

CRAVEN DISTRICT COUNCIL

**RULES & REGULATIONS
FOR**

**HACKNEY CARRIAGE
&
PRIVATE HIRE**

LICENSING

Revised 13th November 2012

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INTRODUCTION

The Licensing Section is based in the Environmental Health Unit of Craven District Council at the Council Offices 1 Belle Vue Square, Broughton Road, Skipton, North Yorkshire, BD23 1FJ. It is responsible for all licensing issues relevant to Hackney Carriage and Private Hire vehicles, drivers and operators.

These Rules, Regulations & Procedures for Hackney Carriage and Private Hire Licensing were last amended by Craven District Council's Licensing Committee on the 4th September 2012. This version contains all previous amendments and revisions. All previous versions are no longer valid.

Enquiries regarding taxi licensing should be made to the following

Licensing Manager	01756 706226
Licensing Officer	01756 706343
Licensing Technician	01756 706383

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Guidance Notes **For Applicants and Holders of Hackney Carriage and** **Private Hire Drivers Licences**

Driving Experience & DSA Tests

- 1 Applicants for Hackney Carriage or Private Hire Drivers licences are required to have a **minimum of five years driving experience** as the holder of either a full UK Drivers Licence, Community Driving Licence, European Union Licence or Northern Ireland Licence, and be the holder of a **Driving Standards Agency (DSA) taxi test certificate**. No further DSA test is required until **10 years** has elapsed or a driver has **6 points** on his/her licence.
- 2 Any driver who accrues **6 penalty points** on his/her licence **since** passing the Driving Standards Agency (DSA) test will have his/her drivers licence **suspended with immediate effect on the grounds of public safety**. The licence will be reinstated on production of a new DSA certificate. Exceptional cases will be considered and representations should be made to the Licensing Manager.

DVLA Checks

- 3 Licensed drivers will have their driving licenses checked periodically via the DVLA. All drivers are required to sign a three year mandate to enable the Council to carry out these checks
- 4 **Drivers are required to report penalty points they receive to the Licensing Section within 7 days**. These additional checks with the DVLA will help ensure the licensing section become aware if a driver has 6 penalty points and therefore would need to re-take the Driving Standards Agency (DSA) test in cases where the driver failed to report any convictions.

Application Procedure

- 5 Application forms for these licences can be obtained from the Licensing Office, Council Offices, 1 Belle Vue Square, Broughton Road, Skipton, North Yorkshire, BD23 1FJ
- 6 The completed application forms should be returned **in person** to the Licensing office at the above address, together with the following: -
 - (a) Current Full UK Drivers Licence, Community Driving Licence, European Union Licence or Northern Ireland Licence ,
 - (b) One passport style photograph of applicant,
 - (c) Driving Standards Agency Taxi Test Pass Certificate,
 - (d) Completed Criminal Records Bureau Disclosure form,
 - (e) A full medical certificate in the prescribed form, issued by your own doctor,
 - (f) Appropriate fee

- 7 All applicants will be required to undergo the following tests, a reading and writing test, a multi-choice test on their knowledge of these rules and regulations and relevant parts of the Highway Code and a verbal test on routes to various locations within the district. Applicants for hackney carriage driver's licences will be required to undertake an additional street knowledge test.
- 8 On completion of the application process, the applicant will be informed of the result by letter together with any rights of appeal, should the application fail.
- 9 Applicants failing to meet the required standard in the examination/test will be allowed to re-take the tests no later than three months after the initial test and only the test fee will be charged. Outside that period a new application will be required with full licensing fee.
- 10 **DETAILS OF CONVICTIONS OR CAUTIONS FOR ANY OFFENCE WHETHER DRIVING OFFENCES (INCLUDING FIXED PENALTY NOTICES) OR ANY OTHER OFFENCE MUST BE DECLARED.** Applicants with any of the above may have their applications referred to the Licensing Manager for a final decision.

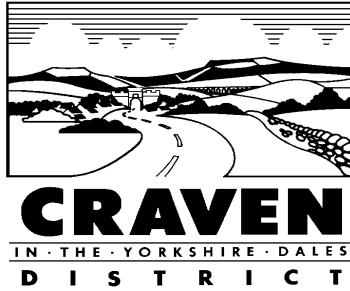
Criminal Records Bureau Checks

- 11 The applicant will be asked to detail, on the application form, any convictions which have been recorded against them.
- 12 By the provision of the Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment)Order 2002, applications by prospective Hackney Carriage and Private Hire Drivers must detail all convictions, as the 'spent' convictions provisions do not apply to these occupations. The subsequent checks to the CRB will serve to confirm the information provided. You must not rely on that check to provide the correct information, as any application which does not supply the complete information at the outset may be considered to be incomplete and a view may be taken that a deliberate attempt has been made to conceal convictions which have not been declared. It is a criminal offence to make a false declaration to obtain a Licence.
- 13 Convictions will not necessarily debar an applicant although, if a conviction is revealed which takes the matter outside the Council's Policy on the Relevance of Convictions, the matter will be referred to the Licensing Sub Committee for a decision before any licence is issued. The convictions will be taken into account and details provided to the Licensing Sub Committee to enable them to consider the matter. All information received will remain confidential and be securely stored only as long as necessary.
- 14 Licence holders will be required to undergo Criminal Records Bureau (CRB) check every 3 years. A CRB form must be completed 3 months prior to the renewal of a licence, to allow an adequate amount of time for the return of the CRB disclosure. Failure to complete and submit the paperwork in time could result in the disclosure not getting back to the Council in time for the renewal of the licence. No licence will be issued until all the required paperwork is returned to the licensing department and all relevant fees paid

