

# Public Document Pack

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A meeting of **General Licensing Committee** will be held virtually on **Wednesday 10 February 2021 at 9.30 am**

MEMBERS: Mr G McAra (Chairman), Mr A Moss (Vice-Chairman), Mrs T Bangert, Mr J Elliott, Mr G Evans, Mr K Hughes, Mr C Page, Mr H Potter, Mr A Sutton and Mrs S Taylor

## AGENDA

1 **Chairman's Announcements**

Any apologies for absence that have been received will be noted at this point.

2 **Minutes** (Pages 1 - 5)

To approve as a correct record the minutes of the General Licensing Committee meeting held on 12 February 2020.

3 **Urgent Items**

Chairman to announce any urgent items which due to special circumstances are to be dealt with under agenda item 7b.

4 **Declarations of Interests**

Details of members' personal interests arising from their membership of parish councils or West Sussex County Council or from their being Chichester District Council or West Sussex County Council appointees to outside organisations or members of outside bodies or from being employees of such organisations or bodies.

Such interests are hereby disclosed by each member in respect of agenda items where the Council or outside body concerned has been consulted in respect of that particular item or application.

Declarations of disclosable pecuniary interests, personal interests and prejudicial interests are to be made by members of the Committee in respect of matters on the agenda or this meeting.

5 **Public Question Time**

Questions submitted by members of the public in writing by noon on the previous working day (for a period of up to 15 minutes).

6 **Review of the Council's Hackney Carriage (Taxi) and Private Hire Licensing Policy and Conditions** (Pages 7 - 130)

The Committee is requested to:

- Consider, approve and adopt for immediate use the proposed revised Convictions Policy as shown at Appendix E of Appendix 1.

- Consider and approve for consultation the proposed revised Policy and Conditions as shown at Appendix 1 together with supporting appendices.

7 **Consideration of any late items as follows:**

- (a) Items added to the agenda papers and made available for public inspection;
- (b) Items which the chairman has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting.

8 **Exclusion of the press and public**

There are no restricted items for consideration by the General Licensing Committee at this meeting.

NOTES

1. The press and public may be excluded from the meeting during any item of business whenever it is likely that there would be disclosure of exempt information as defined in section 100I of and Schedule 12A to the Local Government Act 1972
2. The press and public may view the agenda papers on Chichester District Council's website at [Chichester District Council - Minutes, agendas and reports.](#)
3. This meeting will be audio recorded and the recording will be retained in accordance with the council's information and data policies. If a member of the public makes a representation to the meeting they will be deemed to have consented to being audio recorded. By entering the committee room they are also consenting to being audio recorded. If members of the public have any queries regarding the audio recording of this meeting please liaise with the contact for this meeting detailed on the front of this agenda.
4. Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of their intentions before the meeting starts. The use of mobile devices for access to social media is permitted, but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided.



Minutes of the meeting of the **General Licensing Committee** held in Committee Room 2 - East Pallant House on Wednesday 12 February 2020 at 9.35 am

**Members Present:** Mr G McAra (Chairman), Mr A Moss (Vice-Chairman), Mr J Elliott, Mr K Hughes, Mr C Page, Mr H Potter, Mr A Sutton and Mrs S Taylor

**Members not present:** Mrs T Bangert and Mr G Evans

**In attendance by invitation:**

**Officers present:** Mr N Bennett (Divisional Manager for Democratic Services), Miss H Giudici (Licensing Assistant (Technical)), Mr T Horne (Principal Environmental Health Officer), Miss S Hurr (Democratic Services Officer), Mr D Knowles-Ley (Licensing Officer), Mr R Walling (Senior Environmental Health Officer) and Ms G Di Lauro (Litigation and Licensing Lawyer)

## 25 **Chairman's Announcements**

Apologies were received from Mr G Evans and Mrs T Bangert.

## 26 **Minutes**

That the minutes of the meeting held on 27 February 2019 be approved and signed by the Chairman as a correct record.

## 27 **Urgent Items**

There were no urgent items.

## 28 **Declarations of Interests**

Mr Moss declared a personal interest in respect of agenda item 6 as his niece earned an income from dog walking.

## 29 **Public Question Time**

There were no public questions.

## 30 **Revised Fees and Charges 2020 for the Animal Welfare Licensing Regime**

The Chairman explained that in recent years a number of licensing policies had been adopted, some of the policies were now due for renewal and there were two such policies on the agenda today.

Mr Horne introduced the report and summarised the key points.

The Chairman explained the Environmental Health Team exercise considerable control over the breeding of animals within the district, and were very professional in how matters were dealt with, including the keeping of exotic pets which often presented a challenge.

Members sought clarification in relation to the length of time of a license was in existence for and if the enforcement element was based on historical enforcement actions. Mr Horne confirmed that under the previous provision, licence ran for one year with the exception of dangerous wild animals which ran for two years. Licenses now run for one, two or three years depending on risk rating. Dangerous Wild Animals licenses still run for two years, and Keeping or Training Animals for Exhibition licence runs for three years. With regards to enforcement actions, that had been calculated in terms of the new regulatory regime, and noted that enforcement under the previous scheme was not considered to be as much of a priority as now.

Members sought further clarification regarding livery yards, including those which provided the facilities for owners taking partial or full-time care of their horses, if they were included under 'Franchise Animal Boarding', and if they were required to have a licence. Mr Horne confirmed that such establishments were not licensable under the animal licensing regime. Members queried if they were required to have veterinarian inspection, and if the licensing regime covered the hire of animals for riding. Mr Horne explained that arrangements of this type were private contractual arrangements, but were not outside the animal welfare law and therefore if complaints were made, they would require investigation.

Members sought further clarification regarding commercial dog walking and whether a licence was required. Mr Horne confirmed that dog walking was not under the regulations, which only relate to the boarding of animals (cats and dogs).

Members sought further clarification with regards to licensing for commercial zoological establishments. Mr Horne advised that this was outside the topic under discussion, but the Authority issued zoo Licenses and suggested this item was included for a future meeting of the committee.

Members sought further clarification in relation to the various categories of licence type and whether a more detailed explanation was provided. Mr Walling confirmed that there were more precise guidance for each of the categories which explained when an enterprise was in or out of scope for the requirement of a licence, but the general rule was whether a commercial element existed. Mr Walling added that in relation to new dog breeding establishments, this referred to those that were 'new' and therefore had not previously been licenced. An initial inspection for this for licence was carried out with a qualified veterinarian present, and thereafter the inspection may be repeated on an annual, two or three yearly basis. Mr Walling

also explained that there were a number of dog boarding businesses within the district which were of a high standard.

Members sought further clarification in regards to licensing animals used for exhibition. Mr Walling confirmed this related technically to keeping or training animals for exhibition, such as for displays or educational purposes and gave the examples of a sheep dog used for herding geese, and horses used in displays at country shows.

Members sought further clarification regarding whether 'Rescue Centres' were required to be licensed and if inspections took place under the regulations. Mr Walling confirmed that technically the rescue of animals was not 'boarding'. There had been some debate on this matter, particularly as rehoming often involved a 'donation' which could be considered as selling animals similar to a pet shop and therefore could fall under the licensing regime but currently does not. Rescue Centres were not inspected under the regulations, but if the Authority received a complaint under the Animal Welfare Act, the Licensing Team would work with the Royal Society for the Prevention of Cruelty to Animals (RSPCA) on such matters.

Members further queried the size of the increase in the fees which appeared to be around 20% to 30%. Mr Horne confirmed that on first introduction of the fees, the figures were estimated and now more accurate figures could be applied with regards to the costs, as the service was required to be self-sustaining.

The Chairman sought information regarding the Environmental Health team's activities in relation to wild animals within the district. Mr Walling confirmed that there were three licenced premises, two wild boar establishments operating as farms and a private collection of lemurs and primates.

Members sought further clarification regarding if an establishment provided both dog boarding and dog day care whether two licence would be required. Mr Walling advised that in such a situation as the activities were so similar a distinction would not be drawn, and therefore currently one licence is permissible for both services.

### **Resolved**

That the Committee approves the new fees and charges for 2020/2021 (from April to March).

Members discussed that this report had previously been presented at Cabinet and referred to the Committee, but this could have posed an issue if the Committee had not approved the report or rejected or changed the recommendation, as it would have then been necessary to return this to Cabinet. This matter will be considered by officers and appropriate arrangements made to ensure in future, it is brought to the Committee prior to being presented at Cabinet.

### **31 The Council's proposed revised House to House Collection Policy**

Mr Knowles-Ley introduced the report and summarised the key points.

Members sought clarification regarding charitable collections and commercial collections, such as a modern equivalent of a 'Rag & Bone Man'. Mr Knowles-Ley responded this would not include the sale of items over a social media platform which was considered as a sales transaction, but if doorstep collections were for charities, that was when this licensing regime was implemented. The definition of a charity is one which is registered with the Charities Commission and charitable organisations would not have charitable status, but if it could be demonstrated that a collection was for charitable purposes, the Authority would support the organisation in obtaining a licence.

Members commented upon the collections carried out by The Lions Christmas collections using a mock sleigh and santa, and that the extended 21 day period in December would aid this activity, which achieved significant fund-raising for the organisation. Mr Knowles-Ley explained that there were a number of national charities (currently 47) which held a national exemption order and were just required to notify the local Authority of the impending activities in relation to collections. Mr Knowles-Ley further explained that last year the Authority received eight applications and cited examples of these organisations which included Christian Aid, The Air Ambulance Service, Scope, The Fisherman's Mission and The Royal British Legion (Poppy Appeal).

Members queried if there had been any requirement with regards to enforcement. Mr Knowles-Ley responded that they had been notified by a homeowner that a number of bags had been dropped, contact had been made with the entity purporting to be collecting for the charity and they had demonstrated that they had a contract with the charity, but officers had been able to establish that this collection should not have been made within Chichester District.

Members sought clarification regarding the clothes aid franchises, which collected bags on behalf of charities and were paid to do so, and whether all organisations were treated similarly including those collections for which 100% of the funds raised was received by a charity. Mr Knowles-Ley responded that when people donated items to a charity they preferred that all the funds raised are received by the charity, but it was lawful to collect for charities as a business. There has been a reduction in those enterprises from which charities were receiving only 20%. When an application was received there was a requirement to explain what the intentions were and following the collection there was a form to complete with a statement of accounts, including what it had cost to undertake the collection, and how much had been received for the items sold. Those calculations were checked by officers and recorded on a database, this was reviewed to ensure that percentages initially given were achieved and those that fell short were informed. The Authority's preference was for a minimum of 70% of the funds raised received by the charity; however, Mr Knowles-Ley explained that this was not a legal requirement specified in the House to House Collection Act 1939. The Act only requires that the total amount for charitable purposes is adequate in proportion to the value of the proceeds likely to be received.

**Resolved**

That the Committee approves the revised policy (which was generally revised every five years, if earlier if required).

The Chairman closed the meeting and advised that the agenda had been lighter but there were a number of challenging policies forthcoming for future meetings, and thanked Members for attending.

32 **Consideration of any late items as follows:**

33 **Exclusion of the press and public**

There was no requirement to exclude the press and public at this meeting.

The meeting ended at 10.10 am

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CHAIRMAN

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Date:

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## Chichester District Council

### General Licensing Committee 10<sup>th</sup> February 2021

#### Review of the Council's Hackney Carriage (Taxi) and Private Hire Licensing Policy and Conditions

#### 1. Contacts

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#### 2. Executive Summary

A comprehensive review has been conducted of all current Hackney Carriage (Taxi) and Private Hire Licensing Policies, together with the Conditions associated with the Licensing of Drivers, Vehicles, and Operators. A proposed revised Policy has been produced which incorporates the latest National and local requirements, and this requires approval ahead of consultation with relevant parties.

#### 3. Recommendations

- 3.1 **That Members consider, approve and adopt for immediate use the proposed revised Convictions Policy as shown at Appendix E of Appendix 1.**
- 3.2 **That Members consider and approve for consultation the proposed revised Policy and Conditions as shown at Appendix 1 together with supporting appendices.**

#### 4. Background

- 4.1 The existing Policy and Conditions were formulated and adopted by the General Licensing Committee in 2012. It is essential that the Council continues to have a robust, fair, and clear Taxi and Private Hire Licensing framework that is fit for purpose. The Policy and Conditions must adequately consider and deal with any emerging issues and, ultimately, must meet the overriding objective of public safety. Therefore it has been necessary to conduct this comprehensive review.
- 4.2 The Licensing Conditions attached to the existing Policy are appended to the proposed revised Policy. In general, these have worked well in promoting public safety and maintaining standards, however these will subsequently need to be reviewed in light of any policy changes that are approved.

- 4.3 In July 2020, the Department for Transport (DfT) published the document entitled '*Statutory Taxi & Private Hire Vehicle Standards*' under section 177(1) of the Policing and Crime Act 2017. The focus of these Standards is on protecting children and vulnerable adults from harm, however naturally all passengers will benefit from any changes made as a result of the implementation of the Standards. The document sets out a framework of policies which Licensing Authorities must have regard to when exercising their functions. The DfT expects all recommendations within the Standards to be implemented unless there is a compelling local reason to not do so.
- 4.4 In April 2018, the Institute of Licensing (IoL) in partnership with Lawyers in Local Government (LLG), The National Association of Licensing and Enforcement Officers (NALEO), and the Local Government Association (LGA) published the document entitled '*Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades*'. This document contains specific guidance on the determination of an application in terms of whether an individual or company is, or remains, 'Fit and Proper'.
- 4.5 On the 19<sup>th</sup> January 2021 the Council adopted a Climate Emergency Detailed Action Plan: This contains the target of an annual 10% reduction in greenhouse gas emissions for the Chichester District from 2019 until 2025, this equating to a total 47% reduction in that time period. Therefore it is crucial that the local Taxi and Private Hire Licensing Policy and Conditions seek to support and deliver this commitment.

