passenger areas to be heated.

## **8. Signs**

- 8.1 We are required to issue you with a number of signs identifying your vehicle to the public and your customers as a Private Hire vehicle. Details of these signs and their required position are shown in Appendix D.
- 8.2 The vehicle must display door signs approved by us indicating the vehicle operator and their telephone number and /or App details. An exemption from this requirement may be requested from us if the nature of the business is executive hire / chauffeur work.
- 8.3 You must permanently affix a sign 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.

## **9. Rate of Fares Card**

- 9.1 Where the vehicle operator has a set rate of fares, these must be clearly displayed so as to be plainly visible to passengers.

## **10. Limousines**

- 10.1 The following requirements above do not apply to Limousines presented for licensing as a private hire vehicle:
- Sections 1.2 and 1.3, but this is subject to paragraph 10.3 below
  - Section 2.1
  - Section 3.2
  - Sections 8.1 and 8.2, but you must apply for an exemption from displaying plates and signage.
- 10.2 The additional requirements set out below apply to Limousines presented for licensing as a private hire vehicle.
- 10.3 The vehicle must have one of the following:
- European Whole Vehicle type approval certificate
  - British Low Volume type approval certificate
  - Single Vehicle approval (SVA) certificate
  - Individual Vehicle approval (IVA) certificate
- 10.4 The vehicle must not be a decommissioned military or emergency service vehicle.
- 10.5 The vehicle operator is required to provide annual MOT certificates from a VOSA goods vehicle testing station, or alternatively a local authority VOSA approved class IV testing station, that has appropriate facilities.
- 10.6 The vehicle must have tyres that satisfy the manufacturer and/or converters specifications and are suitable for both the size and weight of the limousine.
- 10.7 The vehicle must not carry more than 8 passengers at any time. An infant is classed as a passenger no matter what their age.
- 10.8 The vehicle must display a sign inside the passenger compartment, provided by us, saying 'No more than 8 passengers can legally travel in this vehicle'.
- 10.9 The vehicle may have sideways facing seats.
- 10.10 An appropriate licence under The Licensing Act 2003 must be held for the provision of any alcoholic drinks provided in the vehicle. Any glassware used in the vehicle must be made of either shatterproof glass or plastic.
- 10.11 The vehicle must display a limousine licence disc on the front window and rear window of the vehicle and at least one internal signs of a design specified by the council.
- 10.12 Any door signs, other signs, notices or other markings to be displayed on or in the vehicle must be approved by us before use.

## **11. Novelty and Vintage Vehicles**

- 11.1 The requirements in sections 1 to 10 above do not apply to novelty or vintage vehicles.
- 11.2 Novelty or vintage vehicles intended to be presented for licensing as a private hire vehicle should be discussed with us beforehand.

Following the discussion you must provide us with written proposals detailing how the vehicle will comply with any policy, safety, and passenger comfort requirements highlighted to you.

Your proposals will be considered and where appropriate referred to the Licensing and Registration Panel.

## **Appendix D**

### **SIGNS and SIGNAGE**

Definitions for this Appendix only

**‘You’** means the licensee(s)

**‘We’, ‘Us’, ‘Our’** means Stoke on Trent City Council

**‘Vehicle’** and **‘Vehicles’** means the licensed vehicle

All images of signs below are not to scale and are for illustrative purposes only.

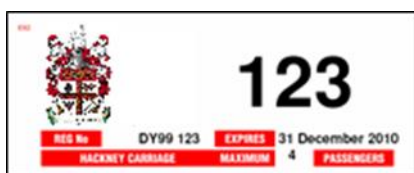


## **1. General Matters**

- 1.1 We will provide the plates, rear door stickers and internal signage required for your licensed vehicle APART from approved door signs showing the vehicle proprietor which are your responsibility.
- 1.2 All signage issued bearing the proprietors' (vehicle) licence number remains our property.
- 1.3 All plate signs on the outside of the vehicle must be fitted onto a platform which is permanently attached to your vehicle and NOT be directly fixed to the vehicle itself.
- 1.4 All of the signs inside your vehicle sit in adhesive pockets which must be permanently attached to your vehicle. These pockets must stay fixed to your vehicle, even when the sign is removed.
- 1.5 You must ensure that before your vehicle is used, all plates and signs are maintained in a sound and clean condition, and unobstructed, such that the sign information can be read.
- 1.6 You must report any lost or stolen plate or signage to us.
- 1.7 Where any plate, sign or fixing is lost, damaged or stolen then you must obtain and fit a replacement sign from us at your own expense without delay. Until such time as the correct signs are fitted to the vehicle, it cannot be used as a private hire vehicle
- 1.8 If the proprietors' (vehicle) licence expires, is revoked or suspended, an authorised Council officer or Police Constable may:  
  
immediately remove and retain any signage (except the rear plate for exterior fixing) bearing the proprietors' (vehicle) licence number until the licence is reinstated.  
  
attach a sign to the rear plate of the vehicle to show that the proprietors' (vehicle) licence is suspended. Any tampering or removal of this sign during a period of suspension will be viewed as obstruction. This can be avoided by voluntary surrender of the rear plate.
- 1.9 Where a licence renewal application is being made you must return to the council with your application all signage bearing the vehicle number previously issued to you. If this is not practicable you must provide the reasons for this in writing.

## **2. Hackney Carriages – Outside**

- 2.1 Front Plate



- 2.2 You must fix the Front Plate on or above the bumper with at least 5cm gap to the vehicle registration number plate.

- 2.3 Rear Plate



- 2.4 You must fix the Rear Plate sign on or above the rear bumper either:  
side by side with the vehicle registration number plate with at least 5cm distance apart

OR

in any other position, on or above the bumper where the vehicle registration number plate of standard design with all the letters and numbers on one row

- 2.5 All plate signs on the outside of the vehicle must be fitted onto a platform which is permanently attached to your vehicle and NOT be directly fixed to the vehicle itself. Proprietor's Name
- 2.6 All Hackney Carriages must have permanently affixed to the two front doors of the vehicle the Proprietor's name in full in white or gold lettering, or another colour previous agreed with us. The lettering shall be a minimum of one inch and a maximum of two inches in height and width. The Proprietor may also display on the two front doors the company name in addition to the Proprietor's name but not in place of it. No other signs, advertisements or distinguishing marks may appear on the vehicle without our prior approval. The use of magnetically affixed signs is not allowed.
- 2.7 Jump In Signs – display discretionary



- 2.8 You may place the Jump In signs on the outside of the rear passenger doors on the upper part of the door of the vehicle with the information clearly displayed and in a vertical place so that they are plainly and distinctly visible to any passenger entering the rear of the vehicle.

### **3. Hackney Carriages – Inside**

#### **3.1 Front passenger sign**



- 3.2 You must place the front passenger sign in the plastic pocket provided by us and fix this to your vehicle in a horizontal position on the dashboard of the vehicle or other suitable location so that it is plainly and distinctly visible to any passenger seated in the front passenger seat of the vehicle.

#### **3.3 Rear internal facing passenger sign**



- 3.4 You must place the rear passenger sign in the plastic pocket provided by us and fix this to your vehicle in a horizontal position in the rear quarter light glass on each side of the vehicle. Where the vehicle does not have rear quarter light glass, signs may be attached in any alternative location so that they are plainly and distinctly visible to any passenger seated in the rear of the vehicle.

#### **3.5 Rear external facing passengers sign**



- 3.6 You must place this in the plastic pocket provided by us and will fix this to your vehicle in a horizontal position in the rear quarter light glass on each side of the vehicle. Where the vehicle does not have rear quarter light glass, signs may be attached in any alternative location so that they are plainly and distinctly visible to any passenger getting into the vehicle.

#### **3.7 No Smoking or Vaping Sign**




- 3.8 You must display in each compartment of the vehicle 1 NO SMOKING OR VAPING sign at least 85mm in diameter.