Statement of Policy Regarding Relevant Convictions

- 15 When submitting an application for a licence to drive a Hackney Carriage or drive or operate a Private Hire Vehicle, individuals are requested to declare any convictions or cautions they may have. The information given will be treated in confidence and will only be taken into account in relation to the application in question.
- 16 Craven District Council, as a Licensing Authority, is empowered in law to check with the Criminal Records Bureau for the existence and content of any criminal record held in the name of an applicant. Information received will be kept in strict confidence while the application process takes its course and will be retained for no longer than is necessary. The disclosure of a criminal record or other information will not debar any applicant from obtaining a licence unless the Council considers that the conviction renders him or her unsuitable. In making this decision, the Council will consider the nature of the offence, how long ago and at what age it was committed and any other factors which may be relevant.
- 17 Any applicant refused a Licence on the grounds that he/she is not a fit and proper person to hold such a licence has the right of appeal to a Magistrates' Court.
- 18 The effect of any particular conviction on a proposed application may be discussed in confidence with the Licensing Team.
- 19 Each case will be determined on its own merits. However the overriding consideration will be the protection of the public.

IT IS AN OFFENCE FOR A PERSON TO DRIVE A LICENSED HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLE UNLESS THEY ARE IN POSSESSION OF A CURRENT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE. IT IS AN OFFENCE FOR THE PROPRIETOR OF A LICENSED HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLE TO EMPLOY ANY PERSON TO DRIVE SUCH A VEHICLE WHO IS NOT THE HOLDER OF A CURRENT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE. (Note: this also excludes family or friends from driving the vehicle, unless they hold a hackney carriage/private hire driver's licence)



BYELAWS

Made under Section 68 of the Town Police Clauses Act 1847, and Section 171 of the Public Health Act 1875, by the Craven District Council with respect to hackney carriages in Craven District.

Interpretation

1. Throughout these byelaws “the Council” means the Craven District Council and “the district” means Craven District.

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

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

Provisions regulating how hackney carriages are to be furnished or provided:

3. The proprietor of a hackney carriage shall:
 - a) provide sufficient means by which any person in the carriage may communicate with the driver;

- b) cause the roof or covering to be kept water-tight;
 - c) provide any necessary windows and a means of opening and closing not less than one window on each side;
 - d) cause the seats to be properly cushioned or covered;
 - e) cause the floor to be provided with a proper carpet, mat, or other suitable covering;
 - f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
 - h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use;
 - i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
4. The proprietor of a hackney carriage shall cause any taximeter with which the carriage is provided to be so constructed, attached, and maintained as to comply with the following requirements, that is to say:
- a) the taximeter shall be fitted with a key, flag, or other device the operation of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - b) such key, flag, or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
 - c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the byelaw in that behalf;
 - d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;
 - f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments, and determining whether such drivers shall wear any and what badges:

5. The driver of a hackney carriage provided with a taximeter shall:
 - a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;
 - b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;
 - c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness; this being the time between half-an-hour after sunset to half-an-hour before sunrise, and also at any other time at the request of the hirer.

6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.

7. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:
 - a) proceed with reasonable speed to one of the stands fixed by the byelaw in that behalf;
 - b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction;
 - d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.

8. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.

9. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.

10. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.

11. The driver of a hackney carriage when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
12. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
13. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
14. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage:
 - a) convey a reasonable quantity of luggage;
 - b) afford reasonable assistance in loading and unloading;
 - c) afford reasonable assistance in removing it to or from the entrance of any building, station, or place at which he may take up or set down such person.

Provisions fixing the stands of hackney carriages:

15. Each of the several places specified in the following list shall be a stand for such number of hackney carriages as is specified in the list:

Against the kerb adjacent to the Co-operative Store in Swadford Street, Skipton and within the Waller Hill Car Park, Skipton.

Provisions fixing the rates or fares to be paid for hackney carriages within the district, and securing the due publication of such fares:

16. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage, the rate or fare prescribed by the table of fares set by Craven District Council. The rate of fare being calculated by distance unless the hirer express at the commencement of the hiring, his desire to engage by time.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance, the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the table of fares which it may not be possible to record on the face of the taximeter:

Other Charges: Deliberate fouling of a Hackney Carriage by a passenger up to a maximum of £75

The above rates apply to all journeys within Craven District and to journeys over District boundary, unless agreed otherwise, prior to hiring

17. a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the byelaw in that behalf to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages and fixing the charges to be made in respect thereof:

18. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.
19. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:
 - a) carry it as soon as possible and in any event, within 48 hours, if not sooner claimed by or on behalf of its owner, to the office of the Council, and leave it in the custody of the officer in charge of the office on his giving a receipt for it;
 - b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever be the greater) but not more than five pounds.