## **5. Outcomes to be achieved**

- 5.1 The revised Policy and Conditions shown at Appendix 1 will ensure that not only do we comply with the DfT National Standards and best practice, which in turn promotes public safety, but will also assist the Council in delivering its recent commitment to reduce greenhouse gas emissions.

## **6. Proposal**

- 6.1 The current Policy consists of six separate documents;

1. Driver & Vehicle General Policy
2. Private Hire Driver Policy
3. Private Hire Vehicle Policy
4. Private Hire Operator Policy
5. Hackney Carriage Vehicle Policy, and
6. Hackney Carriage Driver Policy

The above Policies are supported by a separate Convictions Policy and other associated documents. This format makes the current Policy difficult to navigate and understand, and on occasion can lead to misunderstandings where information appears contradictory or misleading. Therefore, the proposal is to have one clear document which contains specific sections relevant to all areas of Taxi and Private Hire Licensing, along with a number of supporting appendices.

- 6.2 In formulating the proposed revised Policy and supporting appendices, officers have considered the content of the DfT Standards, incorporating any new requirements. These new requirements extend to all aspects of Taxi and Private Hire Licensing including vehicles, drivers and operators.

- 6.3 The revised Policy also contains changes proposed by officers who have practical experience in administering and enforcing the current Taxi and Private Hire Licensing regimes. These changes are aimed at not only promoting public safety, but also to provide clarity in terms of the application processes. The new Policy also has elements within it which acknowledge HM Government's proposed *Green Industrial Revolution* (November 2020).
- 6.4 In order to assist Members in navigating the proposals within the new Policy, the following are some of the key changes:

#### *Drivers*

- Licence Holders must have an Enhanced Disclosure and Barring Service (DBS) Criminal Record check completed at a minimum of every six months (presently every three years). The current cost of subscription to the DBS update service is £13 per year, and making this a requirement will enable all necessary checks to be conducted with an overall reduced cost to the Licence Holder. **(Section 10 of the Policy)**
- Applicants and licence holders must undertake Child Sexual Abuse and Exploitation (CSAE) classroom-based training with an approved provider, together with subsequent refresher courses. New Applicants will be required to prove their command of the English Language through an oral extension to the current Knowledge Test. **(Section 10 of the Policy)**
- Applicants who have criminal and/or motoring conviction(s) will have their conviction history assessed against the express requirements within the proposed Convictions Policy. Where the relevant time period has not passed in relation to an offence, or the policy is such that a licence will not be issued, the application will be refused. With respect to existing licence holders, they too will have their situation considered against the new Convictions Policy, with each case being considered on its merits, and deviation from the Policy only occurring when there are exceptional, clear, and compelling reasons to do so, those reasons being recorded. **(Sections 6, 10 and 15 of the Policy)**
- Applicants and licence holders must be checked against the National Register of Taxi and Private Hire Licence Revocations and Refusals (NR3). Any person who is refused or has had a licence revoked is placed on the database. Where an applicant or licence holder is found to be on the register, enquiries will be made with the relevant Licensing Authority which made the revocation or refusal. **(Section 8 of the Policy)**
- Whilst the proposed new Convictions Policy is largely the adoption of the requirements of the DfT Standards, it was felt necessary to confirm that a major traffic or vehicle-related offence includes the disqualification or revocation of a driver's DVLA entitlement to drive. **(Section 3.18 of the Convictions Policy)**

#### *Vehicles*

- An increase from three to five working days in the permitted time between an MOT Test and Fitness Test. Given the significant increase in the number of licensed vehicles in recent years, on occasion it has proved difficult for Chichester Contract Services (CCS) to accommodate bookings. The increase will not be detrimental to public safety, but will ease the pressure on CCS and applicants/licence holders. **(Section 21.3 of the Policy)**

- Currently, brand new vehicles are not subject to a Fitness Test conducted by CCS. As part of the Fitness Test, a vehicle is checked to ensure that all our Licensing requirements are fully met e.g. seating configuration is acceptable, visually it is in an acceptable state of repair, any installed meter is calibrated and functioning correctly, and that safety equipment and signage is present. New vehicles will be required to pass a Fitness Test. **(Section 21.3 of the Policy)**
- Licensed vehicles cover significant mileage (many upwards of 60,000 miles per year), but currently vehicles are only tested (MOT and Fitness Tests) annually until the age of five years, only then this reducing to every six months. The proposal is to require six-monthly testing for all vehicles from three years old. **(Section 21.3 of the Policy)**
- Applicants and licence holders are required to provide checks of their criminal conviction status. If not already separately providing an Enhanced DBS Certificate in relation to being a Licensed Driver, now a Basic DBS Certificate which is no more than 3 months old is required to be provided. **(Section 19 of the Policy)**
- Currently, vehicles proposed for licensing must either be compliant with the Euro IV emissions standard or have been previously licensed. The proposal is to require that vehicles the subject of a new vehicle licence application (irrespective of whether or not previously licensed) must comply with the current or immediately preceding Euro emissions standard (or any subsequent standard replacing it) and will only be licensed up to a maximum of ten years from date of first registration. Existing licensed vehicles will benefit from a five year transitional period which will allow licence holders time to prepare to replace their vehicle(s). **(Section 20 of the Policy)**

#### Operators

- Applicants and licence holders will be required to provide checks of their criminal conviction status. If not already separately providing an Enhanced DBS Certificate in relation to being a Licensed Driver, now a Basic DBS Certificate, which is no more than 3 months old, is required to be provided. For Operators which are Limited Companies or Partnerships, such Certification must be provided for every Director or Partner of the Company or Partnership. **(Section 37 of the Policy)**
- Licence holders will be required to conduct and evidence that Basic DBS Criminal Record checks have been conducted on booking & dispatch staff, and maintain a record of such checks for inspection by this Licensing Authority. **(Section 38 of the Policy)**

#### Consultation

- 6.5 The proposal is to consult extensively on the proposed revised Policy with those directly associated with Taxi and Private Hire Licensing matters. Following consultation, all responses will be collated, carefully considered and reviewed by officers. Once completed, a final Policy incorporating any necessary changes will be presented to the General Licensing Committee for further consideration.
- 6.6 All existing Licence Holders were sent an email on the 30<sup>th</sup> November 2020 advising them of the new DfT Standards with which we are required to comply. A link to the Standards was provided, and they were advised that imminently we would be embarking on reviewing our current practices and procedures so as to ensure our compliance. We also confirmed that as part of the review process, naturally there will be a consultation period for them as stakeholders.

6.7 Additionally, at the conclusion of the review process, it is likely that it will be necessary to review fees and charges associated with the administration and maintenance of the new practices and procedures. It is essential that fees and charges are correctly set and ensure the true cost of providing the service is recovered. The revised Policy proposes a refund mechanism for licence holders' that is fair and proportionate to the duration of the licence.

**7. Alternatives Considered**

No alternatives have been considered as we are under a duty to consider and apply the DfT Standards.

**8. Resources and Legal Implications**

The current staffing level of those involved in administering and maintaining the Taxi and Private Hire Licensing regimes is sufficient to undertake this review. However, one member of staff, funded from taxi and private hire licensing income is on a fixed-term contract ending 2<sup>nd</sup> February 2022. Chichester District Council Legal Services have supported officers, as and when necessary, with the proposed changes and process to be followed.

**9. Consultation**

As outlined above, consultation with stakeholders and others will take place.

**10. Community Impact and Corporate Risks**

None

**11. Other Implications**

	Yes	No
<b>Crime and Disorder</b>		✓
<b>Biodiversity and Climate Change Mitigation</b>		✓
<b>Human Rights and Equality Impact</b>		✓
<b>Safeguarding and Early Help</b>		✓
<b>General Data Protection Regulations (GDPR)</b>		✓
<b>Health and Wellbeing</b>		✓

**12. Appendices**

Appendix 1 Proposed Hackney Carriage and Private Hire Policy and Conditions 2021 and supporting appendices (A-K)

**13. Background Papers**

Department for Transport (DfT) publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020)

Institute of Licensing (IoL) publication 'Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades' (April 2018)

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**DRAFT**  
**HACKNEY CARRIAGE AND  
PRIVATE HIRE  
POLICY AND CONDITIONS**

Approved by General Licensing Committee:

Approved by Cabinet:

Approved by Council:

Document Title: Hackney Carriage and Private Hire Policy and Conditions 2021 (v1)

## GENERAL NOTE

The aim of this Policy document is to publish the stated intentions and requirements of Chichester District Council as the Licensing Authority with respect to Hackney Carriage (Taxi) and Private Hire operations in the Chichester District, championing the overriding principal of Public Safety<sup>1</sup>.

The Policy has been formulated pursuant to, and in accordance with, the following legislation:

- Local Government (Miscellaneous Provisions) Act 1976;
- Town Police Clauses Act 1847;
- Equality Act 2010;
- Police and Crime Act 2017;
- Immigration Act 2016.

Additionally, specific regard has been afforded HM Government's Department for Transport's (DfT) recent publication '*Statutory Taxi & Private Hire Vehicle Standards*' (July 2020), published under s.177(1) of the Policing and Crime Act 2017: This new statutory guidance specifically requires all Licensing Authorities which exercise taxi and private hire licensing functions, to introduce new and/ or strengthen existing policies to protect from harm, children and vulnerable individuals over 18 years old. HM Government expects all these DfT recommendations to be implemented unless there are compelling local reasons for not doing so: The DfT recommendations have been incorporated into this new Chichester District Council policy.

Also, due to the continuing climate emergency, this policy seeks to go some way towards addressing and achieving the aspirations of HM Government in its publication '*The Ten Point Plan for a Green Industrial Revolution*' (November 2020), especially regarding a shift to zero emission vehicles in respect of public transport.

All Licences, Driver's Badges, Vehicle Licence Plates, Internal Identification Cards and Door Badges remain the property of this Licensing Authority.<sup>2</sup>

All fees and charges are payable at the time of application: See section 45 below

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<sup>1</sup> <https://www.chichester.gov.uk/article/25502/Hackney-carriage-taxi-and-private-hire---information-for-the-public#Safetytips>

<sup>2</sup> Pursuant to s.61(2)(a) and s.68 Local Government (Miscellaneous Provisions) Act 1976 upon expiry or when otherwise required, must be returned to Chichester District Council within seven (7) days or, in the case of Immigration issues, five (5) days.

**CHICHESTER DISTRICT COUNCIL**  
**HACKNEY CARRIAGE AND PRIVATE HIRE POLICY & CONDITIONS**

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## PART A: TYPES OF LICENCE

Expired Licences will not be renewed after the date of expiry. Should a Licence be permitted to lapse, an entirely new application, including fee, is required.

### 1. *Hackney Carriage Driver's Licence (issued for 3 years) see Parts B and C*

Any person wishing to drive a Hackney Carriage in the Chichester District Council area requires a Hackney Carriage Driver's Licence issued by this Licensing Authority.<sup>3</sup>

Chichester District Council's published 'Hackney Carriage Byelaws' (see Appendix C), together with the relevant statutory provisions within the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976, form this Licensing Authority's Code of Conduct and Requirements relating to Hackney Carriage Drivers in the Chichester District Council area.

### 2. *Hackney Carriage Vehicle Licence/ Hackney Carriage Proprietor's Licence (issued for 1 year) see also Parts D and E*

'Hackney Carriage' is defined in s.38 Town Police Clauses Act 1847 but, in general terms, may be described as a vehicle which:

- May 'Stand' or 'Ply for Hire' in a street;
- Is so Licensed by the Council, and displays a Hackney Carriage Plate both internally and externally.

Any person wishing to use a vehicle as a Hackney Carriage requires a Hackney Carriage Vehicle Licence (also known as a 'Hackney Carriage Proprietor's Licence').<sup>4</sup>

Hackney Carriage Vehicle Licences issued by this Licensing Authority are subject to Chichester District Council's published 'Hackney Carriage Byelaws' (see Appendix C), together with the relevant statutory provisions of the Town Police Clauses Act 1847, and the Local Government (Miscellaneous Provisions) Act 1976.

Currently this Licensing Authority does not restrict the number of vehicles licensed as Hackney Carriages.<sup>5</sup>

**Once licensed by this Licensing Authority as a Hackney Carriage, a vehicle is so licensed 24 hours a day, 7 days a week, and may only ever be driven at any time by a person who holds a Hackney Carriage Driver's Licence issued by this Licensing Authority, together with Authorised Officers of this Licensing Authority, and Police Constables.<sup>6</sup>**

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<sup>3</sup> s.46 Town Police Clauses Act 1847

<sup>4</sup> s.37 Town Police Clauses Act 1847

<sup>5</sup> Pursuant to the provisions of s.16 Transport Act 1985 (amending the Town Police Clauses Act 1847)

<sup>6</sup> s.68 Local Government (Miscellaneous Provisions) Act 1976

### 3. **Private Hire Driver's Licence (issued for 3 years) see also Part B**

Any person wishing to drive a Private Hire Licensed Vehicle requires a Private Hire Driver's Licence.<sup>7</sup>

Private Hire Driver's Licences issued by this Licensing Authority are subject to the Conditions of the Licence (see Appendix I) and the relevant statutory provisions of the Local Government (Miscellaneous Provisions) Act 1976.