**BACK PLATE**

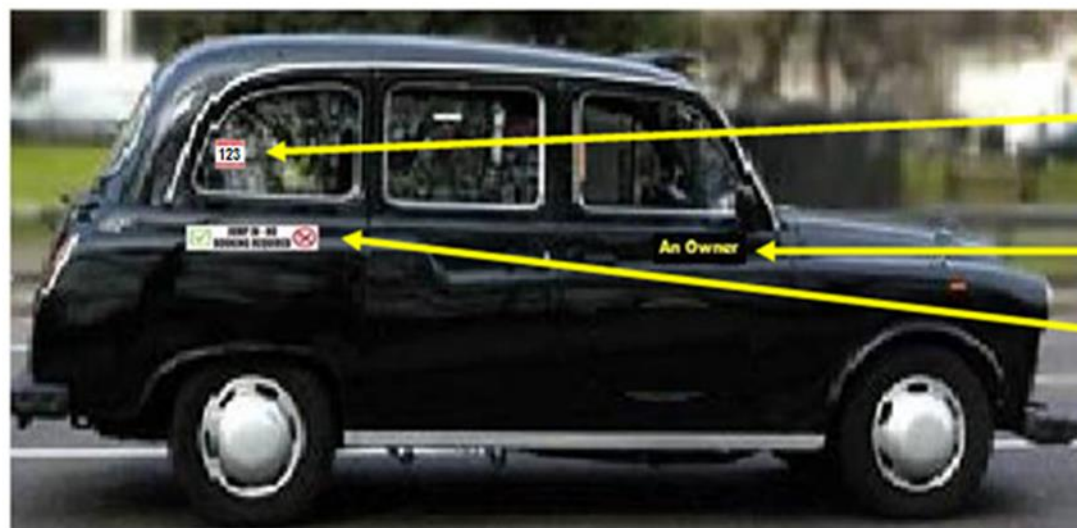


**No Smoking** 

**FRONT PLATE**



**Front passenger sign**



**Facing inside - Facing outside**



**Proprietor Name**



Facing inside - Facing outside



APPROVED DOOR SIGN



FRONT PASSENGER SIGNS

REAR PLATE



FRONT PLATE





## **4. Private Hire – Outside**

### **4.1 Front Plate**



4.2 You must fix the Front Plate on or above the bumper with at least 5cm gap to the vehicle registration number plate.

### **4.3 Rear Plate**



4.4 You must fix the Rear Plate sign on or above the rear bumper either:  
side by side with the vehicle registration number plate with at least 5cm distance apart

OR

in any other position, on or above the bumper where the vehicle registration number plate of standard design with all the letters and numbers on one row

4.5 All plate signs on the outside of the vehicle must be fitted onto a platform which is permanently attached to your vehicle and NOT be directly fixed to the vehicle itself.

### **Approved Door Signs**

4.6 You must permanently attach and display approved door signs of your nominated operator on the upper half of the driver's door and front passenger's door. The door signs must contrast with the colour of the vehicle to which they are attached. Where your vehicle is operated by more than one private hire operator, you must only display those approved door signs for the operator operating the vehicle at any given time. Magnetic signs to cover your permanent signs are only permitted if you drive for more than one operator. They should only be attached when you are driving for an additional operator and are not permitted in any other circumstance. The use of magnetic door signs on a vehicle which carries an exemption from displaying signage is forbidden.

4.7 For guidance, door signs must comply with the following guidelines and officers have the discretion to refuse to approve signs that do not meet these requirements.

To attract automatic approval by a licensing officer, door signs should:

1. contain the trading name and telephone number of the firm to a minimum font size of 4cm;
2. the word "Private Hire" to a minimum font size of 3.5cm; use a legible font;
3. use the same font throughout and no variation of sizes of letters in words;
4. not contain graphics except a minor border around the perimeter. Minor is defined as 'not diverting attention from the text of the sign'; and
5. not resemble any door sign already approved
6. The trading name must not contain the word "Taxi", "Hackney" or "Cab" or alternative spellings which convey the same sound, such as "Taksi", "Acne" or "Kab". (except Operators licensed on 01 September 2007 who can continue to use the word 'Cab' in their trading name and door sign if the respective private hire operators' licence remains in force and uses the same trading name.)
7. Must not contain national, political, racial, cultural, sexual or potentially offensive language or symbols
8. be designed to be permanently fixed to a vehicle.

Signs which do not comply with these guidelines may be refused and if necessary referred to the Licensing and Registration Panel for approval or refusal,

#### 4.8 Illegal Hire Signs



- 4.9 You must place the illegal hire signs on the outside of the rear passenger doors on the upper part of the door of the vehicle with the information clearly displayed and in a vertical place so that they are plainly and distinctly visible to any passenger entering the rear of the vehicle.

## **5. Private Hire – Inside**

### **5.1 Front passenger sign**



- 5.2 You must place the front passenger sign in the plastic pocket provided by us and fix this to your vehicle in a horizontal position on the dashboard of the vehicle or other suitable location so that it is plainly and distinctly visible to any passenger seated in the front passenger seat of the vehicle.

### **5.3 Rear internal facing passenger sign**



- 5.4 You must place the rear passenger sign in the plastic pocket provided by us and fix this to your vehicle in a horizontal position in the rear quarter light glass on each side of the vehicle. Where the vehicle does not have rear quarter light glass, signs may be attached in any alternative location so that they are plainly and distinctly visible to any passenger seated in the rear of the vehicle.

### **5.5 Rear external facing passengers sign**



- 5.6 You must place this in the plastic pocket provided by us and will fix this to your vehicle in a horizontal position in the rear quarter light glass on each side of the vehicle. Where the vehicle does not have rear quarter light glass, signs may be attached in any alternative location so that they are plainly and distinctly visible to any passenger getting into the vehicle.

### **5.7 No Smoking or vaping Sign**



- 5.8 You must display in each compartment of the vehicle 1 NO SMOKING / VAPING sign at least 85mm in diameter.



## **Appendix E**

### **Proprietors' (Vehicle) Licence Conditions – Hackney Carriage**

Definitions for this Appendix only

'You' means the licensed proprietor(s)

'Your' means of you

'We', 'Us', 'Our' means Stoke on Trent City Council

'Vehicle and Vehicles' means the vehicle to which the Hackney Carriage proprietors' (vehicle) licence relates

'Driver' means a person licensed by us to drive the vehicle

## **1.Things you MUST Tell Us**

### **1.1 Changes to your details**

You must tell us in writing on our form, and within seven days of the change, if your details change from those given in your original licence application.

These changes include any to:

- Your name
- Your address
- Who is driving the vehicle
- If you are a claims company then you must notify us when a driver stops driving the vehicle.

### **1.2 Changes to insurance**

You must tell us in writing on our form, and within 7 days of any changes to the vehicle insurance policy including to the provider, the cover, limitations to use, and named drivers.

### **1.3 Accidents/Damage to your vehicle**

You must tell us in writing on our form, as soon as possible, and always within 72 hours of any accident to a licensed vehicle causing damage affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons using the vehicle.

We are unable to suspend a vehicle without either an inspection or photographs of the damage.

### **1.4 Transfers**

You must tell us in writing on our form, as soon as possible and always within 14 days if you transfer the proprietors' (vehicle) licence to another person, or add another person onto the licence as a part proprietor.

The form must be completed by you and the proposed licensee with the vehicle insurance document and the appropriate transfer fee within the 14 day deadline.

## **2.Things you MUST NOT do**

- 2.1 You must not drive your vehicle or allow anyone else to drive it unless you or they are licensed by us to drive hackney carriages.
- 2.2 You must not transfer any sign bearing the proprietors' (vehicle) licence number to another vehicle.
- 2.3 You must not use your vehicle if it has any damaged or missing signs.
- 2.4 You must not modify the specification, design, condition or appearance of your vehicle unless you have our written approval.
- 2.5 You must not carry any fare paying passengers if you convert your vehicle to run on LPG or any other non-standard fuel during the licence period, unless you have shown us a certificate confirming satisfactory installation by a competent body.  
  
Converted vehicles must retain a reasonable amount of luggage space.
- 2.6 You must not licence your vehicle with any other authority whilst it is licensed by Stoke-on-Trent.