Penalties

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

The Common Seal of the

Craven District Council was

hereunto affixed this *second*

day of *October* 1986

in the presence of

Robert G Heseltine

Chairman of the Council

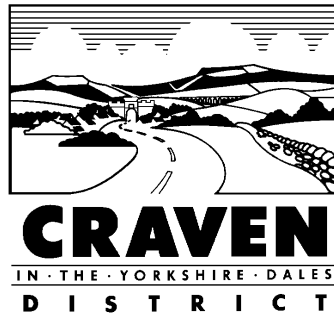
Alan Howell

Clerk of the Council

THE FOREGOING BYELAW IS HEREBY
CONFIRMED BY THE SECRETARY OF
STATE AND SHALL COMMENCE OPERATION
ON THE *1st* DAY OF *December 1986*

H Fawcett 26/11/86

AN ASSISTANT SECRETARY IN THE
DEPARTMENT OF TRANSPORT ON BEHALF
OF THE SECRETARY OF STATE FOR
TRANSPORT



CODE OF CONDUCT FOR

HACKNEY CARRIAGE DRIVERS

- NOTE:**
- (1) Failure to adhere to this Code may result in suspension or revocation of the licence pursuant to Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act, 1976.
 - (2) This Code is equally applicable when the hackney carriage is being used for private hire purposes.

1. Identification of Driver

The licensee shall at all times when working in a licensed Hackney Carriage display in the vehicle the Hackney Carriage Driver's Identity Card (incorporating his photograph) and the words **DSA Approved**, issued by the Council in conjunction with the Hackney Carriage Driver's licence, in such a position that it can easily be seen by the hirer on entering the vehicle.

2. Conduct of Driver

The licensee shall:

- (a) at all times be clean and respectable in his dress and person and behave in a civil and orderly manner
- (b) not without the express consent of the hirer, drink or eat in the vehicle;
- (c) not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle, other than for the purpose of sending or receiving messages in connection with the operation of the vehicle;
- (d) at no time cause or permit the noise emitted by any radio, or other previously mentioned equipment in the vehicle being driven, to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- (e) Take all reasonable steps to ensure the safety of passengers conveyed in, entering, or alighting from the vehicle driven.

- (f) Afford all reasonable assistance with passenger's luggage

3. Contracts for Private Hire

Where a Hackney Carriage vehicle is hired pursuant to a telephone call to a booking office linked by radio to the vehicle, the contract of hire shall be deemed to be made with the person or body operating the booking office, and shall not be set into operation until the hirer has commenced his journey.

4. Use of Taximeter/Table of Fares

The licensee shall ensure the taximeter is reset at the commencement of each fare and displays the correct tariff as set by the Council and shall not wilfully or negligently cause or suffer any taximeter to be concealed from public view while a vehicle is being used for the purpose of public hire.

It is an offence for any hackney carriage driver to charge more than the metered rate for journeys within the Craven District. Any driver found doing this could risk revocation of his/her drivers licence or prosecution. (*Sections 55, 56 and 58 of the Town Police Clauses Act 1847 and section 67 of the Local Government (Miscellaneous Provisions) Act 1976.*) The meter must be set at the point of pick up.

A current table of fares shall be exhibited inside the vehicle in a position which is clearly visible to passengers.

5. Written Receipts

The licensee shall if requested by the hirer provide him with a written receipt for the fare paid.

6. Passengers and Seat Belts

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

The driver of the vehicle is responsible for seat belt wearing by children under 14 years.

It is impracticable to expect the right child seat or booster to be available in a taxi unless carers have brought one with them. Therefore, there is a qualified exception so that if child restraints are not available in a licensed taxi or licensed private hire vehicle.

- under 3s may travel unrestrained but in the rear only;
- those 3 years and above must use an adult belt in the rear seat only.

Remember that a child up to 135cms in a front seat of **ANY** vehicle must use the correct child seat or booster

7. Animals

- (1) The Licensee shall not convey in a hackney carriage any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle.
- (2) The Licensee shall at all times carry guide/hearing/assistance dogs, free of charge, unless he has a proven medical condition that would preclude such action and is in receipt of a Notice of Exemption issued by the authority, in accordance with Section 37 of the Disability Discrimination Act 1995.
- (3) The Licensee has a responsibility to ensure that their company/employee is aware of such a condition when they are first employed.

8. Byelaws and Code of Conduct

The licensee shall at all times comply with the Hackney Carriage Byelaws, the code of conduct and these rules and regulations and shall carry a copy of them in the vehicle and make them available for inspection by the hirer or any other passenger on request.

9. Change of Address

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

10. Convictions or Cautions

The licensee shall within seven days disclose to the Council in writing details of any conviction or caution imposed on him during the period of the licence

11. Health

The licensee shall inform the Licensing Manager without delay about the onset or worsening of any health condition likely to cause him to be a source of danger to the public when driving either now or in the future. Examples are giddiness, fainting, blackouts, epilepsy, strokes, multiple sclerosis, Parkinson's disease, heart disease, angina, 'coronaries', high blood pressure, arthritis, disorder of vision, mental illness, alcoholism, drug-taking, and loss of a limb or use of a limb. THIS LIST DOES NOT INCLUDE ALL THE DISABILITIES THAT MUST BE REPORTED. THESE EXAMPLES ARE GIVEN ONLY TO INDICATE THE TYPES OF DISABILITIES.