### 4. **Private Hire Vehicle Licence (issued for 1 year) see also Parts D and F**

'Private Hire Vehicle' is defined as:

*"...a motor vehicle constructed or adapted to seat fewer than nine passengers, (other than a Hackney Carriage or Public Service Vehicle), which is provided for hire with the services of a driver for the purpose of carrying passengers."*<sup>8</sup>

A Private Hire Vehicle Licence is required by the Proprietor of that vehicle before they may permit it to act as a Private Hire Vehicle.<sup>9</sup>

Private Hire Vehicle Licences issued by this Licensing Authority are subject to the Conditions of the Licence (see Appendix J) and the relevant statutory provisions of the Local Government (Miscellaneous Provisions) Act 1976.

A Private Hire Vehicle Licence will be granted for a vehicle provided it meets the legal design and appearance requirements<sup>10</sup>, together with those of this Licensing Authority (see section 20); all vehicles used in a Private Hire operation Licensed by this Licensing Authority also must be Licensed and duly Plated by this Licensing Authority.

**Once Licensed by this Licensing Authority as a Private Hire Vehicle, a vehicle is so Licensed 24 hours a day, 7 days a week, and may only ever be driven at any time by a person who holds a Private Hire Driver's Licence issued by this Licensing Authority**, together with Authorised Officers of this Licensing Authority, and Police Constables.<sup>11</sup>

### 5. **Private Hire Operator's Licence (issued for 5 years) see also Part G**

'Operate' is defined as:

*'... in the course of any business, to make provision for the invitation or acceptance of bookings for a Private Hire Vehicle.'*<sup>12</sup>

In the Chichester District Council area, no person may Operate any vehicle as a Private Hire Vehicle without having a current Private Hire Operator's Licence granted by this Licensing Authority<sup>13</sup>: **This is additional to the separate requirements for Private Hire Vehicle and/or Private Hire Driver's Licences.**

<sup>7</sup> s.46 Local Government (Miscellaneous Provisions) Act 1976

<sup>8</sup> s.80(1) Local Government (Miscellaneous Provisions) Act 1976

<sup>9</sup> s.48 Local Government (Miscellaneous Provisions) Act 1976

<sup>10</sup> s.48 and s.80(1) Local Government (Miscellaneous Provisions) Act 1976

<sup>11</sup> Pursuant to s.68 Local Government (Miscellaneous Provisions) Act 1976

<sup>12</sup> s.80(1) Local Government (Miscellaneous Provisions) Act 1976

<sup>13</sup> s.46 Local Government (Miscellaneous Provisions) Act 1976

Private Hire Operators' Licences issued by this Licensing Authority are subject to the Conditions of the Licence (see Appendix K) and the relevant statutory provisions of the Local Government (Miscellaneous Provisions) Act 1976.

## **PART B: REQUIREMENTS RELATING TO BOTH HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS (or DUAL LICENSED)**

### **6. *Who can Apply/ Eligibility - see also Part C for additional Hackney Carriage matters***

Applicants for Hackney Carriage/ Private Hire Driver's Licences must:<sup>14</sup>

- Be aged twenty-one (21) years or older;
- Be entitled to live and work in the UK; (see section 7)
- Have held for at least twelve (12) months a current Full UK Driving Licence issued by DVLA; (see section 15)
- Be a 'Fit and Proper Person' (see sections 8 - 11) for the duties of driving Hackney Carriages/ Private Hire Vehicles: Convictions, Cautions, and Pending matters (including motoring offences) will be considered according to this Licensing Authority's Convictions Policy (see Appendix E);
- Pass the relevant part(s) of this Licensing Authority's Hackney Carriage/ Private Hire Driver's 'Knowledge Test' (see section 12);
- Provide evidence of having undertaken Child Sexual Abuse and Exploitation (CSAE) safeguarding training approved by this Licensing Authority (see section 10)
- Pass a Driving Standards Assessment approved by this Licensing Authority (see section 13);
- Be medically fit for the duties of driving a Hackney Carriage/ Private Hire Vehicle (see section 14);
- Provide a current, clear, Passport-type colour photograph of themselves.

### **7. *Entitlement to Live and Work in the United Kingdom***

This Licensing Authority is required<sup>15</sup> to ensure that the individuals it Licences are entitled to live and work in the United Kingdom. Therefore, Applicants are required to provide current proof of their entitlement. There is a prescribed list of documents which evidence a right to work.<sup>16</sup>

Where evidence of a time-limited right to work is provided, initially any Licence will be issued only for the time permitted, but will be varied upon provision by the Applicant or Home Office of subsequent satisfactory proof of an extension of the Right to Work/ permanent residency.

**Any Licence granted to an individual who becomes, or is found to be, in breach of UK Immigration Law, ceases to be valid and immediately must be returned to this Licensing Authority.<sup>17</sup>**

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<sup>14</sup> Pursuant to Chichester District Council's published 'Hackney Carriage Byelaws' (see Appendix C), s.51 & s.59 Local Government (Miscellaneous Provisions) Act 1976, and s.37 Immigration Act 2016

<sup>15</sup> Pursuant to the Immigration Act 1971 as amended, and s.37 Immigration Act 2016

<sup>16</sup> See Section 8, Annex A of

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/675533/A\\_Licensing\\_Authority\\_guide\\_to\\_right\\_to\\_work\\_checks\\_-\\_England\\_and\\_Wales.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/675533/A_Licensing_Authority_guide_to_right_to_work_checks_-_England_and_Wales.pdf)

<sup>17</sup> Pursuant to s.53A and s.55ZA Local Government (Miscellaneous Provisions) Act 1976

## 8. ***'Fit and Proper Person'/ Good Character***

Applicants are required to submit information to demonstrate that they are a *'Fit and Proper Person'* to hold Hackney Carriage/ Private Hire Driver's Licence<sup>18</sup>:

Therefore, the following items are required to be submitted on the correct Application Form which is available on request, but also published on the Chichester District Council website <https://www.chichester.gov.uk/taxilicence>, this information includes:

- Full birth name [together with current full name (if different)] as shown on Birth Certificate/ Passport;
- Details of employment history for the previous five (5) years;
- Addresses for the previous five (5) years;
- Where the applicant has resided outside the UK for any period in the previous 5 years, a Certificate of Good Conduct (with certified English translation)<sup>19</sup> from the UK Embassy/ Consulate of the relevant country;
- Details of two referees willing to provide written character references to support the Application: Referees must not be related to the applicant, must have known the applicant for at least two years, be aged twenty-one (21) years or older, of good standing in their community, and of sound mind.

If there is any doubt as to the suitability of a person to act as, or at any time should there be cause to question an individual's status as a Licensed Driver, the matter may be referred to this Licensing Authority's General Licensing Sub-Committee for consideration and determination.

Applicants who hold, or previously have held Hackney Carriage/ Private Hire Licences (Driver, Vehicle, or Operator) are required to disclose full details of such matters: This Licensing Authority checks all Applications, working closely with other Licensing Authorities, the Police, and subscribes to the National Register of Taxi and Private Hire Licence Revocations and Refusals (NR3).<sup>20</sup>

Applicants are required to notify this Licensing Authority immediately of any material change to their circumstances after an application has been submitted.

## 9. ***Convictions, Cautions, Investigations, Pending matters***

There is no exemption to full disclosure for Applicants for Hackney Carriage/ Private Hire Driver's Licences<sup>21</sup>: As such, Applicants are required to disclose all previous incidents/ occurrences involving Arrest, Court Orders (both Criminal and Civil), Convictions, Cautions, Fixed Penalty Notices (both crime and all motoring offences), Anti-social Behaviour Orders (ASBO), Civil Injunctions, Criminal Investigations, together with any other similar pending matters.

Whilst Licensed, Hackney Carriage/ Private Hire Vehicle Drivers must, within 48 hours of an incident/ occurrence, report in writing to this Licensing Authority details of any Arrest, Court Order (both Criminal and Civil), Conviction, Caution, Fixed Penalty Notice (both criminal and all motoring offences), ASBO, Civil Injunction, Criminal Investigation, together with any other similar pending matters.

<sup>18</sup> Pursuant to s.51 Local Government (Miscellaneous Provisions) Act 1976

<sup>19</sup> Provided by a translator registered with an official organisation such as the Institute of Linguists or the Institute of Translation & Interpreting

<sup>20</sup> Pursuant to s.4.21 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>21</sup> Pursuant to the Rehabilitation of Offenders Act 1974 Exceptions Order 1975

## **10. Disclosure and Barring Service (DBS) checks, Safeguarding, Child Sexual Abuse and Exploitation (CSAE)**

All Applicants and existing Hackney Carriage/ Private Hire Vehicle Drivers must provide checks of their Criminal Conviction status which will be assessed against the Convictions Policy (see Appendix E)<sup>22</sup>. As a minimum, DBS Enhanced Criminal Conviction checks must be provided at least every 6 months. Therefore, all Applicants and existing Hackney Carriage/ Private Hire Vehicle Drivers are required to subscribe and maintain continuous subscription to the DBS Update Service. This means that once the initial Enhanced Criminal Convictions Check Certificate is obtained, and providing there is no change to the Criminal Convictions status of the Licensed Driver, this enables this Licensing Authority to make checks as required without additional expense to the Licensed Driver.

To ensure that identification of CSAE behaviours is maintained at the forefront of the Licensed Driver's mind, all Applicants and existing Hackney Carriage/ Private Hire Vehicle Drivers are required to undergo initial Safeguarding Training, followed by regular refresher training provided by one of this Licensing Authority's approved providers.

This Licensing Authority already has a Partnership Agreement with the Police, and will continue to develop an ever-closer working relationship to counter the continuing issue of CSAE.<sup>23</sup>

## **11. Conduct & co-operation with Authorised Officers and Police; Hygiene, Dress & Appearance**

### **11.1 Conduct & co-operation with Authorised Officers and Police**

All Licence Holders must show a high standard of general conduct, behaving in a civil and orderly manner both with members of the public, and in fully co-operating with Authorised Officers and the Police in the lawful execution of their duties<sup>24</sup>: Any instance of non-compliance, non-co-operation, and use of foul or insulting words and behaviour is viewed most seriously, such matters being investigated, recorded against individual Licence Holders, and causing consideration of Suspension or Revocation of, or a refusal to Renew a Licence.

At all times, Licensed Drivers must take all reasonable steps to ensure the safety of passengers, and always provide reasonable assistance with their luggage (see also section 13 below 'Driving Standards Assessment, Passengers in Wheelchairs, Assistance Dogs').

### **11.2 Hygiene, Dress & Appearance**

All Licence Holders must be clean and respectable in both dress and person: Instances of non-compliance with these requirements reported to this Licensing Authority are viewed most seriously, being recorded against individual Licence Holders: Each instance is investigated, reviewed, and may lead to Suspension, Revocation, or a refusal to Renew a Licence.

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<sup>22</sup> Pursuant to s.6 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>23</sup> under the Common Law Police Disclosure powers

<sup>24</sup> Pursuant to s.73 Local Government (Miscellaneous Provisions) Act 1976

## 12. **Knowledge Test – see also Appendix F**

All Applicants for a Hackney Carriage and/or Private Hire Driver's Licence are required to pass this Licensing Authority's Knowledge Test: Currently this has only written elements, however oral elements are being introduced to improve the examination of Applicants' levels of understanding regarding The Highway Code, Hackney Carriage/ Private Hire Law and Chichester District Council Policy, their Responsibilities and Duties regarding Child Sexual Abuse and Exploitation (CSAE), the Chichester district area generally, and their proficiency in understanding both written and spoken English: Specifically this final section is included regarding Applicants' abilities to identify and then act upon potential CSAE issues.<sup>25</sup>

## 13. **Driving Standards Assessment, Passengers in Wheelchairs, Assistance Dogs**

### 13.1 *Driving Standards Assessment*

Applicants for Hackney Carriage/ Private Hire Driver's Licences are required to pass a Driving Standards Assessment provided by one of this Licensing Authority's approved providers<sup>26</sup>: A Pass Certificate will remain valid for a period of one (1) calendar year from the date of passing the test, after this time a further Pass Certificate will be required.

All Hackney Carriage Driver Applicants, together with any Private Hire Driver Applicants and existing holders of a Private Hire Driver's Licence wishing to drive a Wheelchair Accessible Vehicle (WAV) (see section 13.2), are required to obtain a Pass in the additional component of the Driving Standards Assessment regarding the carriage of persons in wheelchairs. Again, the Pass Certificate will remain valid for a period of one (1) calendar year from the date of passing the test after which time a fresh Pass Certificate will be required.