### **3.Things you MUST do**

- 3.1 You must ensure that you, and your drivers comply with all the conditions of their licences and do not commit any offences under the Local Government (Miscellaneous Provisions) Act 1976, Town and Police Clauses Act 1847, Equality Act 2010 and General Road Traffic Laws and Construction and Use Regulations.
- 3.2 You must have a valid policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1972 which covers the period of the proprietors' (vehicle) licence and permits for public hire use but not private hire use.
- 3.3 You must demand Part C of the driver's licence marked 'Vehicle Licensee's Copy', and inspect the driver's badge before allowing any person to drive your vehicle for the first time.
- 3.4 You must retain the Part C document in a safe and secure location and show us each driver's licence Part C or any other alternative document we request which contains the same information when asked by us.
- 3.5 You must keep each driver's licence Part C, or a copy of the same, for at least 12 months from the date of the last booking for that driver.
- 3.6 Where a driver is no longer used by you, you must keep a copy of that driver's licence Part C and return the original to him/ her.
- 3.7 You must systematically check your records for expiring driver licences and demand from any driver of your vehicle a replacement Part C of the relevant licence to continue to be satisfied as to the driver's licence status.
- 3.8 You must comply with the signage requirements detailed in Appendix D at all times your vehicle is licensed.
- 3.9 You must display a roof sign on the vehicle bearing the word 'TAXI' and illuminate it from inside the vehicle only when the vehicle is standing or plying for hire.
- 3.10 You must will display an up to date approved rate of fares card plainly and distinctly in the cabin of the vehicle and maintain it so that the information on the card is clearly visible to the passengers.
- 3.11 Plates and all signage must be removed once the licence has expired. All signage issued by the Council must be returned immediately.

#### **4.Maintaining your Vehicle**

- 4.1 You must maintain the vehicle to the pre-licensing specification at all times.
- 4.2 You must keep the inside and outside of your vehicle in a clean, safe and presentable condition.
- 4.3 You must keep the vehicle free from dents and rust with even paintwork matching that applied by the manufacturer. Any accident damage must be repaired as soon as practicable.
- 4.4 You must keep the inside of the vehicle free of stains, splits, and tears to the upholstery, trim panels, carpets and head-linings.

## **5. Your Taximeter**

5.1 Your taximeter must be

- set to the current rate of fares, or lower allowed by us.
- located where it is plainly and distinctly visible to all passengers.
- sealed so that it is not practicable to tamper with the meter or its fittings except by breaking, damaging or permanently displacing the seals
- illuminated when the meter is on.

5.2 If your taximeter has a flag or other device fitted, bearing the words 'FOR HIRE' then the flag or other device must

plainly and distinctly display the words 'FOR HIRE' on each side in plain letters at least one and a half inches in height only when the taximeter is not in active use

be capable of being locked in a position in which the words are horizontal and legible, and in this position, no fare shall be displayed on the meter

5.3 If your taximeter does not have a flag or other device bearing the words 'FOR HIRE'

it must be fitted with a key or other device which, when turned shall lock into position, start the meter and cause the word 'HIRED' to appear on the face of the taximeter

you must provide a sign bearing the words 'FOR HIRE' in plain letters at least one and a half inches in height which can be safely operated by the driver to indicate clearly and conveniently to persons outside the carriage whether or not the carriage is for hire

5.4 You must ensure that when your taximeter is in action that the chargeable fare is plainly and distinctly legible and that the word 'FARE' is printed on the face of the taximeter in plain letters and cannot easily be confused with any other figures or letters displayed on the meter.

5.5 You will not allow anyone to drive your vehicle for hire purposes until you are satisfied that they know how to properly use the meter.

5.6 You must notify us of any damage to the meter, and repair it and any seals as soon as possible after any damage.

## **Appendix F**

### **Proprietors' (Vehicle) Licence Conditions – Private Hire**

Definitions for this Appendix only

**'You'** means the licence holder(s)

**'Your'** means of you

**'We', 'Us', 'Our'** means Stoke-on-Trent City Council

**'Vehicle'** and **'Vehicles'** means the vehicle to which the Private Hire proprietors' (vehicle) licence relates

**'Driver'** means a person licensed by us to drive the vehicle

## **1.Things you MUST tell us**

### **1.1 Changes to your details**

You must tell us in writing on our form, and within seven days of the change, if your details change from those given in your original licence application.

These changes include any to:

- Your name
- Your address
- Your operator
- Who is driving your vehicle
- If you are a claims company then you must notify us when a driver stops driving the vehicle.

### **1.2 Changes to insurance**

You must tell us in writing on our form, and within 7 days of any changes to the vehicle insurance policy including to the provider, the cover, limitations to use, and named drivers.

### **1.3 Accidents/Damage to your vehicle**

You must tell us in writing on our form, as soon as possible, and always within 72 hours of any accident to a licensed vehicle causing damage affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons using the vehicle.

We are unable to suspend a vehicle without either an inspection or photographs of the damage.

### **1.4 Transfers**

You must tell us in writing on our form, as soon as possible and always within 14 days if you transfer the proprietors' (vehicle) licence to another person, or add another person onto the licence as a part proprietor.

The form must be completed by you and the proposed licensee with the vehicle insurance document and the appropriate transfer fee within the 14 day deadline.



## **2.Things you MUST NOT do**

- 2.1 You must not drive your vehicle or allow anyone else to drive it unless you or they are licensed by us to drive private hire vehicles.
- 2.2 You must not transfer any sign bearing the proprietors' (vehicle) licence number to another vehicle.
- 2.3 You must not attach signs (including magnetic signs) to your vehicle unless they have been approved by us first.
- 2.4 You must not use your vehicle if it has any damaged or missing signs.
- 2.5 You must not modify the specification, design, condition or appearance of your vehicle unless you have our written approval.
- 2.6 You must not carry any fare paying passengers if you convert your vehicle to run on LPG or any other non-standard fuel during the licence period, unless you have shown us a certificate confirming satisfactory installation by a competent body.  
  
Converted vehicles must retain a reasonable amount of luggage space.
- 2.8 You must not licence your vehicle with any other authority whilst it is licensed by Stoke-on-Trent.

### **3.Things you MUST do**

- 3.1 You must ensure that your vehicles comply with all the requirements of their licences and are not in such condition as to commit any offences under the Local Government (Miscellaneous Provisions) Act 1976, Equality Act 2010 and General Road Traffic Laws and Construction and Use Regulations.
- 3.2 You must have a valid policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1972 during the period of the proprietors' (vehicle) licence covering the vehicle for private hire use but not public hire use.
- 3.3 You must show your current vehicle insurance certificate to your operator if they ask you for it.
- 3.4 You must give Part B of your licence to your operator before the vehicle is used to undertake its first booking with that operator.  
  
You must repeat this each time your licence is renewed.
- 3.5 You must demand Part C of the driver's licence marked 'Vehicle Licensee's Copy', and inspect the driver's badge before allowing any person to drive your vehicle the first time.
- 3.6 You must retain the Part C document in a safe and secure location and show us each driver's licence Part C or any other alternative document we request which contains the same information when asked by us.
- 3.7 You must keep each driver's licence Part C, or a copy of the same, for at least 12 months from the date of the last booking for that driver.
- 3.8 Where a driver is no longer used by you, you must keep a copy of that driver's licence Part C and return the original to him/ her.
- 3.9 You must systematically check your records for expiring driver licences and demand from any driver of your vehicle a replacement Part C of the relevant licence to continue to be satisfied as to the driver's licence status.
- 3.10 You must fix the yellow Identity Card holder we give you in the vehicle so that the drivers ID card is plainly visible to all passengers. The card holder must be kept in good condition at all times.
- 3.11 You must comply with the signage requirements detailed in Appendix D at all times your vehicle is licensed.
- 3.12 Plates and all signage must be removed from the vehicle once the licence has expired. All signage issued by the Council must be returned immediately.
- 3.13 You must check that the vehicle is displaying the approved signs for your operator before installing a radio or other communications device into the vehicle.

- 3.14 If your operator uses a table of fares, a copy must be displayed plainly and distinctly in the cabin of the vehicle and maintain it so that the information on the card is clearly visible to the passengers.
- 3.15 You must notify your operator if you transfer your proprietors' (vehicle) licence to another person.

#### **4.Maintaining your Vehicle**

- 4.1 You must maintain the vehicle to the pre-licensing specification at all times.
- 4.2 You must keep the inside and outside of your vehicle in a clean, safe and presentable condition.
- 4.3 You must the vehicle free from dents and rust with even paintwork matching that applied by the manufacturer. Any accident damage must be repaired as soon as practicable.
- 4.4 You must keep the inside of the vehicle free of stains, splits, and tears to the upholstery, trim panels, carpets and head-linings.