Drivers who are in doubt about whether or not their health condition is one which should be reported should consult their doctor

12. Suspension or Revocation of Licence

The breach by the licensee of any provision of this code or the byelaws may be treated by the Council as reasonable cause for the suspension or revocation of the licence under Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act, 1976.

Section 52 of the Road Safety Act 2006 has introduced 2 new sections into Section 61.

Sub-section 2(a) provides that a suspension or revocation will take effect 21 days after the driver has received notification of the decision to suspend or revoke his licence. The day on which he receives notification will be day one.

Sub-section 2(b) provides that if the Council believe that it would be in the interest of public safety to suspend or revoke the licence with immediate effect, it may do so, provided that the usual decision notice given to the driver states that the licence is suspended, or revoked immediately and explains why.

13. Return of Licence

In the event of the suspension, or revocation of a licence, the licensee shall forthwith, upon receiving written notice, return the licence, the Driver's Identity Card and any Badge which may have been issued to him/her to the Licensing office. Any such Card and Badge shall likewise be returned on the expiry of a licence which has not been renewed.

14. Production of Driving Licence and insurance

The licensee shall, within 7 days of receiving written notice requiring him to do so, produce to the Licensing office his/her current DVLA Driving Licence and insurance certificate for inspection

15. Variation of Code

The Council may at any time during the period of the licence or upon renewal thereof vary in its discretion any provision of this code of conduct.



CODE OF CONDUCT FOR

PRIVATE HIRE DRIVERS

1. Identification of Driver

The licensee shall at all times when working as a licensed Private Hire Driver display in the vehicle their Identity Card (incorporating his/her photograph) and the words **DSA Approved**, issued by the Council in conjunction with this licence, in such a position that it can easily be seen by the hirer on entering the vehicle.

2. Conduct of Driver

The driver shall:

- (a) at all times be clean and respectable in his/her dress and person and behave in a civil and orderly manner
- (b) not without the express consent of the hirer drink, or eat in the vehicle.
- (c) at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- (d) not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle
- (e) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him/her.
- (f) afford all reasonable assistance with passengers' luggage.

3. Passengers and Seat Belts

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

The driver of the vehicle is responsible for seat belt wearing by children under 14 years.

It is impracticable to expect the right child seat or booster to be available in a taxi unless carers have brought one with them. Therefore, there is a qualified exception so that if child restraints are not available in a licensed taxi or licensed private hire vehicle.

- under 3s may travel unrestrained but in the rear only;
- those 3 years and above must use an adult belt in the rear seat only.

Remember that a child up to 135cms in a front seat of **ANY** vehicle must use the correct child seat or booster

4. Lost Property

- (a) The driver shall immediately after the termination of any hiring of a private hire vehicle or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left there.
- (b) If any property accidentally left in a private hire vehicle by any person who may have been conveyed therein is found by or handed to the driver it should if reasonably practicable be returned to the owner within 24 hours, or if not practicable, handed in at the nearest police station within 24 hours.

5 Written Receipts

The driver shall if requested by the hirer of a private hire vehicle provide him with a written receipt for the fare paid.

6 Animals

- a) The Licensee shall not convey in a Private Hire vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle.
- b) The Licensee shall at all times carry guide/hearing/assistance dogs, free of charge, unless he has a proven medical condition that would preclude such action and is in receipt of a Notice of Exemption issued by the authority, in accordance with Section 37 of the Disability Discrimination Act 1995.
- c) The Licensee has a responsibility to ensure that their company/employee is aware of such a condition when they are first employed.

7 Prompt Attendance

The driver of a private hire vehicle shall, if he/she is aware that the vehicle has been hired to be in attendance at an appointed time and place or he/she has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at that appointed time and place, unless delayed or prevented by sufficient cause.

8 Deposit of Licence

If the driver is permitted or employed to drive a private hire vehicle of which the proprietor is someone other than himself/herself, he/she shall before commencing to

drive that vehicle deposit his licence with that proprietor for retention by him/her until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of the proprietor.

9 Change of Address

The driver shall notify the Licensing Office in writing of any change of his/her address during the period of the licence within seven days of such change taking place.

10 Convictions and Cautions

The driver shall within seven days disclose to the Licensing Office in writing details of any conviction or caution imposed on him during the period of the licence.

11 Health

The licensee shall inform the Licensing Manager without delay about the onset or worsening of any health condition likely to cause him to be a source of danger to the public when driving either now or in the future. Examples are giddiness, fainting, blackouts, epilepsy, strokes, multiple sclerosis, Parkinson's disease, heart disease, angina, 'coronaries', high blood pressure, arthritis, disorder of vision, mental illness, alcoholism, drug-taking, and loss of a limb or use of a limb. THIS LIST DOES NOT INCLUDE ALL THE DISABILITIES THAT MUST BE REPORTED. THESE EXAMPLES ARE GIVEN ONLY TO INDICATE THE TYPES OF DISABILITIES. Temporary conditions, other than recurrent ones, not expected to last more than three months need not be reported. Drivers who are in doubt about whether or not their health condition is one which should be reported should consult their doctor.