Applicants currently licensed as Hackney Carriage/ Private Hire Drivers by other Licensing Authorities, and who have a clear licensing history, together with other as yet unlicensed new applicants, may submit any current qualifications they hold in respect of these requirements for consideration by this Licensing Authority: For existing Licensed Driver Applicants, the qualifications must be no more than one (1) calendar year old from date of passing the test; for as yet unlicensed new applicants, the qualifications must be no more than three (3) calendar months old from date of passing the test. For both, the qualifications must be of comparable standards to the requirements of this Licensing Authority. **This Licensing Authority is not bound by such mitigating submissions, and still may require a Pass to be obtained in its own approved Driving Standards Assessment(s).**

Where it is suspected that a Licensed Driver's driving ability has fallen below the standard required, for example but not exclusively, where a driver has acquired more than six (6) current Penalty Points on their DVLA Driving Licence [more than three (3) Points for New drivers within two (2) years of passing the DSA Driving Test], where information indicates their driving standard to be poor, or their failure to carry out their duties in respect of the carriage of persons in wheelchairs, at the discretion of this Licensing Authority, again they may be required to Pass the Driving Standards Assessment (with WAV extension as appropriate): **Should the**

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<sup>25</sup> pursuant to s.6.14 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>26</sup> Details are available on request, but also published on the Chichester District Council website:

<https://www.chichester.gov.uk/privatehiredriverslicence>

**Licensed Driver either fail to submit to the Test as soon as possible and within a time period agreed by this Licensing Authority, or they subsequently fail the Test, then the Licence will be Suspended until such time as a Pass is achieved.**

### 13.2 *Passengers in Wheelchairs*

Unless they are the holder of a current Exemption Certificate<sup>27</sup>, Licensed Drivers of WAVs are required to carry a passenger while in their wheelchair, and not to make any additional charge for doing so i.e. a meter may not be set running while the Licensed Driver performs their duties under the Act, nor while the passenger enters, nor leaves, nor secures their wheelchair within the passenger compartment.

Also, the Licensed Driver must give such mobility assistance as is reasonably required by the wheelchair user.

Further, should the passenger choose to sit in a passenger seat in the Licensed Vehicle, the Licensed Driver must carry the wheelchair in the Licensed Vehicle<sup>28</sup>.

### 13.3 *Assistance Dogs*

Unless they are the holder of a current Exemption Certificate<sup>29</sup>, Licensed Drivers of all Hackney Carriages and Private Hire Vehicles are required to carry passengers with guide dogs, hearing dogs, and other 'assistance' dogs without additional charge.<sup>30</sup>

When carrying such passengers, Licensed Drivers must convey the dog and allow it to remain under the physical control of the passenger: It is best practice for the Licensed Driver to enquire of the passenger where they want both themselves and their dog to sit in the vehicle.

## 14. ***Medical Fitness/ D4 Medical Examination***

Within three (3) calendar months immediately prior to the date of a complete and correct Application, it is a requirement that New Applicants for Hackney Carriage and/or Private Hire Driver's Licences undergo a D4 Medical Examination to the Group 2 Vocational Standard set by the DVLA: **The Doctor carrying out the examination must have full access to the Applicant's medical records;** accompanying the D4 Medical Form, and signed by the same Doctor, the Applicant must submit Form T14 Declaration by Medical Practitioner.

Similarly, within the three (3) calendar months immediately prior to the due date, every four (4) years until they attain the age of 60 years whereupon the requirement becomes annual (yearly), all Licensed Drivers are required to undergo the D4 Medical Examination, providing to this Licensing Authority the completed and signed Form together with its accompanying T14 Declaration by Medical Practitioner.

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<sup>27</sup> s.166 Equality Act 2010

<sup>28</sup> s.165 Equality Act 2010

<sup>29</sup> s.169 Equality Act 2010

<sup>30</sup> s.168 Equality Act 2010

**The Forms used must be the current versions at the time of the examination: Obsolete Forms will be rejected.**<sup>31</sup>

Further, at every Renewal Application for a Hackney Carriage/ Private Hire Driver's Licence, Applicants are required to make a personal declaration of their continuing physical and mental fitness to be so Licensed, and being fully capable of performing their duties regarding driving a Hackney Carriage/ Private Hire Vehicle.

**At any time, should an Applicant or Licensed Driver suspect that no longer are they fit to be Licensed due to a change in their physical or mental status, they must immediately notify both this Licensing Authority together with their Operator and, if required, the DVLA.**

#### **15. *Driver and Vehicle Licensing Agency (DVLA) Driving Licence and Driving Permission***

As a minimum, new Applicants for a Hackney Carriage/ Private Hire Driver's Licence are required to have held for a period of at least twelve (12) months<sup>32</sup> a Full DVLA issued Driving Licence permitting them to drive vehicles in Class B. Any Penalty Points accrued on the DVLA Driving Licence must be disclosed fully on the Application Form, and will be considered according to this Licensing Authority's Convictions Policy (see Appendix E).

Any existing Hackney Carriage/ Private Hire Driver's Licence holders of this Licensing Authority who currently do not hold a DVLA issued Driving Licence (these are licence holders presently driving in the UK on a non-UK Driving Licence) are required to do so by the time of their next Renewal.

Upon initial Application then annually (yearly), and at any other time required, the DVLA Driving Licence record and Driving Permission(s) of Applicants for Hackney Carriage/ Private Hire Driving Licences, together with existing Licensed Drivers, will be checked<sup>33</sup>: Such checks are made via an approved 3<sup>rd</sup> party provider and, together with maintenance of the Mandate for doing so, are requirements of this Licensing Authority's Hackney Carriage/ Private Hire Driver's Licences.

#### **16. *Driver's Badge***

Hackney Carriage/ Private Hire Driver's Badges remain the property of this Licensing Authority: Within 7 days of the expiry, or as otherwise directed by an Authorised Officer of this Licensing Authority, or upon Suspension or Revocation of a Driver's Licence, they must be returned to this Licensing Authority.<sup>34</sup>

At all times this Licensing Authority requires all 'on duty'/ working Licensed Drivers to wear the prescribed and issued Driver's Badge(s) in a 'position and manner as to be plainly and distinctly visible'<sup>35</sup>. [Note: This requirement ceases only if a Private Hire Vehicle Licence Exemption has been granted under s.75(3) Local Government (Miscellaneous Provisions) Act 1976, but still the Licensed Driver must keep the

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<sup>31</sup> Both Forms are available on application, but also are published on the Chichester District Council website: <https://www.chichester.gov.uk/taxilicence>

<sup>32</sup> Pursuant to Chichester District Council's published 'Hackney Carriage Byelaws' (see Appendix C) and s.51 Local Government (Miscellaneous Provisions) Act 1976

<sup>33</sup> Pursuant to Chichester District Council's published 'Hackney Carriage Byelaws' (see Appendix C) and s.51 Local Government (Miscellaneous Provisions) Act 1976

<sup>34</sup> pursuant to s.61(2)(a) Local Government (Miscellaneous Provisions) Act 1976

<sup>35</sup> Pursuant to the Byelaws, s.54 Local Government (Miscellaneous Provisions) Act 1976, and/or the Conditions of this Licensing Authority's Hackney Carriage/ Private Hire Vehicle Driver's Licences

Driver's Badge with them for production on requirement by an Authorised Officer of a Licensing Authority or a Police Constable].

## **PART C: ADDITIONAL SPECIFIC MATTERS FOR HACKNEY CARRIAGE DRIVERS**

### **17. *Hackney Carriage Stands (Taxi Ranks)***

From time to time this Licensing Authority will determine the location of Hackney Carriage Stands within the District: Only at such designated Stands may Hackney Carriages 'Rank up'.<sup>36</sup>

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<sup>36</sup> Pursuant to s.63 Local Government (Miscellaneous Provisions) Act 1976

## **PART D: REQUIREMENTS RELATING TO BOTH HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES – See also Part E (Hackney Carriage) and Part F (Private Hire Vehicle)**

### **18. *Licensed Vehicle Proprietors' Conduct & co-operation with an Authorised Officer of the Licensing Authority and Police***

This Licensing Authority expects all its Private Hire Proprietors to exhibit a high standard of general conduct, behaving in a civil and orderly manner both with members of the public, and in fully co-operating with Authorised Officers and the Police in the lawful execution of their duties<sup>37</sup>. Any instance of non-compliance, non-co-operation, and use of foul or insulting words and behaviour is viewed most seriously, with such matters being investigated, recorded against individual Licence Holders, and causing consideration of Suspension or Revocation of, or a refusal to Renew a Licence.

### **19. *Licensed Vehicle Proprietor's DBS Criminal Record checks***

This Licensing Authority requires all Applicants and existing Proprietors of Hackney Carriage/ Private Hire Vehicles to provide checks of their Criminal Conviction status<sup>38</sup>. If not already providing the Enhanced DBS Criminal Record check Certificate in their separate standing as a Hackney Carriage/ Private Hire Vehicle Driver, a Basic DBS Criminal Record check Certificate, no more than 3 months old, is required to be submitted upon initial Application, and at every subsequent Renewal Application.

### **20. *Vehicle Specification, Age, Appearance, and Environmental Impact***

All vehicles must be suitable in type, size, and design for use as either a Hackney Carriage or Private Hire Vehicle, dependent on the type of Licence required. All vehicles must meet the requirements of the adopted standards contained within the publication titled 'Hackney Carriage and Private Hire Vehicles National Inspection Standards - Best Practice Guide - August 2012' (see Appendix A). Additionally, for providing passenger comfort, vehicles must comply with this Licensing Authority's requirements in relation to fixtures, fittings, and cleanliness.

'Salvaged' or 'Insurance write-off' vehicles (regardless of category) will not be accepted by this Licensing Authority for Licensing purposes, and applications in respect of such vehicles will be refused.<sup>39</sup>

Complementing HM Government's announcement in November 2020 of its intention to move towards a net-zero contribution to climate change, with an end to the sale of new petrol and diesel cars by 2030, going forward and from the date of adoption of this Policy, the following criteria apply:

***New Vehicle Licence Application:*** Vehicle must be no more than ten (10) years old from Date of First Registration (regardless of whether or not previously a vehicle has been Licensed by any Licensing Authority). This means that a vehicle will only be eligible to be Licensed until it is a maximum of nine (9) full calendar years old

<sup>37</sup> Pursuant to s.73 Local Government (Miscellaneous Provisions) Act 1976

<sup>38</sup> Pursuant to s.7 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>39</sup> Pursuant to s.47 and s.48(1)(a)(iii) & (iv) Local Government (Miscellaneous Provisions) Act 1976

from the Date of First Registration, this to allow for it being Licensed for the one ensuing year before its 10<sup>th</sup> anniversary from Date of First Registration: At the end of that year, no longer will it be eligible to be Licensed. Additionally, at the date of Application, all vehicles must comply with the current or immediately preceding Euro emissions standard (or any subsequent standard replacing it).

***Renewal Vehicle Licence Application (existing Licensed Vehicles only at time of policy being adopted):*** A transitional five (5) year extension to the age limit will be permitted, and this may take the upper age over the stated ten (10) years: For example, a vehicle which is five (5) full calendar years old at the date of Policy adoption will be eligible to be relicensed until it is ten (10) full calendar years old from the Date of First Registration, thus by the end of that final year's licensed period it will be eleven (11) years old; similarly, a vehicle which is six (6) full calendar years old at the date of Policy adoption will be eligible to be relicensed until it is eleven (11) full calendar years old from the Date of First Registration, thus by the end of that final year's licensed period it will be twelve (12) years old, etc. However and regardless of reason, should a Licence be permitted to lapse at any time during the transition period, for example but not exclusively should a complete and correct Renewal Application be submitted out of time, a New Application would be necessary with the New Application criteria above applied.

#### 20.1 *'Wrapping' of vehicles*<sup>40</sup>

Since 2017, the DVLA requires the 'wrapping' of vehicles to be notified to it as a change which must be recorded on the V5 Registration Document. Vehicle Proprietors wishing to 'wrap' a currently-Licensed Vehicle, must first inform this Licensing Authority of their intention to do so. This is in order that the Vehicle Licence may be Suspended temporarily pending their provision of an updated V5 Registration Document specifying the colour change. Upon receipt of this and payment of the appropriate fee, the Vehicle Licence will be reinstated with a replacement Licence, Plate, and Internal Vehicle ID.<sup>41</sup>

#### 20.2 *Seating Capacity - see also Appendix H*

Passenger seating capacity of Private Hire Vehicles is limited to 8 in number<sup>42</sup>: This Licensing Authority applies the same criterion to Hackney Carriages<sup>43</sup>.

Seats will not be Licensed where access to them is by tilting or displacing any other seat<sup>44</sup>; no longitudinal seating is permitted except in speciality vehicles such as stretched limousines.

#### 20.3 *Wheels and Wheel Trims (Hub caps)*

Should vehicles not have alloy wheels, wheel trims (hub caps) must be provided and maintained in good order so as not to detract from the appearance of the vehicle: Wheels and wheel trims need not be original, but must be a matching set.

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<sup>40</sup> 'Wrapping' is the application of an appearance-changing film over the entire vehicle

<sup>41</sup> Pursuant to 'Annex - Staying Safe' of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>42</sup> s.80(1) Local Government (Miscellaneous Provisions) Act 1976

<sup>43</sup> Pursuant to s.47 Local Government (Miscellaneous Provisions) Act 1976

<sup>44</sup> Pursuant to s. 47 and s.48 Local Government (Miscellaneous Provisions) Act 1976

## **21. Mechanical Standards: Emissions; MOT & Fitness Tests; Prohibition Notices**

### **21.1 Emissions - see also section 20 - Vehicle Specification, Age, Appearance, and Environmental Impact**

For all new Applications, regardless of whether previously a vehicle has been Licensed by any Licensing Authority, all vehicles must comply with the Euro emissions standard (or any subsequent standard replacing that) current at that time, or the one immediately preceding.

### **21.2 Liquid Petroleum Gas (LPG) and other Alternative Fuels**

Vehicle Proprietors wishing to convert a currently-Licensed Vehicle to LPG or other alternative fuel, must first inform this Licensing Authority of their intention to do so. This is in order that the Vehicle Licence may be Suspended temporarily pending provision of an updated V5 Registration Document specifying the new fuel type.