#### **5.Your Taximeter (if fitted)**

- 5.1 If fitted to your vehicle the taximeter must be  
set to the current rate of fares for your operator  
located where it is plainly and distinctly visible to all passengers.  
  
sealed so that it is not practicable to tamper with the meter or its fittings except by  
breaking, damaging or permanently displacing the seals  
  
illuminated when the meter is on.
- 5.2 You must not allow anyone to drive your vehicle for hire purposes until you are satisfied that they know how to properly use the taximeter.
- 5.3 You must notify us of any damage to the taximeter, and repair it and any seals as soon as possible after any damage.

## **Appendix G**

### **Guidance on Additional Vehicle Test Items in addition to standard MOT**

Hackney Carriages and Private Hire vehicles are required to undertake a routine examination which considers additional matters in addition to the standard MOT test.

The test will consider if the vehicle meets the specifications set out in Appendices B & C above together with the signage requirements of Appendix D where the application is made before any current licence expires.

Details of other additional matters to be considered are given below.

No.	Items Checked	Standard Expected
1	The exterior of the bodywork, the underside of the vehicle and the engine compartment.	Must be in a clean condition to allow for proper inspection of these areas.
2	The external body panels and trim for evidence of corrosion, damage, loose fitting or unsatisfactory repairs.	No corrosion, damage or loose panels, or missing or damaged trim to the vehicle body which adversely affects the appearance and/or safety of the vehicle.
3	The external paintwork for damage or poor repairs which adversely affect the appearance of the vehicle.	No uneven, damaged, discoloured, or non-matching paintwork to the vehicle.
4	The operation and fitting of all external doors and the boot lid/ hatch to ensure they are aligned and can be securely closed, easily opened and held in place when fully opened.	Doors should fit flush with the bodywork, all handles and catches should operate easily and keep the door closed when it is shut. Wind catches should keep the door open when activated.
5	The front and rear bumpers to see that they are undamaged and securely fixed to the vehicle.	Front and rear bumpers must be securely fitted to the vehicle and undamaged.
6	The front and rear number plates to see that they are in good condition and clearly legible.	Front and rear number plates bright and in good condition.
7	The spare wheel to see that one is present together with a road worthy tyre (unless an inflation device is provided instead).	A spare wheel and road worthy tyre must be provided, or a fully charged inflation kit.
8	The wheel trims or alloy wheels, to ensure they all match and are in good condition.	All wheel trims should match and be undamaged. No corrosion or damage should be present to alloy wheels.
9	The boot and boot floor covering to ensure that it is clean, free from articles that would restrict luggage space or stain any luggage coming into contact with it.	Clean and adequate boot space to accommodate a reasonable amount of luggage without any risk of soiling or damaging it.
10	All seats to ensure that they are properly secured to the vehicle, that they match, and that all seat cushions and back rests are clean and in good condition.	Seats must match, be clean, securely fitted, in good condition and provide proper support to passengers.

No.	Items Checked	Standard Expected
		Any seat covers must be well fitting, tailored to the shape of the seat, clean and in good condition.
11	The floor carpets or lining, floor mats, upholstery and head linings must be clean, and in good condition	Internal finishes and linings must be in good condition, clean and free from stains.

## **Appendix H**

### **Drivers Licence – Applications Procedures**

Definitions for this Appendix only

**‘You’** means the person applying for a Drivers Licence

**‘We’, ‘Us’, and ‘Our’** means Stoke on Trent City Council

**‘Drivers Licence’** means a 1 year, 2 year, or 3 year licence.

### **1.IMPORTANT THINGS to NOTE**

- 1.1 The steps to getting a licence are set out below. Each step requires the ones before to have been carried out by you for your application to progress. It is recommended you undertake the steps in the order shown to avoid un-necessary costs should your application fail.
- 1.2 New applicants must be aged over 18 and to have held a full (not provisional) UK / EEA driving licence for more than 12 months.
- 1.3 New applicants must provide either 5 years of address history within the United Kingdom or a certificate of good conduct from an Embassy or Consulate or evidence to show that information of good character has been provided to, and has been accepted by, the Home Office as part of a successful Visa application.
- 1.4 Applicants applying to renew an existing drivers licence must provide to the council as part of their application either a valid access code from the DVLA ‘view my driving licence’ system or visit the licensing office to display their ‘view my driving licence’ record on-screen for a licensing officer to view and print a copy.
- 1.5 The Enhanced Disclosure report from the National Disclosure and Barring Service is only valid for 3 months so you must complete the process within this time period once you have this obtained this report.

All drivers must subscribe to the DBS update service after their first initial application and ensure that they remain subscribed for the duration that they are licensed.

- 1.6 All new applicants must have attended a safeguarding awareness raising course approved by Stoke-on-Trent licensing service in relation to safeguarding children and vulnerable people. The applicant must be able to demonstrate compliance with this requirement.
- 1.7 All existing drivers licence holders must attend a safeguarding awareness raising course approved by Stoke-on-Trent licensing service in relation to safeguarding children and vulnerable people every three years. The driver must be able to demonstrate compliance with this requirement.
- 1.8 Officers have no authority to allow you to miss or jump a step. Any request from you to an officer to do this will result in the application process being stopped.
- 1.9 All documents required by a step must be produced by you, and checked by us for the application to progress. Copies will be taken for our records.

DOCUMENTS MUST BE THE ORIGINAL NOT A PHOTO COPY.

- 1.10 Fees must be paid at the step indicated otherwise the application process will stop.
- 1.11 You may apply for a new licence up to three months before your old one expires.

IT IS YOUR RESPONSIBILITY TO APPLY FOR THE LICENCE WITH TIME TO ALLOW FOR THE APPLICATION TO BE PROCESSED BEFORE YOUR CURRENT ONE EXPIRES

An application made and approved 'early' will mean your new licence comes into force on the expiry date of the old one so that you get the full benefit of the licence fee paid.

- 1.12 Any break between the end of the last drivers licence and a renewal application, however caused, will mean that the application is treated as a first time applicant with the additional qualifications or training which this requires.

In exceptional circumstances a driver may appeal against being treated as a first time applicant within 3 months of their licence expiring.

The exceptional circumstances must be given by the driver in writing within the three month period and will be taken before the Chair and / or Vice-chair of the Licensing and Registration Panel for a decision on whether the exceptional circumstances apply. This consideration will be on a case by case basis.

- 1.13 Licences will normally be issued for 3 years although shorter duration licences may be issued where circumstances suggest this is appropriate.

Applications from applicants over 65 years of age will be limited to a 1 year licence and a new medical certificate will be required each year.

## 2. APPLYING FOR A FIRST TIME DRIVERS LICENCE

Steps	Actions you must take	Things to note
Step 1	<p><b>YOU MUST</b></p> <p>Be legally entitled to work in the UK (see details on acceptable ID in this pack))</p> <p>Be aged over 18 and have held a full UK /EEA driving licence) for more than 12 months</p> <p>Be able to provide either 5 years of address history within the UK or a certificate of good conduct from an Embassy or Consulate or evidence to show that information of good character has been provided to, and has been accepted by, the Home Office as part of a successful Visa application.</p> <p>Attended the licensed driver training</p> <p>Hold a certificate for the Driver and Vehicle Standards Agency (DVSA) Test (taxi driving test) or similar driving assessment approved by Licensing</p>	<p>Appendix B &amp; C contains information on vehicle design and equipment.</p> <p>Appendix G contains information on vehicle condition</p>
Step 2	Sit and Pass our Local Knowledge Test	An appointment will be made for this by licensing services as part of step 2 above or call tel 01782 232774
Step 3	Apply for your Enhanced Disclosure and Barring Service Certificate (this can be done when applying for Local Knowledge test however it expires after 3 months so it's advisable to pass the test first)	<p>Licensing Services are based at Hanley Town Hall, Albion Street, Hanley.</p> <p>Appointments can be made by calling tel no.01782 232774 or by emailing <a href="mailto:hcp.licensing@stoke.gov.uk">hcp.licensing@stoke.gov.uk</a></p>