12 Suspension/Revocation

The breach by the licensee of any provision of this code or the byelaws may be treated by the Council as reasonable cause for the suspension or revocation of the licence under Section 61 of the Local Government (Miscellaneous Provisions) Act, 1976.

Section 52 of the Road Safety Act 2006 has introduced 2 new sections into Section 61.

Sub-section 2a provides that a suspension or revocation will take effect 21 days after the driver has received notification of the decision to suspend or revoke his licence. The day on which he receives notification will be day one.

Sub-section 2b provides that if the Council believe that it would be in the interest of public safety to suspend or revoke the licence with immediate effect it may do so provided that the usual decision notice given to the driver states that the licence is suspended or revoked immediately and explains why.

13 Return of Badge

In the event of the suspension, or revocation of a licence, the licensee shall forthwith, upon receiving written notice, return the licence, the Driver's Identity Card and any Badge which may have been issued to him/her to the Licensing office. Any such Card and Badge shall likewise be returned on the expiry of a licence which has not been renewed.

14 Production of Driving Licence & Insurance

The licensee shall, within 7 days of receiving written notice requiring him to do so, produce to the Licensing office his current Driving Licence & insurance certificate for inspection

15 Variation of Code

The Council may at any time during the period of the licence or upon renewal thereof vary in its discretion any provision of this code of conduct

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Guidance Notes for Applicants for Hackney Carriage & Private Hire Vehicle Licences

- 1) Application forms for Hackney Carriage and Private Hire Vehicles Licenses can be obtained from the Licensing Office, Council Offices, 1 Belle Vue Square, Broughton Road, Skipton, North Yorkshire, BD23 1FJ. Completed application forms must be submitted in person to the Licensing Office accompanied by the relevant documentation and licensing fee.
- 2) Vehicles cannot be licensed for both Public Hire (Hackney) and Private Hire.
- 3) Vehicles which are licensed by another local authority will not be licensed by this (Craven District Council) authority
- 4) **An applicant who is not already a licensed driver with this authority will be subject to a Criminal Records Bureau Disclosure and must sign a statutory declaration of any convictions.**
- 5) You must declare all criminal offences, convictions and cautions, even if you consider them to be spent or write the word 'NONE' on the application form. When completing the application form, continue on an additional information sheet if necessary
- 6) Applicants must also declare all valid endorsements which appear on their Driver's Licence.
- 7) **Declaration of Spent and Unspent Convictions** By the provision of the Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment) Order 2002, applications by prospective Hackney Carriage and Private Hire Drivers must detail all convictions, as **the 'spent' convictions provisions do not apply to these occupations.** The subsequent checks to the CRB will serve to confirm the information provided. You must not rely on that check to provide the correct information, as any application which does not supply the complete information at the outset may be considered to be incomplete and a view may be taken that a deliberate attempt has been made to conceal convictions which have not been declared. It is a criminal offence to make a false declaration to obtain a Licence.

- 8) Convictions will not necessarily debar an applicant although, if a conviction is revealed which takes the matter outside the Council's Policy on the Relevance of Convictions, the matter will be referred to the Licensing Sub Committee for a decision before any licence is issued. The convictions will be taken into account and details provided to the Licensing Sub Committee to enable them to consider the matter. All information received will remain confidential and be securely stored only as long as necessary.

Age of Vehicles

- 9) Vehicles for which Hackney Carriage/Private Hire licences are applied for must be under 5 years of age from date of first registration and on attaining 10 years of age from date of first registration, will cease to be licensed by this authority and will no longer be able to function as licensed Hackney Carriages/Private Hire vehicles within the Craven District.
- 10) Private Hire vehicles licensed for school contracts only may be licensed until they reach 10 years of age.
- 11) Exceptions to the 10 years age limit may be made in the case of certain vehicles, i.e. purpose built taxis e.g. London Black Cab or limousines such as Rolls Royce, Bentley etc. Applications for such exceptions must be made in writing to the Licensing Officer.

Vehicle testing

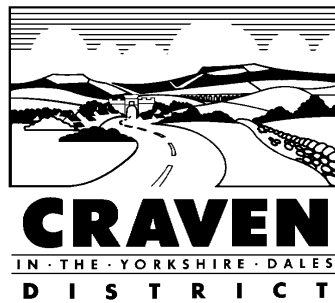
- 12) Before a vehicle will be licensed by the authority it must undergo and pass a vehicle examination/test arranged by the Licensing Department at the authority's nominated testing station, Midgley Motors Airedale Business Centre, Skipton, BD23 2TZ. The vehicle must also have a current M.O.T. test certificate. This applies in the case of Hackney Carriage vehicle applications to vehicles over 12 months old and Private Hire vehicle applications to vehicles over 3 years old. The M.O.T. test can be carried out at the authority testing station, Engine Shed Lane if required.
- 13) When a car already licensed by this authority reaches **6 years of age** it will be required to pass an authority vehicle examination test every **6 months** and will only be issued with a 6 month plate, until it reaches the **10 year age limit**.