### **21.3 MOT and Fitness Tests**

Due to the potential for high mileages to be covered by Licensed Vehicles, all Hackney Carriages and Private Hire Vehicles are required to be presented for MOT and Fitness Testing<sup>45</sup> in accordance with the following criteria:

- Vehicle up to 12 calendar months from Date of First Registration: Fitness Test only required;
- Vehicle 12 calendar months to 36 calendar months from Date of First Registration: MOT and Fitness Tests required every 12 calendar months;
- Vehicle over 36 calendar months from Date of First Registration: MOT and Fitness Tests required every 6 calendar months.

The Proprietor of a vehicle may obtain a MOT Test Certificate at any Driver & Vehicle Standards Agency (DVSA) approved Testing Station, however within 5 working days of the date of the successful MOT Test, the vehicle must be presented to Chichester Contract Services (CCS) at Westhampnett for Fitness Testing. Alternatively, a vehicle may be presented to CCS for both MOT and Fitness Testing. **Only CCS may carry out the Fitness Test.**

Should the vehicle fail the Fitness Test, as soon as practicable and anyway within a further 5 working days, again it must be presented for re-testing. In the event of a further failure of the Fitness Test, the Proprietor of the vehicle must obtain a new MOT Test Pass Certificate and re-start the process.

At any time should there be reasonable cause to suspect a Licensed Vehicle to be unroadworthy, an Authorised Officer of this Licensing Authority may require the Proprietor or Driver of that Licensed Vehicle to submit it for immediate mechanical inspection<sup>46</sup>: Should a Proprietor or Driver of such a Licensed Vehicle fail to submit it for such inspection, the pertinent Licence will be considered for immediate Suspension.

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<sup>45</sup> Pursuant to s.50 and s.68 Local Government (Miscellaneous Provisions) Act 1976; all prospective and existing Licensed Vehicles will be tested in accordance with the Hackney Carriage and Private Hire National Inspection Standards published jointly by the Public Authority Transport Network and the Freight Transport Association from time to time: Hackney Carriage and Private Hire Vehicles - National Inspection Standards - Best Practice Guide - August 2012 (see Appendix A)

<sup>46</sup> Pursuant to s.68 Local Government (Miscellaneous Provisions) Act 1976

### 21.3.1 *New Vehicle Applications*

At the time of submission of a complete and correct Application for a new Vehicle Licence, the MOT Test Pass Certificate must be no more than one (1) calendar month old.

'Advisory' matters cited on an MOT Test Certificate/ Fitness Test Report, in relation to tyres, steering, suspension, brakes, or any other matters required by an Authorised Officer of this Licensing Authority, immediately must be rectified and evidenced by the Proprietor in the form of receipts and/ or clear photographs: Failure to provide such evidence will cause the Application to be rejected.

### 21.3.2 *Renewal Vehicle Applications*

'Advisory' matters cited on an MOT Test Certificate/ Fitness Test Report but which are required by an Authorised Officer to be immediately rectified, must be so rectified and evidenced by the Proprietor in the form of receipts and/ or clear photographs: Failure to provide such evidence will cause the Application to be rejected. Where matters do not require immediate rectification, it is expected that these matters will be monitored regularly by the Proprietor and/ or by a competent person/ engineer, and rectified in good time.

Should any damage to the vehicle be noted on the Fitness Test Report, the Proprietor must submit clear photographs of such damage to the Licensing Authority at the same time as their submission of the Fitness Test Report: Such damage will be assessed, the Proprietor may be required to provide further information, and will be notified of any action required (see also section 23. Damage to Licensed Vehicles; Road Traffic Collisions).

Any other matters noted must be rectified by the time of the next scheduled MOT/ Fitness Test.

### 21.3.3 *Prohibition Notices*

Authorised Officers of this Licensing Authority together with the DVSA approved Vehicle Testing staff at CCS are Authorised Officers for the purposes of issuing Prohibition Notices on Licensed Vehicles which are in a state of serious unroadworthiness<sup>47</sup>: **Removal from the public highway of vehicles subject to such a Notice will be at the expense of the vehicle's Proprietor.**

### 21.3.4 *Vehicle Log Book*

Every holder of a Hackney Carriage or Private Hire Vehicle Licence will keep a Vehicle Log Book **to be retained with the vehicle at all times**, and to be available for inspection by any Authorised Officer/ Police/ DVSA: This document is to include details of all maintenance and servicing carried out on the vehicle in accordance with the manufacturer's recommended safety inspection and servicing regime, all inspections made by Authorised Officers/ Police/ DVSA, any accident damage details, and details of the current Insurance Policy in force for that vehicle.

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<sup>47</sup> Pursuant to s. 47 & s.48 Local Government (Miscellaneous Provisions) Act 1976,

## **22. Insurance Liability; Unlicensed Drivers**

Hackney Carriage/ Private Hire Vehicle Proprietors are reminded of the requirements of Part IV of the Road Traffic Act 1988 in relation to the provision of Third Party Insurance, as well as the requirement for the correct type of insurance being in place for use of the Licensed Vehicle i.e Public (Hackney Carriage) or Private Hire: **Proprietors can be held jointly liable for certain insurance offences committed by the driver of their Licensed Vehicle.**

**Public (Hackney Carriage) or Private Hire Insurance extensions, as appropriate, along with Vehicle Excise Licence (VEL), must be maintained on Licensed Vehicles at all times:** Should the holder of a Hackney Carriage/ Private Hire Vehicle Licence wish temporarily to cease to maintain such insurance or VEL, first they must notify this Licensing Authority in order that the Vehicle Licence may be Suspended, and where appropriate, they may continue lawfully to use the vehicle.

Unlicensed Drivers may not drive Licensed Vehicles: Hackney Carriage/ Private Hire Driver's Licences must be lodged with the Proprietor of the Licensed Vehicle, but note that upon request by an Authorised Officer of this Licensing Authority or a Police Constable, immediately Licensed Drivers must produce their Hackney Carriage/ Private Hire Driver's Licence for inspection, and anyway within 5 days at this Licensing Authority's principal offices, or Police Station as appropriate.<sup>48</sup>

Should a Private Hire Driver accept a fare that is not pre-booked, immediately their Private Hire Insurance is voided as they have ceased to comply with the Private Hire Licence under which they are operating. Similarly, 'restricted' Private Hire Insurance i.e that valid only whilst working for a specific Private Hire Operator, becomes invalid should work be accepted from a different Operator.

Any contravention of Insurance matters will cause this Licensing Authority to consider Suspension or Revocation of, or a refusal to Renew a Licence.

## **23. Damage to Licensed Vehicles; Road Traffic Collisions**

This Licensing Authority requires that, however caused, any damage suffered by a Hackney Carriage/ Private Hire Licensed Vehicle is reported by the Licensed Vehicle's Proprietor in writing to this Licensing Authority as soon as possible, and anyway within 72 hours of the occurrence<sup>49</sup>. Upon receipt of such an initial report, Authorised Officers will ascertain the nature of the incident, may require further written information and/or photographs to be submitted and, beyond that, any further action required.

Should the damage be deemed minor and cosmetic only in nature, the Proprietor will be notified, but it will be incumbent on them to ensure that such damage is rectified by the date of the Licensed Vehicle's next scheduled Fitness Test.

However, should it be deemed necessary due to the nature of the damage materially affecting the safety, performance, or appearance of the Licensed Vehicle, or the comfort or convenience of passengers, the Vehicle Licence may be Suspended until such time that such damage has been repaired to the satisfaction of this Licensing Authority. Evidence of a satisfactory repair is an MOT and/ or

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<sup>48</sup> s.53 Local Government (Miscellaneous Provisions) Act 1976

<sup>49</sup> Pursuant to s.50(3) Local Government (Miscellaneous Provisions) Act 1976

Fitness Test Pass Certificate as deemed necessary in each case. Only once satisfactory evidence has been provided, will the Suspension be lifted, and the Vehicle returned to service.

## **24. Safety Equipment**

### *24.1 Fire Extinguisher*

For the safety of passengers and driver, this Licensing Authority requires all Licensed Vehicles to carry an Approved fire extinguisher<sup>50</sup> that is in the driving compartment (Hackney Carriage) or boot (Private Hire) of the Licensed Vehicle, and affix signs stating its location so as to be clearly visible to, and easily read by, the occupants of the vehicle.

To prevent removal and/ or exchange between vehicles, and to ensure that Licensed Vehicles are permanently equipped with such a fire extinguisher, the vehicle Registration Mark together with the Licensed Vehicle number must be permanently and clearly inscribed upon the fire extinguisher.

### *24.2 First Aid Kit*

Every Licensed Hackney Carriage and Private Hire Vehicle must carry a suitable first aid kit for use in an emergency.

To prevent removal and/ or exchange between vehicles, and to ensure that Licensed Vehicles are permanently equipped with a first aid kit, the vehicle Registration Mark together with the Licensed Vehicle number must be permanently and clearly inscribed upon the first aid kit.

### *24.3 Spare Wheel*

**Where a full-sized spare wheel is provided at the time of first registration of the vehicle with DVLA, the Proprietor/ Licensed Driver shall continue to use it.**

A punctured tyre must be repaired or replaced and returned to use as soon as practicable.

For vehicles not fitted with a standard spare wheel at the time of first registration of the vehicle with DVLA, instead being equipped with a 'space saver' spare wheel, 'run flat tyres', or a sealant & inflation system, any use of these must be in accordance with the manufacturer's specifications. At Fitness Testing, the Proprietor (and driver if different) must sign a Declaration confirming their knowledge of the maximum speed permitted whilst using such devices, together with their understanding of them being designed only as a 'get-you-home' measure: A copy of this Declaration will be retained with the Vehicle Licence record.

### *24.4 Seat Belts*

The Motor Vehicles (Wearing of Seat Belts) Regulations 1993 require all occupants of a Hackney Carriage or Private Hire Vehicle to wear seat belts: Hackney Carriage (Taxi) drivers may claim an exemption only when plying for hire, answering a call for

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<sup>50</sup> Approved fire extinguishers are either dry powder of at least 1 kilogram in weight marked as complying with BS5423, or an AFFF extinguisher of at least 1 litre capacity marked as complying with BSEN3: 1996: All extinguishers must have a visual gauge indicating the state of charge.

hire, or when actually carrying a passenger for hire, but such an exemption cannot be claimed when driving between home and office, nor when not plying for hire. Private hire drivers may only claim an exemption whilst carrying a passenger for hire.

This Licensing Authority does not permit a child below the age of 10 years to be carried in the front seat of a Licensed Vehicle: Consequently passengers with babies must only be seated in the rear.

It is the responsibility of the Licensed Driver to ensure that children (under the age of 14 years) wear seat belts: Child seats must be used in the rear seats with adult seatbelts where a child is up to 3 years of age and under 135cms (4'5") in height; children over this age or height may travel using an adult seatbelt only if an appropriate child seat is not available. Further, if no child seat is available, children under 3 years of age may travel unrestrained in a Hackney Carriage, or the rear of a Private Hire Vehicle, but only where the rear seats are separated from the driver by a fixed partition.

#### 24.5 *Warning Triangle and Reflective Jackets*

All licensed vehicles must be equipped with a warning triangle, and sufficient reflective high visibility vests<sup>51</sup> for driver and Licensed number of passengers: This equipment shall be used at the discretion of the driver in order to safeguard all persons in the event of an emergency, road traffic collision, or mechanical breakdown.

To prevent removal and/ or exchange between vehicles, and to ensure that Licensed Vehicles are permanently equipped with a warning triangle and sufficient reflective high visibility vests, the vehicle Registration Mark together with the Licensed Vehicle number must be permanently and clearly inscribed upon the warning triangle and reflective high visibility vests.

#### 25. ***Closed-circuit Television (CCTV) in Licensed Vehicles***

This Licensing Authority views the installation of overt CCTV recording equipment within Licensed Vehicles as a positive measure in prevention and detection of crime, particularly in protecting drivers from the risk of assault. Furthermore, sound and image recordings are good evidence if allegations are made against drivers. Where a CCTV system is installed, the Licence Holder(s) must, as Data Controller, ensure that any information captured is processed and stored in accordance with the General Data Protection Regulations and Data Protection Act 2018.<sup>52</sup>

#### 26. ***Vehicle Licence Plates – see also section 32, Private Hire Vehicle Distinguishing Features***

A Licensed Vehicle Identification Plate is required to be displayed at all times. The only exception to this requirement is where an exemption has been granted.<sup>53</sup> Where an external Licence Plate is required, it shall at all times be fitted in a conspicuous position on the outside of the rear of the vehicle so that it may be

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<sup>51</sup> EU standard EN 471 class 2

<sup>52</sup> Proprietors to ensure compliance with their Data Protection responsibilities – 'In the picture: A data protection code of practice for surveillance cameras and personal information' available from the Information Commissioner's Office <https://ico.org.uk>

<sup>53</sup> s.75(3) Local Government (Miscellaneous Provisions) Act 1976

readily removed by an Authorised Officer of this Licensing Authority, or a Police Constable.

Additionally, where a Licensed Vehicle Identification Plate is displayed, two Internal Identification Cards will have been issued, one providing details of the Driver's Licence, the other the details of the Vehicle Licence: These Internal Identification Cards must be affixed to the inside front windscreen or other obvious position so as to be clearly visible to the vehicle occupants.