Steps	Actions you must take	Things to note
		<p>Application forms are available at <a href="http://www.stoke.gov.uk">www.stoke.gov.uk</a>, from licensing services or by calling 01782 232774.</p> <p>For current fee see <a href="http://www.stoke.gov.uk">www.stoke.gov.uk</a> or call 01782 232774</p>
Step 4	Apply to a Doctor for a Medical Report (this expires 4 months after its issued)	<p>You must meet the DVLA Group II Medical Standard for professional drivers. See <a href="http://www.dvla.gov.uk/medical">www.dvla.gov.uk/medical</a></p>
Step 5	<p>Applying for a Hackney Carriage and Private Hire Vehicle Drivers Licence. Book an appointment and bring the following to Licensing:</p> <ul style="list-style-type: none"> <li>A fully completed application form</li> <li>Your full UK driving licence card or old style paper licence</li> <li>Driver and Vehicle Standards Agency test certificate or similar as approved by Licensing.</li> <li>Licensed driver training certificate</li> <li>Enhanced Disclosure report (less than 3 months old)</li> <li>Medical Certificate (less than 4 months old)</li> <li>Rights to work I.D.</li> <li>Cash, cheque or card payment</li> <li>Local Knowledge Test</li> <li>Letter from Operator if Student Visa restrictions apply</li> </ul> <p><b>If any of the above are missing then we cannot</b></p>	<p>Licensing Services are at Hanley Town Hall, Albion Street, Hanley, ST1 1QL. Appointments and Application Forms: Call tel no.01782 2342774 Email <a href="mailto:hcp.licensing@stoke.gov.uk">hcp.licensing@stoke.gov.uk</a></p> <p>Visit licensing services For current fee see <a href="http://www.stoke.gov.uk">www.stoke.gov.uk</a> or call 01782 232774</p> <p>If all these checks show a Licensing officer that you are 'fit and proper' your licence will be issued by the officer.</p> <p>If not your application will be referred to the Licensing and Registration Panel.</p>

Steps	Actions you must take	Things to note
	<b>accept your application form.</b>	

### 3. RE-APPLYING FOR A DRIVERS LICENCE (RENEWAL)

Steps	Actions you must take	Things to note
Step 1	<p>WE WILL CONTACT YOU three months before your current licence is due to expire</p> <p>YOU SHOULD start to collect the documents you will need so that there is no break in your ability to trade</p>	<p>We cannot do this if you have moved and not told us. The conditions of your Drivers licence require you to tell us if you move address.</p>
Step 2	<p>Bring to licensing services :</p> <ul style="list-style-type: none"> <li>• A fully completed application form</li> <li>• Your driving licence - photo card and valid DVLA access code</li> <li>• A new Passport photo</li> <li>• Most recent Enhanced Disclosure certificate</li> <li>• Medical Certificate (if applicable)</li> <li>• Cash, cheque or card payment</li> </ul>	<p>Licensing Services are at Hanley Town Hall, Albion Street, Hanley, ST1 1QL</p> <p>Appointments and Application Forms: Call tel no.01782 232774 or Email <a href="mailto:hcp.licensing@stoke.gov.uk">hcp.licensing@stoke.gov.uk</a></p> <p>Visit licensing services For current fee see <a href="http://www.stoke.gov.uk">www.stoke.gov.uk</a> or call 01782 232774</p>
Step 3	<p>We will consider your application</p> <p>If all these checks show a Licensing officer that you are 'fit and proper' your licence will be issued by the officer.</p> <p>If you have convictions that you have failed to tell us, then your renewal application will be referred to the Licensing and</p>	

Steps	Actions you must take	Things to note
	Registration Panel for determination. If your licence expires before the panel hearing you will be unable to drive.	

## **Appendix I Drivers Licence Code of Conduct**

Definitions for this Appendix only

**'You'** means the licensed driver.

**'Your'** means of the licensed driver.

**'We', 'Us', 'Our'** means Stoke on Trent City Council

**'Vehicle'** and **'Vehicles'** means the licensed private hire vehicle.

**'Badge'** means the badge issued to you with your driver's licence

**'Health'** means physical and mental wellbeing.

### **1.Things you MUST Tell Us**

#### **1.1 Change of details**

You must tell us in writing on our form, and within seven days of the change, if your details change from those given in your original licence application.

These changes include any to:

Your name

Your address

Your operator

#### **1.2 Accidents/Damage to your vehicle**

You must tell us in writing on our form, as soon as possible, and always within 72 hours of any accident to a licensed vehicle causing damage affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons using the vehicle

#### **1.3 Arrests and Questioning**

You must tell us immediately in writing or via email and confirm in writing on our form within seven days, if you are questioned, interviewed voluntarily under caution, or arrested by the police for any reason

#### **1.4 Charges or Summons**

You MUST tell us immediately, in writing or via email and confirm in writing on our form within SEVEN DAYS OF THE DATE OF CHARGE OR ON THE SUMMONS if you are charged/summoned for a criminal offence

You must provide details of:

The alleged offence

The date it occurred

Any other information regarding the allegation we may request from you.

1.5 Convictions, Cautions and Warnings

You MUST tell us in writing on our form, and WITHIN SEVEN DAYS, OF THE DATE OF THE DECISION if you are convicted, cautioned, receive a warning or have any points imposed on your DVLA driving licence

You must provide details of:

The offence and date it occurred

The date of conviction/caution/warning

The convicting court or issuing police station

Any penalty and fine imposed on you

Any other information regarding the matter we may request from you.

1.6 Fixed Penalty Endorsements/Attendance on a Speed Awareness Course

If you accept the fixed penalty endorsement or agree to attend a speed awareness course you MUST tell us in writing on our form, and WITHIN SEVEN DAYS OF YOUR DEADLINE TO ACCEPT THE ENDORSEMENT or TO ATTEND THE COURSE OFFERED.

You must provide details of:

The offence and the date it occurred

The date you accepted the endorsement/agreed to attend

Any other penalty and fine imposed on you

Any other information regarding the matter we may request from you.

You must also visit the licensing office within seven days of this deadline to provide us with your driving licence and give us permission to view your driving licence record online.

1.7 Refusals, Suspensions, Revocations

You MUST tell us in writing on our form, and WITHIN SEVEN DAYS OF ANY SUSPENSION, REVOCATION OR REFUSAL TO ISSUE A LICENCE BY ANY OTHER COUNCIL YOU HOLD LICENCES WITH OR APPLY TO. You must tell us the date of decision, the name of the council, the licence number(s) of the licences suspended or revoked, and provide us with a copy of the decision notice issued by the other council giving the grounds for their action.

1.8 Changes to Your Health

You must notify us as soon as possible and always within seven days if your health changes and you develop or suffer from:

A Heart Condition

Abnormal Blood Pressure

Diabetes

Epilepsy

Sudden Attacks of Giddiness or Fainting

Deterioration of Eyesight or Hearing

Alcohol or Drug Dependency

Mental or Psychological Disorder

Serious Physical Injury or Disability

Any other condition which will or might affect your ability to drive

- 1.9 You must replace your drivers badge or yellow Identity Card immediately, if it is lost or stolen.

## **2.Things you MUST Do**

- 2.1 You must comply with these conditions and all the requirements of your licences and not commit any offences under the Town Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976, Equality Act 2010, and General Road Traffic Laws and Construction and Use Regulations or any other enactment.
- 2.2 You must respond to questions from the council's designated safeguarding Lead Officer for the management of allegations against individuals (LADO) and participate in their investigatory meetings if asked.
- 2.3 You MUST conduct yourself in a professional manner at all times while acting as a taxi driver and not engage in behaviour that will damage the reputation of the trade. Such behaviour includes but is not limited to the use of verbal or physical abuse to other road users, taxi drivers, passengers or members of the public
- 2.4 You must wear clean, sensible clothing and footwear which assists with safe driving, presents a professional image, allows customers and officers to compare your face to your identity badges, and does not offend customers. In particular:
- Footwear must fit to your heel
- Headwear must not obscure any part of the face

Wording, graphics and logos on clothing should not be of an offensive or suggestive nature

- 2.5 You must be capable of offering reasonable assistance to customers entering/exiting your vehicle and assist them, where appropriate with bags / suitcases or any other luggage.
- 2.6 You must provide us with a certificate signed by your own Doctor saying you meet the Group II medical standard for professional drivers and are fit to drive a hackney carriage or private hire vehicle after any period of absence from work due to sickness which lasts for more than 6 weeks.
- 2.7 When driving a private hire vehicle, you must give Part B of your licence to your operator before undertaking your first hiring with that operator.  
  