Private hire operators

- 14) Applicants for private hire vehicle licences must obtain a private hire operator's licence or demonstrate that they are working under another person's operator's licence. (Note The operator must demonstrate that the operating premises has planning consent from the authority's Planning Department, before they can be issued with an operator's licence)

Documentation

- 15) When submitting applications for Hackney Carriage/Private Hire vehicle licenses, the application should be accompanied by the following documentation: -
- a) Registration document in name of applicant
 - b) Current M.O.T. certificate (if applicable)
 - c) Current certificate of insurance. (Photocopies and faxes not acceptable)
 - d) Authority test certificate
 - e) Appropriate fee
- 16) **Insurance policies** – the minimum accepted cover is for six months if it is a new certificate. If a valid insurance certificate is not produced at the time of licence renewal, or when requested by the Licensing Section, the vehicle licence will be immediately suspended to ensure public safety



LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

HACKNEY CARRIAGE VEHICLE LICENCE

CONDITIONS OF LICENCE

1. Maintenance of Vehicle

The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements, including those contained in The Road Vehicles (Construction & Use) Regulations 1986 (as amended) shall be fully complied with.

2. Taximeter

The taximeter provided in the vehicle must be tested, approved and sealed by the Council and must display only the tariff or tariffs to be charged at the relevant time as contained in the table of fares fixed by the Craven District Council.

3. Access for Passengers

Access to all passenger seats must be unimpeded. Clear access and egress to all passenger seats must be provided, without the need to tip forward, fold or remove seats.

4. Alteration of Vehicle

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

5. Safety Equipment

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

6. Interior Markings

The proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position as to be visible at all times to passengers conveyed therein, the licence number and the number of passengers prescribed in the licence.

7. Display of Licence Plates and Doors Signs

The licence plate provided by the Council shall be affixed by permanent means to the outside rear of the vehicle, either immediately above or below the bumper without obstructing the registration plate.

Door signs provided by the Council shall be displayed on the front doors of the vehicle, showing the licence number of the vehicle, the Council logo and the words Hackney Carriage.

The licence plate and door signs are the property of the Council, to whom they must be returned within seven days if the licence is suspended, revoked or not renewed for any reason.

8. Signs Notices etc

No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provision (including byelaws) or required or permitted by these conditions, provided however, that this condition shall not apply:

- (1) to any indication on a taxi meter fitted to the vehicle, or
- (2) to a properly constructed roof sign complying with the following conditions:
 - (a) the sign is not more than 7” in height;
 - (b) it is displayed across the width of the car (not diagonally) and does not extend beyond the edge of the roof;
 - (c) it displays only the name and/or telephone number of the proprietor of the vehicle or firm by which the proprietor is employed, or the word ‘Taxi’ or
- (3) to a sign which:
 - (a) is displayed in, on or from the vehicle while it is stationary;

- (b) contains no words or numbers other than the name and address of an operator of the vehicle or the name under which he carries on this business and its address and, in either case, the name of a passenger or passengers to be carried in the vehicle; and
 - (c) is displayed in pursuance of a prior arrangement made for the carriage of a passenger or passengers named in the sign.
- (4) to advertisements, which are not of a political, racial, sexual or offensive nature, may be displayed on either or both of the front passenger or driver's doors. The final decision on the suitability of such advertisements lies with the Licensing Manager.

There should be no DVD or Video systems operated in the vehicle for the entertainment of passengers or the driver. If these are fitted as standard they must be disconnected (this is to ensure there is no distraction for the driver and to avoid the risk of unsuitable DVDs or videos being shown).

9. Convictions and Cautions

The proprietor shall within seven days disclose to the Licensing Office in writing details of any conviction or caution imposed on him (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.

10 Hackney Carriage Stands

The stands prescribed in the byelaws have been extended and now include the following list

- Swadford Street (south side) within the marked area from the existing zig zag pedestrian crossing restrictions to the west end of the Co-operative store.
- Swadford Street (north side) within the marked area from the end of the existing zig zag pedestrian crossing restrictions west for a distance of 29 metres (11pm – 4am)
- Sackville Street (South) from a point 32.5 metres from the east side entrance of Bowers Wharf south eastwards for a distance of 11.0 metres.
- Within the marked area at Hall Street Car Park, Crosshills

11 Council Bus Station and Car Parks

Hackney Carriages shall not be permitted to stand or ply for hire or be available for hire in or from any car park or bus station owned by or under the control of the Craven District Council. Provided that nothing in this condition shall:

- (a) preclude the vehicle from being parked in a car park when the vehicle is not available for hire;

- (b) preclude the vehicle from standing or plying for hire or being available for hire from any hackney carriage stand appointed by the Craven District Council and situated on a car park or bus station;
- (c) preclude the vehicle from stopping at a stopping place as defined by Section 137 of the Transport Act, 1985 when being used to provide a local service under the provisions of Sections 2 and 12 of the Transport Act, 1985;
- (d) preclude the vehicle from operating on a shared hire car service financially supported by a local authority.
- (e) preclude the vehicle from standing or plying for hire or being available for hire in Skipton Bus Station or in the Waller Hill Car Park, Skipton during such hours (if any) as are shown on notices displayed by the Council at those locations from time to time.
- (f) Hackney carriage vehicles should not cause an obstruction in Craven District Council Car Parks. If the rank is full the driver must proceed to another rank immediately.
- (g) The number of vehicles stationed at any rank must not exceed the number permitted.