## **27. Sale & Transfer of Licensed Vehicles**

The Proprietor of a Licensed Vehicle may sell and transfer their interest in that vehicle to another individual but, within 14 days of such transfer, a written notice must be provided to this Licensing Authority. This notice must specify the name and address of the person to whom the vehicle has been transferred and, upon payment of the required fee<sup>54</sup> the transfer will be processed, and an updated paper Licence issued to the new Proprietor.

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<sup>54</sup> s.49(1) Local Government (Miscellaneous Provisions) Act 1976

## **PART E: ADDITIONAL SPECIFIC REQUIREMENTS FOR HACKNEY CARRIAGE VEHICLE LICENCES**

### **28. *Hackney Carriage Taximeters***

All Hackney Carriages must be fitted with a taximeter of a type approved by Transport for London Taxi and Private Hire in document TfL Taximeter Specification Version 2 issued May 2017. Such taximeters must be operated in accordance with the Law, together with the Byelaws and Licence Conditions of this Licensing Authority: Taximeters must be maintained in full, calibrated working order, subjected to annual (yearly) testing as part of the Fitness Test at the time of Licence Renewal, and as required at any time by an Authorised Officer<sup>55</sup>.

Only the fixed Fare Tariffs issued by this Licensing Authority may be used: A Tariff Card is issued by this Licensing Authority, and at all times must be prominently displayed within the vehicle so as to be clearly visible to, and easily read by passengers.

### **29. *Hackney Carriage Distinguishing Features***

Hackney Carriages must be readily identified as such, being easily distinguishable from other Licensed Vehicles<sup>56</sup>: Hackney Carriages must be fitted with an approved design of roof sign with the word "TAXI" clearly visible, and which must be illuminated when the vehicle is available for hire.

### **30. *Hackney Carriage Vehicle Specification***

This Licensing Authority lays down general specifications for Licensing of Hackney Carriages in 'Conditions relating to the Construction and Licensing of Hackney Carriages in the District of Chichester – December 2012' (see Appendix B), and 'Hackney Carriage Byelaws' (see Appendix C).

### **31. *Hackney Carriage Advertising***

Subject to prior written approval by this Licensing Authority, advertisements will be permitted on both the inside and outside of Hackney Carriages: Other than their financial aspects, Proprietors must provide to this Licensing Authority full details of advertising contracts.

Advertisements inside the vehicle may be displayed only on the base of tip-up seats, and along the bulkhead on top of the passenger/ driver partition. So as to be easily cleaned, all such advertisements must have a clear and fire-retardant covering.

Suitable outside advertisements may consist of a single full livery advertisement only, OR single advertisements displayed on the lower panel of the front doors only: **It is not permitted for vehicles to display both types at the same time.**

Upon expiry/ termination of an advertising contract, all remnants of adverts attached to or displayed on the vehicle must be professionally removed to the receipted satisfaction of this Licensing Authority, necessarily the Licensed Vehicle being presented for inspection at CCS or by an Authorised Officer.

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<sup>55</sup> s.68 Local Government (Miscellaneous Provisions) Act 1976

<sup>56</sup> Pursuant to s.47 of the Local Government (Miscellaneous Provisions) Act 1976

## **PART F: ADDITIONAL SPECIFIC REQUIREMENTS FOR PRIVATE HIRE VEHICLE LICENCES**

### **32. *Private Hire Vehicle Distinguishing Features***

It is a requirement that Private Hire Vehicles are of such design and appearance that no person will believe them to be Hackney Carriages.<sup>57</sup>

Private Hire Vehicles Licensed by this Licensing Authority and used for 'mainstream' Private Hire work<sup>58</sup> are readily identifiable<sup>59</sup> by the yellow Licensed Vehicle Identification Plate that must be affixed to the outside rear of the vehicle, together with the issued adhesive Door Badges that must be affixed using their adhesive qualities to the upper solid part of both rear doors so as to be clearly visible. These Door Badges show the Vehicle's Licence number, the Chichester District Council logo, and state clearly that the vehicle must be pre-booked: Both Licensed Vehicle Identification Plate and Door Badges must be affixed to the vehicle at all times whilst the vehicle remains Licensed.

Further, Private Hire Vehicles Licensed by this Licensing Authority must not carry any roof sign nor external advertising, but a narrow horizontal strip with 58mm (2¼") high letters may be affixed across the base of the rear window showing the name and telephone number of the Private Hire Operator: The lettering on the strip must not contain the words "taxi", "cab", nor any other similar wording that could or might mislead members of the public into believing the vehicle to be a Hackney Carriage.

### **33. *Private Hire Vehicle 'Taxi' Meters***

There is no requirement for Private Hire Vehicles Licensed by this Licensing Authority to be fitted with a 'Taxi' meter. However, if fitted, any meter must be of a type approved by Transport for London Taxi and Private Hire in document TfL Taximeter Specification Version 2 issued May 2017, and must be operated in accordance with the Law, together with the Byelaws and Licence Conditions of this Licensing Authority: Taximeters must be maintained in full and calibrated working order, subjected to annual (yearly) testing as part of the Fitness Test at the time of Licence Renewal, and as required at any time by an Authorised Officer.

Should an Operator wish to install a meter in an existing Private Hire Licensed Vehicle which currently does not have such a meter fitted, first they must notify this Licensing Authority of their intention to make such an installation, then the meter must be professionally installed, calibrated, sealed, and all documentation provided to this Licensing Authority. Prior to the meter being used, it must be presented for Meter Fitness Testing at CCS where, upon successful completion, a Certificate will be issued and which must be forwarded to this Licensing Authority.

This Licensing Authority does not set Private Hire tariffs, however a Tariff Card showing the Operator's published tariffs (declared to, lodged, receipted, and maintained as current with this Licensing Authority), must at all times be prominently displayed within the vehicle so as to be clearly visible to, and easily read by passengers: Any complaint made by passengers regarding tariffs and

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<sup>57</sup> s.48(1)(a)(ii) Local Government (Miscellaneous Provisions) Act 1976

<sup>58</sup> Not those subject to Exemption under s.75(3) Local Government (Miscellaneous Provisions) Act 1976

<sup>59</sup> Pursuant to 'Annex - Staying Safe' of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

overcharging will be considered by reference to the most recent **receipted** Tariff Card lodged by the Operator with this Licensing Authority.

**34. Private Hire Vehicle Exemption under s.75(3) Local Government (Miscellaneous Provisions) Act 1976**

Application may be made to this Licensing Authority by the Proprietor of a Private Hire Vehicle for exemption from displaying an external Vehicle Plate and Door Badges.<sup>60</sup>

However, this Licensing Authority will only grant such an exemption if compelling evidence (which is both sufficient and to its satisfaction), be provided by the Proprietor of the Licensed Vehicle that it will be used solely and exclusively for chauffeured, 'high-end' executive, or VIP work. Any general Private Hire work, regardless of its frequency or distances travelled, will exclude a Private Hire Vehicle from such an Exemption being granted.

Where an Exemption is granted, a Statement of Declaration will be issued to the Proprietor of the Private Hire Vehicle, together with the standard Internal ID Card but, instead of the standard Vehicle Licence Plate, a small Vehicle Licence Plate which must be displayed inside either the front or rear window of the Private Hire Vehicle: The Statement of Declaration must be retained in the Private Hire Vehicle at all times. The Licensed Driver of such an Exempted Private Hire Vehicle is not required to wear the Driver's Badge, but must have it with them for production upon requirement by an Authorised Officer or Police Constable.

**Where an exemption ceases to apply, a previously-Exempted vehicle must display an External Vehicle Licence Plate and Door Badges which the Proprietor must obtain from this Licensing Authority. In addition, the Licensed Driver must again wear the Driver's Badge in the normal manner.**

**35. Private Hire Safety Partition Screens**

This Licensing Authority supports the installation of Hackney Carriage style Safety Partition Screens in Private Hire Vehicles to improve the safety of Private Hire Drivers in reducing the threat of attack by passengers. Also it is recognised that by fitting and using such devices, together with employing other measures such as good ventilation and positioning of passengers, they may provide some degree of protection from, and control of, disease infection e.g. COVID-19.

However, all newly-manufactured vehicles have been rigorously tested (NCAP) and achieved European Whole Vehicle Type Approval: Changing or adding to the interior of the vehicle can alter the 'type approval', and may have consequences as to what happens inside a vehicle in the event of a collision. Consequently, whether or not a safety partition screen should be installed is a matter for vehicle Proprietors and their Insurer.

To assist in making a decision, together with the specific requirements of this Licensing Authority, see 'Guidelines for Private Hire Vehicle Safety Partition Screens' (Appendix G).

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<sup>60</sup> s.75(3) Local Government (Miscellaneous Provisions) Act 1976

## **PART G: REQUIREMENTS RELATING TO PRIVATE HIRE VEHICLE OPERATORS**

### **36. *Private Hire Operators' Conduct & co-operation with Authorised Officers and Police; 'Fit and Proper Person'***

All Private Hire Operators must exhibit a high standard of general conduct, behaving in a civil and orderly manner both with members of the public, and in fully co-operating with Authorised Officers and the Police in the lawful execution of their duties<sup>61</sup>: Any instance of non-compliance, non-co-operation, and use of foul or insulting words or behaviour is viewed most seriously, calling into question their status as a 'Fit and Proper Person' to hold a Private Hire Operator's Licence, with such matters being investigated, recorded against individual Licence Holders, and causing consideration of Suspension or Revocation of, or a refusal to Renew a Licence.

### **37. *Private Hire Operators' DBS Criminal Record check, Safeguarding, Child Sexual Abuse and Exploitation (CSAE)***

This Licensing Authority requires all Private Hire Operator Applicants and existing Operators of Private Hire Vehicles to provide checks of their own Criminal Conviction status<sup>62</sup>. These are required upon initial Application, annually (yearly) during the Licensed period, and at subsequent Renewals. Applicants and existing Operators not already providing the Enhanced DBS Criminal Record check Certificate in their separate standing as a Hackney Carriage/ Private Hire Vehicle Driver, must provide a Basic DBS Criminal Record check Certificate which is no more than 3 months old: Operators which are Limited Companies or Partnerships must provide such Certification for every Director/ Partner of the Company/ Partnership.

Further, should there be any change to the Criminal Record status of any individual Operator, or Director/ Partner of a Company/ Partnership Operator at any time during the Licensed period, it is incumbent upon the Operator immediately to notify this Licensing Authority: Dependent on the nature and/ or circumstances of the matter, consideration may be given to Suspension, Revocation, or refusal to Renew a Licence.

### **38. *Private Hire Operators' Duty to conduct Basic DBS Criminal Record checks on booking & dispatch staff***

This Licensing Authority requires <sup>63</sup>all Private Hire Operator Applicants and existing Operators of Private Hire Vehicles to:

- Maintain a 'live/ rolling' Register of all booking & dispatch staff in their employment, the details being retained for six (6) months from the date of any booking and/ or dispatch, regardless of the individual's employment status;
- Provide to this Licensing Authority a written hard format copy of the Operator's Policy on employing ex-offenders;

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<sup>61</sup> Pursuant to s.55, s.62 and s.73 Local Government (Miscellaneous Provisions) Act 1976

<sup>62</sup> Pursuant to s.8 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>63</sup> Pursuant to s.8.7-8.12 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

- For each and every individual on the aforementioned Register, for new employees at the time of their engagement, for existing employees at the time of creation of the Register, confirm sight of their recently-issued (less than 3 months old) Basic DBS Criminal Record Certificate, and that they are suitable to decide such matters as who is sent to transport an unaccompanied child or vulnerable adult<sup>64</sup>;
- Require such employed staff, as part of their Contract and terms of employment, immediately to notify the Operator of any fresh convictions of any sort.

**Note: Should the Operator outsource their booking/ dispatch functions to a third party, the responsibility remains with them regarding CSAE matters: In such situations, the Operator must confirm that the third party has evidenced to them that it employs equally rigorous protections.**

### **39. *Private Hire Operators' Record Keeping***

This Licensing Authority requires Private Hire Operators to **keep records in an orderly manner suitable for inspection, and for a minimum of six (6) months** regarding every booking invited or accepted, whether by a passenger or another Private Hire Operator<sup>65</sup>. These details must be retained in accordance with their duties and responsibilities as Data Controllers under current Data Protection legislation<sup>66</sup>.

Details that must be recorded and retained for the minimum 6-month period are:

- Name of the passenger;
- Date and Time of request (booking);
- Pick-up point;
- Date and Time of pick-up;
- Destination;
- Name of Driver;
- Driver's Licence Number (Badge Number);
- Registration Number and Vehicle Plate Number;
- Name of any individual who responded to the booking request;
- Name of any individual who dispatched the vehicle.

At any time, this Licensing Authority may require the Private Hire Operator to provide the booking records for inspection: Whether computerised or otherwise, the records must be presented in a format and manner to make them suitable for that purpose.