You must repeat this each time your licence is renewed.
- 2.8 You must give Part C of your driver's licence marked 'Vehicle Licensee's Copy' to the vehicle licensee before taking your first hiring.  
  
You must repeat this each time your licence is renewed.
- 2.9 You must keep your drivers badge and in vehicle Identity Card safe and secure and not lend them to anyone else.
- 2.10 Whenever you are driving a licensed vehicle, you must wear your badge so that it is plainly visible to passengers whenever you are driving a licensed vehicle.
- 2.11 You must provide any customer who asks you with your name and badge number.
- 2.12 You must fix the yellow Identity Card we give you in the vehicle, in the card holder provided so that it is plainly visible to all passengers.
- 2.13 You must check your vehicle every day before starting work, to ensure that it is roadworthy, tyres have sufficient tread and are correctly inflated, signs are all present, legible, and in the correct place.
- 2.14 If applicable you must make sure an up-to-date rate of fares card is present in the vehicle before starting work.
- 2.15 You must know the maximum number of passengers you may carry at any one time before starting work.
- 2.16 You must make sure the vehicle is clean and that suitable luggage space is available before starting work.
- 2.17 You must take all reasonable precautions to ensure the safety of persons getting into, travelling in, or getting out of your vehicle.
- 2.18 If you drive a designated wheelchair accessible vehicle you must become familiar with all equipment fitted to enable hire by a wheelchair user, and its correct operation, before using the vehicle. You must also comply with your duties under

the Equality Act 2010 unless you have been granted an exemption by the Council and are displaying the Council's exemption notice on your vehicle. You must carry the exemption certificate issued to you by the Council with you while working to show to customers if challenged.

- 2.19 You must drive your customer to their requested destination by the shortest route, unless instructed otherwise by your customer.
- 2.20 When driving a private hire vehicle, you must charge the journey fare at your operator's agreed rates, or if the customer has requested you be engaged by time at the agreed rate per unit of time.
- 2.21 Any taximeter must not be activated until the passenger is seated in the vehicle and the driver is seated and ready to move the vehicle to commence the journey. Once the journey is concluded by reaching the destination requested by the passenger, the taximeter should be stopped, and the fare displayed on the taximeter should be stated to the passenger and they or the customer should be requested to pay no more than the fare shown on the meter.

When carrying a passenger who remains in their wheelchair, any taximeter must not be activated until the passenger is properly secured in the vehicle, the ramps and/or lift have been properly stowed in the vehicle and the driver is seated and ready to move the vehicle to commence the journey. Once the journey is concluded by reaching the destination requested by the passenger, the taximeter should be stopped before the ramps and/or lift are prepared for unloading. The fare displayed on the taximeter should be stated to the passenger and they or the customer should be requested to pay no more than the fare shown on the meter.

- 2.22 You must permit any guide, assistance or hearing dog to accompany the person whose control it is under when they hire your services.

Any driver with a medical condition that would be aggravated by carrying dogs may apply to the Council for an exemption from this condition.

- 2.23 You must provide a written receipt at the request of the customer showing:

The date and time

The pickup location

The destination location

The fare charged

Your operator (if applicable)

Your plate number

Your signature



- 2.24 You must check your vehicle for property left by customers after every hiring and hand any property found to your operator immediately, if applicable.

### **3.Things you MUST NOT Do**

3.1 You must not drive your vehicle unless you are licensed by us to drive private hire vehicles.

3.2 You must not display more than one drivers badge in any licensed vehicle you are driving.

3 You must not engage in any inappropriate behaviour or conduct the following behaviour or actions when driving or having control of a licensed vehicle. This includes but is not limited to:

Inappropriate touching

Sexual activity

Taking personal property or any substance (illegal or otherwise) from customers in lieu of payment or as a deposit for payment

Making offensive, racist, religious, abusive or inappropriate comments

Actions or language that could be interpreted as coercive, threatening, or aggressive

Providing cigarettes, alcohol, drugs or other gifts of any sort

Providing free of charge journeys as an inducement to inappropriate behaviour

Showing to passengers any video or pictures

Engaging with children or vulnerable adults via social networking sites

Inquiring about passengers personal and family circumstances and relationships

Phoning or sending text messages to a passenger other than directly concerning the hiring of the vehicle

Stopping the vehicle other than at a destination requested by the passenger unless there are exceptional or emergency circumstances.

Any behaviour or conduct which makes any other person feel threatened, uncomfortable or ill at ease.

3.4 You must not start the meter (where fitted) until the passenger(s) is seated and ready to commence the journey.

3.5 No passengers must be charged discriminatory fares as a result of disability, race, religion, gender, sexual orientation or any other factor.

3.6 You must not carry a child under the age of 10 in the front seat of the vehicle nor allow more than one person to travel in the front seat of the vehicle, unless the vehicle is specifically designed for such use.

- 3.7 When driving any hackney carriage or private hire vehicle, you must not tout for business by calling out to nearby persons or by inviting them to hire you.

When driving a private hire vehicle you must not stand or ply for hire

When picking up any pre-booked hiring (all private hire passengers and pre-booked hackney carriage hiring's) you must ensure that the passenger you are collecting is the person to whom the booking relates.

- 3.8 You must not / or allow any passengers to smoke or vape in the licensed vehicle.

- 3.9 You must not park or linger in any of the following locations:

Transport Lane, Longton

Station Road, Stoke

Pickford Place and Saracen Way, Meir.

Church Street and Eleanora Street, Stoke

Market Place including St John's Square and Westport Road, Burslem

Piccadilly, Marsh Street North and South, the entire length of Trinity Street, Stafford Street and Town Road, Hanley

Lichfield Street, Hanley, neighbouring the Bus Station

Within the vicinity of any authorised hackney carriage rank.

At any other location notified to you in writing

- 3.10 You must not use your horn other than in situations permitted under the highway code.
- 3.11 You must not without the hirer's permission play any radio or other audio equipment in your vehicle other than for the purposes of sending or receiving messages in connection with the operation of that vehicle.
- 3.12 You must not allow the noise emitted by any equipment in your vehicle to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

## **Appendix J Private Hire Operator's Licence Conditions**

Definitions for this Appendix only

**'You'** means the licenced operator(s)

**'Your'** means of you

**'We', 'Us', 'Our'** means Stoke-on-Trent City Council

**'Licensee'** means a person licensed as a Private Hire Operator

**'Vehicle'** and **'Vehicles'** means vehicles operated by you under a Private hire operator's licence

**'Driver'** and **'Drivers'** means licensed drivers driving your vehicles

**'Base'** means the address or addresses where provision is made for the taking of bookings

### **1.Things you MUST tell Us**

#### **1.1 Changes to your details**

You MUST tell us in writing on our form, and WITHIN SEVEN DAYS OF THE CHANGE, if your details change from those given in your original licence application.

These changes include any to:

- Your trading name
- Your base address(es)
- The phone numbers you provide to customers to make bookings
- Any licensee who no longer holds an interest in the private hire operation
- If any of a Limited Company's directors change on Companies House.
- If there is any change in any partnership

#### **1.2 Arrests and Questioning**

You MUST tell us IMMEDIATELY in writing or via email and complete our form WITHIN SEVEN DAYS, if you are questioned, interviewed voluntarily under caution, or arrested, by the police for any reason

#### **1.3 Charges or Summons**

You must tell us immediately in writing or via email, and complete our form WITHIN SEVEN DAYS OF THE DATE YOU ARE CHARGED with, or you receive a summons for, a criminal offence.

You must provide details of:

The alleged offence

The date it occurred

Any other information regarding the allegation we may request from you.

#### 1.4 Convictions, Cautions and Warnings

You must tell us in writing on our form, and WITHIN SEVEN DAYS OF THE DATE OF THE DECISION if you are convicted, cautioned, receive a warning or have any points imposed on your DVLA driving licence

You must provide details of:

The offence

The date it occurred

The date of conviction/caution/warning

The convicting court or issuing police station

Any penalty and fine imposed on you

Any other information regarding the matter we may request from you

#### 1.5

Refusals, Suspensions, Revocations

You must tell us in writing on our form, and WITHIN SEVEN DAYS OF ANY SUSPENSION, REVOCATION OF REFUSAL TO ISSUE A LICENCE BY ANY OTHER COUNCIL YOU HOLD LICENCES WITH OR APPLY TO.