12 Change of Vehicle Owner

If a proprietor transfers his/her interest in a vehicle to somebody else he/she must immediately give notice of the transfer in writing to the licensing section, giving the name and address of the transferee. In no circumstances may the vehicle be used by the new owner until a new licence has been issued to that person and all documentation completed and any necessary fee paid. (Local Government (Miscellaneous Provisions) Act 1976, s 49)

13 Accidents

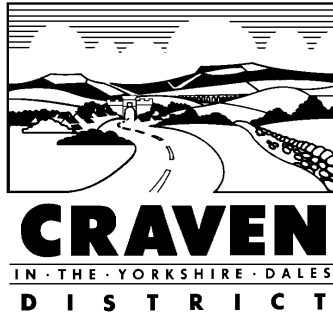
If the vehicle is involved in an accident it must be reported to the licensing authority and an accident form completed within 72 hours. Replacement vehicles will have the original plate transferred to them. When the original vehicle has been repaired and tested the plate will be transferred back to it.

14. Tinted glass

All vehicles licensed shall comply with the Road Vehicles (Construction & Use) Regulations 1986 in relation to tinted windows.

The front windscreen of the vehicle shall allow the transmission of at least 75% of light.

All other windows of the vehicle shall allow the transmission of at least 70% of light



LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

PRIVATE HIRE VEHICLE LICENCE

CONDITIONS OF LICENCE

1. Maintenance of Vehicle

The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in The Road Vehicles (Construction & Use) Regulations 1986 (as amended) shall be fully complied with.

2. Alteration of Vehicle

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

3. Identification Plate

The plate identifying the vehicle as a private hire vehicle and required to be exhibited on the vehicle pursuant to section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976 shall be securely fixed to the rear of the vehicle in a conspicuous position and in such manner as to be easily removable by an authorised officer of the Council or a constable.

4. Interior Markings

The proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position as to be visible at all times to persons conveyed therein the licence number and the number of passengers prescribed in the licence.

5. Access for Passengers

Access to all passenger seats must be unimpeded. Clear access and egress to all passenger seats must be provided, without the need to tip forward, fold or remove seats.

6. Safety Equipment

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

7. Signs, Notices etc

- (1) No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provision (including byelaws) or required or permitted by these conditions, provided however that this condition shall not apply to a sign which:
 - (a) is displayed in on or from the vehicle while it is stationary;
 - (b) contains no words or numbers other than the name and address of an operator of the vehicle or the name under which he carries on his business and its address and, in either case, the name of a passenger or passengers to be carried in the vehicle; and
 - (c) is displayed in pursuance of a prior arrangement made for the carriage of a passenger or passengers named in the sign.
- (2) The proprietor shall cause to be affixed and maintained in the vehicle in a conspicuous position in accordance with the directions of the Council any sign or notice relating to private hire vehicles which the Council may from time to time require.
- (3) There may be displayed within the vehicle for the information of passengers a table of fares in a form and printing previously submitted to and approved by the Council.

- (4) Advertisements, which are not of a political, racial, sexual or offensive nature, may be displayed on either or both of the front passenger or driver's doors. The final decision on the suitability of such advertisements lies with the Licensing Manager.
- (5) Roof signs are not permitted on private hire vehicles

8 Change of Address

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

9 Convictions and Cautions

The proprietor shall within seven days disclose to the Council in writing details of any conviction or caution imposed on him/her, or if the proprietor is a company or partnership, on any of the directors or partners, during the period of the licence.

10 Deposit of Drivers' Licences

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

11 School Contract Conditions

These vehicles shall not be used as a private hire vehicle other than in the course of transporting children to and from school under the terms of a private hire contract between the operator of the vehicle and North Yorkshire County Council.

12 Accidents

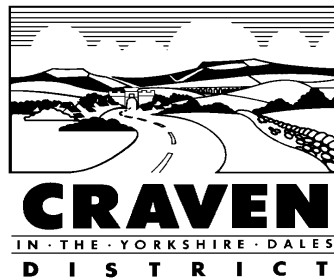
If the vehicle is involved in an accident it must be reported to the licensing authority and an accident form completed within 72 hours. Replacement vehicles will have the original plate transferred to them. When the original vehicle has been repaired and tested the plate will be transferred back to it.

13 Tinted Glass

All vehicles licensed shall comply with the Road Vehicles (Construction & Use) Regulations 1986 in relation to tinted windows.

The front windscreen of the vehicle shall allow the transmission of at least 75% of light.