### **40. *Private Hire Operators' Use of Passenger Carrying Vehicle (PCV)-only Licensed Drivers & Public Service Vehicles (PSVs)***

Private Hire Operators must not use Passenger Carrying Vehicle (PCV)-only qualified drivers to fulfil bookings where a vehicle larger than that permitted under

<sup>64</sup> With reference to the 'Assessment of Previous Convictions' annex to the Statutory Taxi & Private Hire Vehicle Standards' (July 2020)

<sup>65</sup> Pursuant to s.56 Local Government (Miscellaneous Provisions) Act 1976

<sup>66</sup> Details available from the Information Commissioner's Office <https://ico.org.uk>

Private Hire legislation (i.e Public Service Vehicle (PSV) with more than 8 passenger seats is required to fulfil a booking), this due to PCV-only Drivers not being subject to the same stringent DBS Enhanced Criminal Record checks, nor Safeguarding Training as Private Hire Licensed Drivers.<sup>67</sup>

Where a larger vehicle is required, the person booking must be informed of, consent to, and the matter recorded on the booking record, that a PSV is being utilised with a PCV-only qualified Driver.<sup>68</sup>

#### **41. *Sub-contracting by Operators***

A Private Hire Operator who has accepted a booking for a Private Hire Vehicle, may arrange for another licensed operator to provide a vehicle to carry out the booking.<sup>69</sup>

**Note: Should the Operator outsource their booking/ dispatch functions to a third party, the responsibility remains with them regarding CSAE matters: In such situations, the Operator must confirm that the third party has evidenced to them that it employs equally rigorous protections.**

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<sup>67</sup> Pursuant to s.8.16 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>68</sup> Pursuant to s.8.17 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>69</sup> s.55A of Local Government (Miscellaneous Provisions) Act 1976

## **PART H – MISCELLANEOUS PROVISIONS**

### **42. *Authorised Officer, Legal Officer, and Member Training***

It is essential that individuals determining whether a Licence is issued or refused are competent to do so: Such individuals must have sufficient knowledge, experience, and training in Hackney Carriage and Private Hire Licensing matters.

Officers of this Licensing Authority, especially members of the Licensing Team, Legal Services, and all Members of the General Licensing Committee have received appropriate and documented training. Ongoing update and refresher training is provided as necessary.

### **43. *Enforcement and Complaints***

Holders of Licences must maintain a high standard at all times so as to ensure the continued promotion of public safety. This is achieved by full compliance with the Conditions attached to a Licence, as well as the various general statutory requirements: This Licensing Authority monitors compliance.

This Licensing Authority liaises with the Police and other agencies on issues of enforcement, including crime prevention, public safety, transporting and protection from harm of children and vulnerable adults. This is to continue to develop the enforcement protocol which is already in place, targeting resources at problem and high-risk issues of concern and potential harm.

This Licensing Authority conducts inspections of vehicles with ad-hoc operations as well as participating in 'Op Cabbie' and 'Op Arizona', co-ordinating with other inspection/ enforcement agencies; similarly, inspections of an Operator's booking records and drivers' professional behaviour will be made on a targeted and risk-assessed basis, or following a complaint. Complaints may be submitted to this Licensing Authority by email, in person, via the website, or by telephone.

Complaints about Licence holders are a source of intelligence when considering the renewal of a Licence, and in identifying any problems during the Licensed period: Patterns of complaints against a particular Licence holder may be indicative of characteristics that raise doubts about their suitability to hold a licence.

Details of all complaints and inspections are recorded within this Licensing Authority's electronic database and supporting document management system. The recording of subsequent investigations, visits, and actions assists this Licensing Authority in determining where a Licence holder has fallen, or is falling below the high standards expected of them.

When considering whether it is necessary to take action in relation to a particular matter, this Licensing Authority will consider each case on its merits, and in accordance with the enforcement policy. Following a complaint investigation/ inspection, this Licensing Authority may take no further action, issue a written warning, make a formal review of a Licence, or issue a Suspension or Revocation Notice.

**Note: The Police are notified of all Suspensions and Revocations.**

#### 44. **Licensing Forms**

Only current Forms will be accepted by this Licensing Authority: Obsolete Forms will be rejected.<sup>70</sup>

#### 45. **Fees and Charges**

**Fees and charges are payable at the time of Application or notification of the relevant charge:** Until all necessary fees and charges are paid, Applications/ Notifications are not complete and valid, and will not be processed. **The Application/ Notification process, together with all requirements for maintenance of all Licences, are at the expense of the Applicant/ Licence holder .**

Dependent on the Licence Type, the chargeable fees include elements for administration and maintenance, and will be reviewed annually (yearly) in accordance with the statutory provisions<sup>71</sup>: Current Fees for all Licence types are available on request, but also are published on the Chichester District Council website: <https://www.chichester.gov.uk/taxilicensingcosts>

Proportionate Fees refunds for some Licences are available to the following criteria upon application to this Licensing Authority, but only on a full calendar year basis at the time of such receipted application being made:

- For a one (1) year Licence: No refund available;
- For a three (3) year Licence: Up to first anniversary 50% of fee; up to second anniversary 25% of fee; after second anniversary, no refund available;
- For a five (5) year Licence: Up to first anniversary 75% of fee; up to second anniversary 50% of fee; up to third anniversary 25% of fee; after third anniversary, no refund available.

#### 46. **National Fraud Initiative; General Data Protection Regulations and Data Protection Act 2018**

Chichester District Council as the Licensing Authority is under a duty to protect the public funds it administers and, to this end, may use information provided for the prevention and detection of fraud. Also, it may may share this information with other bodies responsible for auditing or administering public funds. For further information see <https://www.gov.uk/government/publications/fair-processing-national-fraud-initiative/fair-processing-level-3-full-text#contents>

Chichester District Council as the Licensing Authority manages personal data in accordance with the provisions contained within current data protection legislation: Information may be shared with other departments within the Council, other enforcement agencies, and consulting bodies, including the DVLA, Police, and other partners as permitted in Law. For more information see [www.chichester.gov.uk/dataprotectionandfreedomofinformation](http://www.chichester.gov.uk/dataprotectionandfreedomofinformation)

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<sup>70</sup> Forms are available on application, but also are published on the Chichester District Council website: <https://www.chichester.gov.uk/taxilicence>

<sup>71</sup> s.53(2) and s.70 Local Government (Miscellaneous Provisions) Act 1976

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# Hackney Carriage and Private Hire Vehicles National inspection standards



## Best Practice Guide

August 2012

Produced by Hackney Carriage and Private Hire Inspection Technical Officer Group  
Public Authority Transport Network (PATN)

Supported by



Delivering safe, efficient, sustainable logistics



FREIGHT TRANSPORT ASSOCIATION

## FTA best practice guide to inspection of Hackney Carriage and Private Hire Vehicles

August 2012

Editor: **Andy Mair**

Production: **Hilary Kingdon**

Design: **Tracey Garrett**

This best practice guide sets out the procedures and standards for those who carry out inspections of hackney carriage and private hire vehicles. It is recommended that the guide is also made freely available to owners, proprietors, operators and drivers of hackney carriage and private hire vehicles, who may find it useful as it details the standards that vehicles are subjected to. The guide also explains the reasons why, a vehicle presented for inspection has not been issued with a pass certificate.

This guidance deliberately seeks to embrace safety aspects of vehicle inspections using, as a basic inspection standard, those laid down in the MOT Inspection Manual – Private Passenger & Light Commercial Vehicle Testing issued by VOSA. This best practice guide provides additional testing requirements to those in the MOT Inspection Manual. It is advised that local licensing authorities use the best practice guide in conjunction with the VOSA MOT Inspection Manual as an advocate to public safety.

This best practice guide has been developed to provide all local licensing authorities with a benchmark with regard to vehicle inspections and safety.

For details of how to join FTA contact the Member Service Centre on 08717 11 22 22\*

\*Calls may be recorded for training purposes

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## Foreword

The Vehicle and Operator Services Agency (VOSA) is committed to saving lives, making roads safer, cutting crime and protecting the environment.

As responsibility for the maintaining of vehicle safety standards of hackney carriage and private hire vehicles falls to various local authorities, VOSA, in the pursuit of its objectives, fully supports the Public Authority Transport Network (PATN) in its promotion of common standards and best practice within industry.

VOSA recommends that local authorities consider this guide when setting technical standards and take the opportunity to become involved in its continued development such that we all contribute to a safer environment.

**Nigel R Maden**

*Process Manager Light Vehicles and Vehicle Approval  
Vehicle & Operator Services Agency*



### Revision record

Section number	Section title	Description of change	Revision date	Revision number
	2009 version	VOSA foreword	November 2009	1
	2012 update	Revised due to changes to MOT scheme from 2012	August 2012	2

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# Part I: Introduction

## 1.1 Best practice guide

This best practice guide has been prepared by the Technical Officer Group (TOG) to assist Hackney Carriage proprietors (HC) and Private Hire Vehicle (PHV) drivers/owners and operators. It is intended for use by local licensing authorities, vehicle inspectors and local authority authorised officers.

It is intended that this best practice guide will endorse a *minimum* national vehicle inspection standard. It will be appreciated that it is for individual local licensing authorities to reach their own decisions, both on overall policies and on individual inspection standards, in the light of their own operational needs and geographical circumstances.

Various interested parties, including the Department for Transport (DfT), Vehicle & Operator Services Agency (VOSA), Disabled Persons Transport Advisory Committee (DPTAC) and the Institute of Licensing, have been consulted on this best practice guide.

The Technical Officer Group commends the DfT for the production of the Taxi and Private Hire Vehicle Licensing: Best Practice Guidance. Vehicle operators, local licensing authorities and vehicle inspectors are strongly advised to refer to the DfT guide in conjunction with this best practice guide. More information can be obtained on the DfT website at [www.dft.gov.uk](http://www.dft.gov.uk)

## 1.2 Application to devolved administrations

The Department for Transport (DfT) has responsibility for HC and PHV legislation in England and Wales and, accordingly, the guidance that has been published will be directed at local authorities in England and Wales. Responsibility for HC and PHV licensing in Scotland and Northern Ireland is devolved, but the respective administrations have been involved in the preparation



of the licensing guidance and will decide for themselves the extent to which they wish to make use of or adapt to suit their own purposes.

## 1.3 Technical safety issues

The aim of a local licensing authority is to protect the public. Local licensing authorities will be aware that the public should have reasonable access to safe and well maintained HC and PHVs. For example, it is clearly important that somebody using a HC or PHV should be confident that the vehicle is safe.

To this end, this best practice guide will detail specific vehicle safety issues based on expert technical knowledge and experience of the Technical Officer Group (TOG). This guide will focus therefore on technical safety issues and make recommendations towards safe working practices. For example, the TOG supports the DfT recommendation that there is no upper age limit for HC and PHVs provided there is documentary evidence to support a routine maintenance regime.

Local licensing authorities will want to ensure that each of their various licensing requirements is properly justified by the risk it aims to address. This is not to propose that a detailed, over-zealous inspection regime creates difficulties for the HC and PHV trades but primarily to promote vehicle safety for the protection of passengers and not for the benefit of operators.

## 1.4 Scope of the guidance

This guidance deliberately seeks to embrace safety aspects of vehicle inspections using, as a basic inspection standard, those laid down in the *MOT Inspection Manual – Private Passenger & Light Commercial Vehicle Testing* issued by VOSA. This best practice guide provides additional testing requirements to those in the MOT Inspection Manual. It is advised that local licensing authorities use the best practice guide in conjunction with the VOSA MOT Inspection Manual as an advocate to public safety.

This best practice guide has been developed to provide all local licensing authorities with a benchmark with regard to vehicle inspections and safety.

## 1.5 Specification of vehicle types that may be licensed

The legislation gives local authorities a wide range of discretion over the types of vehicle that they can license as HC or PHVs.

Some authorities specify conditions that in practice can only be met by purpose-built vehicles but the majority license a range of vehicles.

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

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

## 1.6 Accessibility



In addition to their general conditions, local licensing authorities will want to consider the accessibility for disabled people (including – but not only – people who need to travel in a wheelchair) of the vehicles they licence as Hackney Carriage or Private Hire vehicles.

Licensing authorities will be aware that it remains the Department

for Transport's intention to make accessibility regulations for Hackney Carriage vehicles subject to a Law Commission review. In the meantime, licensing authorities are encouraged to introduce HC accessibility policies for their areas.

## 1.7 Type approval

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

- European Community Whole Vehicle Type Approval (ECWVTA)
- National Small Series Type Approval (NSSTA) or
- Individual Vehicle Approval (IVA)

Most registration certificates issued since late 1998 should indicate the approval status of the vehicle. Further information about these requirements and the procedures for licensing and registering imported vehicles can be seen at [www.businesslink.gov.uk](http://www.businesslink.gov.uk)

It is important for local licensing authorities to insist that **at least one** of the above 'type approvals' is produced prior to any **imported vehicle** being licensed as a Hackney Carriage or Private Hire Vehicle. Local authorities are advised to verify the validity of an IVA certificate by contacting the VOSA helpline number 0300 123 9000.

## Voluntary inspections

Vehicles that are already registered for use in the UK are not eligible for a statutory approval, however there are situations where evidence of compliance with the approval standard would be beneficial or be a requirement. An example would be a local licensing authority that may require evidence of compliance for a vehicle that has been modified since original registration, or where evidence of compliance is being used as part of a contractual agreement on a modified vehicle. To facilitate this requirement, a non-statutory voluntary IVA test is available, and it would be appropriate for local authorities to accept a 'basic' IVA certification as a minimum requirement. The test criteria applied will be dependent on the vehicle category/class nominated on the application form VIVA 1. The fees are the same as those appropriate to the particular class of vehicle/test required, other than VAT is payable. If the vehicle is found to meet the requirements, a letter of compliance with the technical standards will be issued and not an Individual Approval certificate. The letter of compliance is not acceptable for first licensing/registration purposes.

## 1.8 Vehicle testing

There is considerable variation between local licensing authorities on vehicle testing. This best practice guide provides local licensing authorities with a **minimum** standard for vehicle inspections. All HC and PHV must be maintained to no less than the standards set out in the VOSA publication 'MOT Inspection Manual – Private Passenger and Light Commercial Vehicle Testing', ISBN 978-0-9549352-5-2.