You must tell us the date of decision, the name of the council, the licence number(s) of the licences suspended or revoked, and provide us with a copy of the decision notice issued by the other council giving the grounds for their action.

## **2.Things you MUST NOT do**

- 2.1 You must not use any vehicle and driver who is not licensed by Stoke on Trent City Council in the course of your business. Where computerised records are used to monitor drivers and vehicles the expiry date of each licence must be entered onto the system.
- 2.2 You must not disclose any personal passenger information given to you in connection with public safety to anyone who does not have a legitimate safety reason for possessing it. All personal passenger data must be securely held and protected. Breaches of data protection will be considered a serious licence breach.

### **3.Things you MUST do**

- 3.1 You must ensure that you comply with all the conditions and requirements of your licences and do not commit any offences under the Town Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976, Equality Act 2010, and General Road Traffic Laws and Construction and Use Regulations.
- 3.2 You must respond to questions from the council's designated safeguarding Lead Officer for the management of allegations against individuals (LADO) and participate in their investigatory meetings if asked.
- 3.3 You must ensure that the drivers and proprietors' (vehicle) licence holders who work with you, and your employees, comply with all the conditions and requirements of your and their licences and do not commit any offences under the Local Government (Miscellaneous Provisions) Act 1976, Equality Act 2010, and General Road Traffic Laws and Construction and Use Regulations.
- 3.4 All existing holders of an operator's licence must attend a safeguarding awareness raising course approved by Stoke-on-Trent licensing service in relation to safeguarding children and vulnerable people, every five years. The applicant must be able to demonstrate compliance with this requirement.

### **4.Things you MUST do – Drivers and Vehicles**

- 4.1 You must obtain Part B of the drivers licence (marked 'Operators Copy') from any new driver, and check their badge, before they take their first booking from you. You must repeat this each time a driver renews their driver's licence.
- 4.2 You must obtain Part B of the proprietors' (vehicle) licence (marked 'Operators Copy') for any vehicle intended to be used for the first time, inspect the vehicle, and check that your approved door signs are displayed before allowing it to be used on its first booking from you. You must repeat this each time a proprietors' (vehicle) licence is renewed.  
  
You must ensure that the vehicle is insured for private hire use, either under your overall policy or under the proprietors' policy. You must keep a copy of all insurance documents for at least 4 years.
- 4.3 You must give each new driver and each new vehicle a separate unique identifier or call sign and enter this information on the respective Part B copies held by you.
- 4.4 If you change the vehicle or driver's unique identifier you must update the Part B copies you hold.
- 4.5 When you become aware that a proprietors' (vehicle) licence has been transferred you must obtain a new Part B 'Operators Copy' for the new proprietors' (vehicle) licence.

- 4.6 Where a driver or vehicle is no longer used by you, you must retain a copy of the respective Part B and return the original to the licence holder.
- 4.7 You must retain the respective Part B copies for at least 12 months from the date of the last booking for the vehicle or driver.
- 4.8 When we ask you to, you must show us the Part B copies you hold.
- 4.9 If you use a 'rate of fares' card, you must make sure that it is available in all vehicles operating from your base and that they are up to date.
- 4.10 You must carry out inspections at least every 6 months of vehicles operating under your operator's licence checking that the vehicle appearance, signage and mechanical condition complies with our requirements as detailed in our current Hackney Carriage and Private Hire licensing policy and appendices.
- 4.11 You must keep a record of your inspections, detailing the vehicle and any defects identified and make that record available for inspection by an authorised officer of the Council or Police Constable on request.
- 4.12 You must keep a copy of the licence for the driver and the vehicle of any hackney carriage that works for you, wherever it is licensed.

## **5.Things you MUST do – Your Base**

- 5.1 Your base must be clean and kept clean, well lit, heated and ventilated, with adequate seating for employees and drivers between bookings.
- 5.3 If the public have access to your base you must have:
  - Public liability insurance
  - Prominent notices at each exit asking customers to leave the premises and area quietly
  - A notice identifying the person in charge of the day to day base operation
  - Part B of your operator's licence displayed in any public waiting area
  - 'No Smoking' signage required by the Health Act 2006.
  - A notice inviting compliments, complaints and comments

## **6.Things you MUST do – Your Base Records**

6.1 You must keep a record of each booking made by you for a private hire vehicle, prior to that hire commencing. The record must contain:

- date and time booking the booking was made
- the time the vehicle is required
- name of person taking the booking if not an automated system
- name of hirer or other identifier
- pick up point
- time booking allocated to the driver
- name of person allocating the booking
- plate number or other identifier of the vehicle
- badge number or other identifier of the driver

If the hirer will not provide a name or satisfactory identifier (and the number they call from is not recorded by your systems) you must not accept the booking.

6.2 When requested you must provide the customer with an approximate fare for the journey at the time of the booking being made.

6.3 You must keep each record of a booking for at least 12 months.

6.4 You must keep records in legible written or typed English.

6.5 Manual records of bookings must be kept in a bound book, with consecutively numbered pages printed by the book manufacturer.

6.6 Computerised records must show the date and time an entry was made and have security systems in place to prevent alterations being made to any data that has been entered and stored on the program.

6.7 The computer clock must always be set to GMT or BST whichever is applicable at that point in the year. The clock must not be advanced beyond the correct time for any reason.

6.8 The computer system must include a printer and a facility to print copies of any computer records at the request of an authorised officer of the Council or a Police Constable.

6.9 You, or a trained member, of staff who can interrogate computerised records and print them off must be available during all your working hours.



- 6.10 You must keep a record of all property found in vehicles operated through your base the driver who found it, and when it was found. The record must be kept for 6 months after the date of finding the item.
- 6.11 You must keep a record of all complaints and also all incidents of aggression, racism, or homophobic behaviour, identifying the driver and vehicle involved, the date and time, and any other relevant details. The record must be kept for 12 months from the date of the event and be available to an authorised officer of the Council or a Police Constable.
- 6.12 Operators employing or contracting with more than two licenced drivers must document and operate a complaints and comments procedure recording the date, time and details of the complaint or comment, the complainants name and contact details, the driver and vehicle involved, details of any complaint investigation undertaken and the findings and actions taken as a result of the complaint or comment. The record must be kept for 12 months from the date of the event and be available to an authorised officer of the Council or a Police Constable.
- 6.13 Operators employing or contracting with more than two licenced drivers must document and operate a disciplinary procedure for drivers and other staff recording the date, time and details of any disciplinary investigations and action taken. The record must be kept for 12 months from the date of the disciplinary event being concluded and be available to an authorised officer of the Council.
- 6.14 You must keep records of any bookings that are sub contracted to another private hire operator and that operator's licence number and authority. Those records must include:
- the operator (name, contact details, location and authority with which they are licensed)
  - date and time the booking was sub-contracted
  - how it was sub-contracted (email, telephone etc)
  - the time the customer was told of the sub-contract
  - the method of informing the customer (telephone, text email etc)
- 6.15 You must tell the customer that their job is being sub contracted to another operator as soon as possible and in any event before the hiring commences and give them the name and contact number for that operator. This should be by the same method that the booking was made with you e.g. telephone, text, app, email.
- 6.16 If you dispatch bookings to Hackney Carriage proprietors working for you to provide private hire activities you must:
- keep a copy of the licence for the driver and vehicle of any hackney carriage that works for you.

## **7.Things you MUST do – Your Staff**

- 7.1 You must make sure that your staff taking and passing on bookings are fully trained and aware of your operator's licence conditions.
- 7.2 You must keep an up to date list of your staff and of any unique identifier used in any business records to identify that person with their full name, date of birth and address. You must produce this list when requested to do so by an authorised officer of the Council or Police Constable.
- 7.3 You must have a nominated duty manager or deputy in charge of the base and its operations when you are not present. This person must be competent to operate any computers or other equipment and be capable of accessing and producing booking records if requested to do so by an authorised officer of the Council or a police constable.
- 7.4 Any taxi marshals employed, or contracted for use as part of your business, must be Security Industry Authority (S.I.A) registered and suitably trained commensurate with the duties they are engaged to undertake.