All other windows of the vehicle shall allow the transmission of at least 70% of light



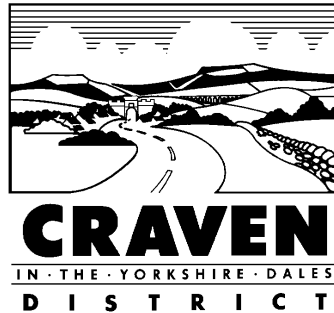
Guidance Notes for Applicants for Private Hire Operators Licences

- 1 Application forms for operators' licences can be obtained from the Licensing Office, Council Offices, 1 Belle Vue Square, Broughton Road, Skipton, North Yorkshire, BD23 1FJ. Completed application forms must be submitted to the Licensing Office at this address accompanied by planning permission and licensing fee.
- 2 An applicant who intends to operate private hire vehicles from premises must obtain planning permission before any licence can be issued.
- 3 An applicant wishing to operate a private hire vehicle from domestic premises will require planning permission from the authority's Planning Department before undertaking such an activity and before any licence can be issued.
- 4 Applicants for private hire operators' licences cannot use the same (or similar) name as any private hire firm currently operating within the district or any name previously used within the district and registered by the operator at Companies House.
- 5 An applicant who is not already a licensed driver with this authority will be subject to a Criminal Records Bureau Disclosure.

Declaration of Spent and Unspent Convictions

- 6 By the provision of the Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment)Order 2002, applications by prospective Hackney Carriage and Private Hire Drivers must detail all convictions, as the 'spent' convictions provisions do not apply to these occupations. The subsequent checks to the CRB will serve to confirm the information provided. You must not rely on that check to provide the correct information, as any application which does not supply the complete information at the outset may be considered to be incomplete and a view may be taken that a deliberate attempt has been made to conceal convictions which have not been declared. It is a criminal offence to make a false declaration to obtain a Licence.

- 7 Convictions will not necessarily debar an applicant although, if a conviction is revealed which takes the matter outside the Council's Policy on the Relevance of Convictions, the matter will be referred to the Licensing Sub Committee for a decision before any licence is issued. The convictions will be taken into account and details provided to the Licensing Sub Committee to enable them to consider the matter. All information received will remain confidential and be securely stored only as long as necessary.
- 8 You must declare all criminal offences, convictions and cautions, even if you consider them to be spent or write the word 'NONE' on the application form. When completing the application form, continue on an additional information sheet if necessary.
- 9 Applicants must also declare all valid endorsements which appear on their Driver's Licence.



LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

PRIVATE HIRE OPERATORS' LICENCE

CONDITIONS OF LICENCE

1. Records

- (1) The record required to be kept by the operator under Section 56(2) of the Local Government (Miscellaneous Provisions) Act 1976 shall be kept in a suitable book, the pages of which are numbered consecutively and the operator shall enter or cause to be entered therein, before the commencement of each journey, the following particulars of every booking of a private hire vehicle invited or accepted by him:-
- (a) The time and date of the booking.
 - (b) The name and address of the hirer.
 - (c) How the booking was made (i.e. by telephone, personal call etc.).
 - (d) The time of pick-up.
 - (e) The point of pick-up.
 - (f) The destination.
 - (g) The time at which a driver was allocated to the booking.
 - (h) The registration number of the vehicle allocated for the booking.
 - (i) Remarks (including details of any sub-contract).
- (2) The operator shall also keep records of the particulars of all private hire vehicles operated by him. These particulars shall include details of the owners, registration numbers and drivers of such vehicles, together with any radio call sign used.

- (3) All records kept by the operator shall be preserved for a period of not less than six months following the date of the last entry.

2. Standard of Service

The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular:-

- (a) Ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place.
- (b) Keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting.
- (c) Ensure that any waiting area provided by the operator has adequate seating facilities.
- (d) Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.

3. Change of Address

The operator shall notify the Council in writing of any change of his address (including any address from which he operates or otherwise conducts his business as an operator) during the period of the licence within seven days of such change taking place.

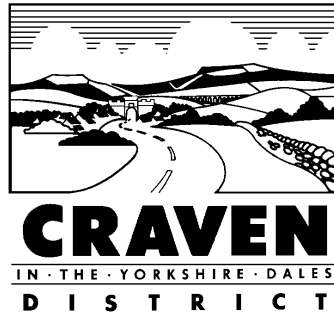
4. Convictions and Cautions

The operator shall within seven days disclose to the Council in writing details of any conviction or caution imposed on him (or if the operator is a company or partnership, on any of the directors or partners) during the period of the licence.

5. School Contract Conditions:

This licence permits the operator to operate school contract vehicles over the age of 8 years and up to 10 years as private hire vehicles for transporting children to and from school under the terms of a private hire contract with North Yorkshire County Council. The operator shall produce to the licensing authority within 48 hours of being asked to do so, such documentary evidence of the contract as shall be requested.

10



Smoking Ban

In accordance with smoke free legislation which came into force on the 1st July 2007

- 1) Smoking is not permitted within the booking office and waiting room
- 2) It is illegal for drivers or passengers to smoke in any Hackney Carriage or Private Hire Vehicle at any time.
- 3) A no smoking sign shall be displayed in a prominent position in all vehicles, booking offices and waiting rooms.