## **8.Things you MUST do – Lost Property**

- 8.1 When a driver hands you an item of lost property listed below, you should do the following:

Contact the issuing authority / company if any item found contains personal data.

Ensure any; cash; laptops and cameras; mobile phones; drugs; firearms, weapons, ammunition; non-UK passports; unidentifiable substances; or other items that may pose a danger or harm to others are handed into a Police Station as soon as possible but always within 24 hours.
- 8.2 When a driver hands you an item of lost property not listed above, you should do the following:

If the property is identifiable it is your responsibility to make reasonable efforts to trace the owner.

If the owner comes forward you must hand it over. After 28 days the item becomes yours if nobody has claimed it. However, the 28 day rule does not prevent a later civil claim should an owner come forward. The 'true' owner is always deemed to be the person who lost the item; the finder does not acquire ownership and can be asked to return the item or reimburse the owner if it has been sold. Any dispute between the finder and the owner is a matter for the courts.

## **Appendix K Enforcement Procedures**

Definitions for this Appendix only

‘You’ means the license holder, or the applicant for a licence, as appropriate

‘We’, ‘Us’, ‘Our’ means Stoke on Trent City Council

‘Health’ includes physical and mental wellbeing

‘Officer and Officers’ means an authorised officer of Licensing Services of Stoke on Trent City Council

‘Licensing and Registration Panel’ means a panel of elected Councillors having delegated authority from the Licensing and General Purposes Committee of Stoke on Trent City Council

### **1.General Matters**

1.1 It is the responsibility of Licensing Services to regulate the Hackney Carriage and Private Hire trade to protect the public, which includes but is not limited to:

- safeguard young people and vulnerable adults when using taxis
- ensure passenger safety
- safeguard the public from dishonesty

1.2 In carrying out this responsibility officers will assess information against the requirements of legislation and the conditions imposed by our licences.

While all information will be judged on its merits, where offences and breaches are detected, and evidenced, enforcement action will follow ranging from verbal and written warnings to prosecution and suspension or revocation of licences.

1.3 Officers follow the Enforcement Policy when deciding upon appropriate enforcement action and the additional guidance contained in this Appendix.

Guidance regarding criminal convictions has been issued by the Government in a Taxi and PHV Licensing Convictions Policy and officers will provide advice to the Licensing and Registration panel based upon it in appropriate circumstances, however Councils are permitted to depart from it based upon the specific details under consideration.

1.4 Enforcement decisions are made by the Licensing and Registration Panel in the circumstances prescribed by this policy. Members of the panel are not bound by the Public Protection Enforcement Policy, but each panel hearing is provided with legal advice by an officer of the Councils legal team.

1.6 Decisions made by the Licensing and Registration Panel and by officers under delegated powers may be appealed to the relevant Court.

- 1.7 The Council operates a Complaints, Comments and Compliments procedure. Any dissatisfaction with the actions of an officer can be referred into this procedure for scrutiny by the Licensing Manager, and if the applicant is not satisfied with their response, a Senior Council Manager.

## **2.Enforcement by Officers**

- 2.1 Officers will monitor compliance with legal requirements and licence conditions by conducting surveillance, considering information on licence applications, carrying out inspections, and investigating complaints.
- 2.2 The information revealed by our enquiries will be assessed in line with our enforcement policy including consideration of
- the intent of the offender
  - the scale of the offence
  - the consequences of the offence
  - any risk to safety or health caused by the offence
  - any financial loss caused by the offence
  - the previous record of the offender
  - any previous advice or warnings given
  - the likelihood of the offence being repeated
- 2.3 Where enforcement action is being considered, the alleged offence will be brought to the attention of the licence holder or applicant, and they will be given the opportunity to make comments and identify any mitigating factors before a decision is made.
- 2.4 Where an officer decides that giving you advice is the appropriate outcome this will be recorded by us and may be used in the consideration of any future offences or breaches of the Code of Conduct.
- 2.5 Where you are issued with a written warning or when a proprietors' (vehicle) licence is revoked or suspended this will be delivered to you at Licensing Services offices or sent to you by "signed for" mail or hand delivered to your address.
- 2.6 You can appeal against any Advice or warning letter issued to you with 21 days by writing to the Licensing Manager.
- The Manager will then review your appeal and any supporting evidence submitted, make a decision and inform you of the decision.
- 2.7 A 'totalling up' system of officer written warnings is normally operated.

If you are issued with 3 written warnings within any 3-year period you will be referred to the Licensing and Registration Panel for a review of your licence.

2.8 Safe legal driving behaviour is demanded of all Licensed Drivers.

If you receive 3 penalty points on your DVLA driving licence you will be issued with a warning.

If you accrue 9 penalty points on your DVLA driving licence you will be referred to the Licensing and Registration Panel for a review of your driver's licence.

2.9 Any existing drivers who receive a criminal conviction or caution will be referred to the Panel for their suitability to be reviewed, including, where appropriate, offences involving the award of penalty points

Officers have the discretion to refer a driver who has a pending case.

2.10 The Licensing Manager may immediately suspend:

a proprietors' (vehicle) licence if we are informed that the vehicle has been stolen

a proprietors' (vehicle) licence if we become aware the vehicle insurance certificate is invalid

a proprietors' (vehicle) licence if a breach of conditions is not rectified within the period specified

a proprietors' (vehicle) licence if it has not been kept in a safe, tidy and clean condition

any licence where the holder fails to provide information to us

a drivers licence if you have no right to work in the UK

a proprietors' (vehicle) licence if the operator no longer has an interest in the vehicle you are driving

an operator's licence if the named person no longer has an interest in the business

2.11 The Licensing Manager must immediately revoke a drivers' licence if we become aware that you have been disqualified from holding a DVLA driving licence.

2.12 The Director and Chair or Vice Chair of the Licensing and General Purposes Committee acting together may revoke a drivers licence on any grounds detailed in section 61(1)(a)(i), section 61(1)(a)(ii), or section 61(1)(b) of the Local Government Miscellaneous Provisions Act 1976 where it appears to be in the interests of public safety to do so.

The revocation is to be immediate pursuant to section 61(2B) of the Act and relate to the drivers licence only. Any proprietors' (vehicle) licence held by the driver is to remain in force subject to proof being provided to the licensing service of the

exclusion of that driver as an insured driver of the vehicle and the inclusion of another licensed driver.

- 2.13 If an officer determines that prosecution is appropriate for a breach of legislation they will recommend this course of action to their Manager who may approve a prosecution subject to advice from the Councils Legal Service.

### **3.Enforcement by Licensing and Registration panel**

- 3.1 The Licensing and Registration Panel will consider licence applications, or whether any action should be taken in relation to any licence and licence applications when such matters are referred to them by officers. This will be undertaken by holding a hearing at which the licence holder or applicant will be entitled to speak.

You are entitled to have the assistance of one friend or representative.

- 3.2 Officers may refer a drivers, proprietors or operator's licence to the Licensing and Registration Panel to consider whether any action should be taken in relation to any licence in any circumstance they deem appropriate, including but not limited to the licence holders fitness and propriety, the safety of the proprietors vehicles, the behaviour of drivers and the safety of vehicles being operated by an operator, and the manner in which an operator is conducting their business.

- 3.3 In addition to the elected members of the panel and the licensing officer, a clerk to the panel and a legal advisor to the members will be present at each hearing.

- 3.4 The panel will hear the information presented by the licensing officer and any information you wish to present. They will then make a decision in a private session. The legal advisor will accompany the members in the private session to give advice upon the law and any previous decided cases but will not participate in making the panel's decision.

- 3.5 The Panel may:

Grant or renew a licence

Grant or renew a licence with additional conditions

Refuse to grant a licence

Refuse to renew a licence

Suspend a licence for a specified period, or until certain requirements have been met by the holder

Revoke a licence

- 3.6 A decision made by the Licensing and Registration Panel may be appealed to the relevant Court.

#### **4.Co-operation with Other Agencies**

- 4.1 Licensing officers will assist other agencies monitor and investigate breaches of legislation by licence holders, and in turn will receive assistance from these agencies in connection with our own monitoring.

These other agencies include, but are not limited to, the Police, the Vehicle and Operator Services Agency (VOSA), HM Revenue and Customs, and neighbouring licensing authorities.

Assistance in this context includes the sharing of intelligence and other information.