As the term implies, hackney carriage and private hire vehicles are vehicles used for hire and reward purposes and as such are subject to much higher annual mileages and more arduous driving than normal private vehicles. Therefore, in the interests of passenger and other road user's safety, a more stringent maintenance and testing regime is required.

The purpose of the HC and PHV test is to confirm vehicles meet these more stringent standards. Vehicles must be submitted fully prepared for the test. **It is not intended that the test be used in lieu of a regular preventative maintenance programme.** If, in the opinion of the vehicle examiner, the vehicle has not been fully prepared, the test will be terminated and a further full test shall be required. It is an offence under the road traffic regulations to use an unroadworthy vehicle on the public highway.

HC proprietors and PHV drivers/owners and operators failing to maintain their vehicles in a safe and roadworthy condition may have their vehicle licence suspended, revoked or their licensing application refused by the local licensing authority. In addition, licence holders risk the suspension or revocation of their driver or operator licences by the local licensing authority.

This best practice guide should be read in conjunction with Vehicle & Operator Services Agency (VOSA) publication 'MOT Inspection Manual – Private Passenger and Light Commercial Vehicle Testing', ISBN 978-0-9549352-5-2. This best practice guide provides a working document for those who inspect, maintain and prepare vehicles for inspection prior to being issued with a hackney carriage or private hire licence. Although detailed in its content the best practice guide is not exhaustive.

However, in assessing the mechanical condition of a vehicle, it is more likely an item which would ordinarily pass an MOT test with an advisory note, could fail the HC and PHV test.

## 2 Novelty vehicles (stretched limousines)

This section of the best practice guide offers advice to local licensing authorities on the requirements for licensing novelty vehicles. The standard of the test for novelty vehicles will be at the same standard as for other private hire vehicles. That is, as a basic inspection standard, those laid down in the 'MOT Inspection Manual – Private Passenger and Light Commercial Vehicle Testing' issued by VOSA and this best practice guide. *(For the purpose of clarity, novelty vehicles in this guide will refer to stretch limousines only until such times as further guidance is obtained on any other such vehicle, ie fire tenders etc.)*



A novelty vehicle shall only be registered as a private hire vehicle if it complies with the following conditions.

- Vehicles with no more than eight passenger seats as indicated on the V5C. The V5C will state the number of seats and **must be produced to the local licensing authority prior to the vehicle being licensed or inspected.** If the number of seats differs to what is indicated on the V5C, then contact VOSA and your local area DVLA office immediately. Failure to produce a valid and current V5C for the vehicle to be tested could result in refusal to inspect the vehicle
- Evidence of either European Community Whole Vehicle Type Approval (ECWVTA) or Individual Vehicle Approval (IVA) being presented for inspection
- Local licensing authorities may consider, as novelty vehicles are not factory produced, that a recommended vehicle maintenance inspection be applied every 10 weeks. The frequency of maintenance inspections is recommended by Traffic Commissioners, VOSA and the National Limousine and Chauffeur Association (NLCA)
- The inspection standards to be applied to novelty vehicles are the same standards as those applied to other hackney carriage and private hire vehicles with the following additions:
  - Any additional item previously mentioned in this paragraph with regard to seating capacity, the production of the relevant documents and frequency of vehicle inspections
  - See part 2, section 4 – Tyres and road wheels. Reference in this section is made to tyre rating to be applied to novelty vehicles
  - See part 2, section 12 – Vehicle Identification Number (VIN) markings should be checked to ensure compliance, seating capacities and undue stresses

Local licensing authorities are strongly advised to obtain a declaration, from the operator of a licensed novelty vehicle, that the side facing seats will never be used to carry passengers under 16 years of age, **regardless of whether the vehicle is fitted with or without seat belts.**

It is strongly advised that notices forbidding children to be carried in side facing seats are displayed in prominent positions, ie on entry to the passenger compartment and on either side of the passenger compartment. Local licensing authorities may also require additional outward facing signs adjacent to all entrance/exit doors to the passenger compartment.

## 3 General information

Only vehicles complying with the following conditions will generally be considered for licensing as private hire vehicles.

- 
- Cars fitted with at least four doors and four wheels
  - Right-hand drive vehicles – with the exception of stretch limousines (where applicable)
  - Vehicles with adequate space for luggage
  - Vehicles must be capable of carrying at least four and not more than eight passengers in addition to the driver
  - With the exception of stretch limousines, vehicles will not be accepted with blacked out windows. Passengers being carried in the vehicle must be visible from the outside. In **exceptional circumstances**, tinted windows may be acceptable
  - To allow a thorough examination of a vehicle or any part thereof, it must be presented for test in a clean condition. The vehicle presented will fail the test if, in the opinion of the vehicle examiner, the vehicle is so dirty that it would be unreasonable for the test to be carried out
  - A test will not be carried out unless the licence fee/ examination fee has been paid in advance

### Statement of undertakings and declaration

In the interests of road and passenger safety, the licensed driver/ owner or operator undertakes to make proper arrangements so that licensed vehicles are kept in a roadworthy condition at all times.



# Part 2: Procedures and standards of inspection

This best practice guide sets out the procedures and standards for those who carry out inspections of hackney carriage and private hire vehicles.

It is recommended that the guide is also made freely available to owners, proprietors, operators and drivers of hackney carriage and private hire vehicles, who may find it useful as it details the standards that vehicles are subjected to. The guide also explains the reasons why a vehicle presented for inspection, has not been issued with a pass certificate.

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## Section 1

### Lamps, reflectors and electrical equipment

#### 1.9 Electrical wiring and equipment

Method of inspection	Reason for rejection
<i>This examination is limited to that part of the electrical system that can be readily seen without dismantling any part of the vehicle.</i>	
a Check all electrical wiring for: <ul style="list-style-type: none"> <li>• condition</li> <li>• security</li> <li>• position</li> <li>• signs of overheating</li> <li>• heavy oil contamination</li> </ul>	a Wiring <ul style="list-style-type: none"> <li>• positioned so that it is chafing or clipped to a fuel line or likely to be damaged by heat so that insulation will become ineffective</li> <li>• with clear evidence of overheating</li> <li>• heavily contaminated with oil</li> </ul>
b Check all switches controlling all obligatory lights	b Switches <ul style="list-style-type: none"> <li>• Insecurity or malfunction of a switch controlling an obligatory light</li> </ul>

## 1.9 Additional lamps

Method of inspection	Reason for rejection
<i>With the ignition switched on check the following.</i>	
<b>Reversing lamps</b> <ul style="list-style-type: none"> <li>a The reversing lamps emit a diffused white light when reverse gear is selected</li> <li>b The lamps extinguish when neutral gear is selected</li> <li>c The lamps are in good working order and are secure</li> <li>d The lamps do not flicker when lightly tapped by hand</li> </ul>	<b>Reversing lamps</b> <ul style="list-style-type: none"> <li>a Fails to operate or does not emit a white diffused light</li> <li>b Fails to extinguish when neutral or forward gear is selected</li> <li>c Are not in good working order or insecure</li> <li>d Flickers when tapped lightly by hand</li> </ul>
<b>Front fog/driving lamps</b> <ul style="list-style-type: none"> <li>e A single front fog lamp emitting a white or yellow diffused light illuminates only when dipped beam is selected</li> <li>f A pair of matched fog lamps both emitting a white or yellow diffused light should illuminate together</li> <li>g A pair of matched, long-range driving lamps, both emitting a white diffused light, should illuminate together</li> </ul>	<b>Front fog/driving lamps</b> <ul style="list-style-type: none"> <li>e Lamp inoperative or operates other than in dipped beam mode</li> <li>f Operate incorrectly</li> <li>g Operate incorrectly</li> </ul>
<b>'For Hire' and roof signs</b> <ul style="list-style-type: none"> <li>a Correct style and type of sign fitted</li> <li>b Ensure the sign is securely fastened to the vehicle</li> <li>c Condition and security of wiring</li> <li>d Functional test of signs for illumination</li> </ul>	<b>'For Hire' and roof signs</b> <ul style="list-style-type: none"> <li>a Incorrect colour or details shown on sign, ie registration number, vehicle number etc</li> <li>b Insecure sign</li> <li>c Wiring is not in good condition or is loose or chuffed</li> <li>d Illumination not consistent across the sign, ie all light bulb(s) LED(s) illuminated when switched on</li> </ul>

## Section 2

### Steering and suspension

#### 2.1 Steering control – steering wheel

Method of inspection	Reason for rejection
<i>With both hands rock the steering wheel from side to side at right angles to steering column and apply slight downward and upward pressure to the steering wheel rim (in line with column). Note the following.</i>	
<ul style="list-style-type: none"> <li>a Fractures in steering wheel hub</li> <li>b Fractures in steering wheel rim</li> <li>c Steering wheel spokes loose or fractured</li> <li>d Jagged edges on steering wheel rim</li> <li>e. If possible, check the retaining device on steering wheel is fitted</li> </ul>	<ul style="list-style-type: none"> <li>a Steering wheel hub fractured</li> <li>b Steering wheel rim fractured</li> <li>c A steering wheel spoke loose or fractured</li> <li>d Jagged edges on steering wheel rim likely to injure the driver</li> <li>e. A steering wheel hub-retaining device not fitted</li> </ul>

## 2.1 Steering control – steering column

Method of inspection	Reason for rejection
a Try to lift the steering in line with the steering column and note the movement at centre of steering wheel	a Excessive movement at centre of steering wheel in line with steering column (end float)  <i>Note: Certain types of steering column might show some movement not due to excessive wear, eg those fitted with universal joints or flexible couplings</i>
b While steering wheel is rotated, check for deterioration in any flexible coupling or universal joint of steering column	b A flexible coupling or universal joint deteriorated, worn or insecure
c Where practical, check any clamp bolts for presence and security of locking devices. (These may be located in the engine compartment or under chassis)	c A coupling clamp bolt or locking device loose or missing

## 2.4 Suspension spring units and linkages

Method of inspection	Reason for rejection
<b>Coil springs</b>	<b>Coil springs</b>
a Welding repairs	a Repaired by welding

## Section 3

### Brakes

No additional inspection requirements

## Section 4

### Tyres and road wheels

#### 4.1 Tyres – condition

Method of inspection	Reason for rejection
On all the tyres, including spare wheel <b>where fitted</b> , examine each tyre meets all the requirements laid down in the 'MOT Inspection Manual – Private Passenger and Light Commercial', ISBN 978-0-9549352-5-2  <i>Note: Where a doughnut tank is fitted in the boot for LPG, the spare wheel if still carried in the boot must be properly secured. Alternatively, a spare wheel cage installed to manufacturer's and British Standards may be fitted to the underside of the vehicle</i>	In accordance with the 'MOT Inspection Manual – Private Passenger and Light Commercial Vehicle Testing', ISBN 978-0-9549352-5-2  <i>Note: Space saver tyres should only be approved with the support of a method statement highlighting driver responsibilities with regard to the maximum permitted speed and that space savers are a temporary 'get-you-home tyre'</i>

Method of inspection	Reason for rejection
<p><b>Important note: stretched limousines</b></p> <p>In the case of American imported stretched limousines, vehicle inspectors will need to be vigilant when inspecting tyres for suitability, and an assessment should be made with the information detailed on the convertor plate. Most converted stretched limousines are converted from Ford Lincoln Town Cars with a number of Cadillac variants also.</p> <p>In approved 'stretch' limousine conversions, the maximum weight can be in excess of 7,100lbs (3.2 tonnes) and care should be exercised when determining suitable tyre ratings. Generally speaking a Ford Lincoln or Cadillac would require a tyre rating index of at least 107T, which gives a load rating of 2,149lbs (975kgs) with a maximum speed of 118 miles per hour.</p>	<p><b>Stretched limousines</b></p> <p>More information and guidance can be obtained from: National Limousine &amp; Chauffeur Association on: <a href="http://www.nlca.co.uk">www.nlca.co.uk</a></p>

## Section 5

### Seat belts and supplementary restraint systems

No additional inspection requirements

## Section 6

### Body, structure and general items

#### 6.1 Vehicle body and condition (exterior)

Method of inspection	Reason for rejection
<p>Examine the body thoroughly for security, corrosion, damage, poor repair/paint match or sharp edges that are likely to cause injury</p>	<ul style="list-style-type: none"> <li>a An insecure or missing body panel, trim, step or accessory</li> <li>b Any sharp edge whatsoever which may cause injury</li> <li>c Heavy scuffing, abrasions or deformation to front and rear bumper</li> <li>d More than 8 stone chips visible on a bonnet/grill that has not penetrated to the metal or more than 4 stone chips that have penetrated to the metal</li> <li>e More than 8 stone chips on any panel including door edges, provided the base coat has not been penetrated</li> <li>f More than 4 stone chips on any panel where the base coat has been penetrated to the metal and is untreated</li> <li>g A single dent of more than 80mm, or more than 3 dents of not more than 20mm in any one panel</li> <li>h More than 4 scratches and or abrasions of more than 50mm in length in any one panel provided that the base coat has not been penetrated</li> <li>i Dull, faded paintwork which has lost its gloss finish or paint miss-match to a panel(s) to such an extent that it detracts from the overall appearance of the vehicle</li> </ul>

Method of inspection	Reason for rejection
	<ul style="list-style-type: none"> <li>j Evidence of poor repairs and or paint finish to a repaired panel(s) including runs and overspray to adjoining panels/trim that detracts from the overall appearance of the vehicle</li> <li>k Obvious signs of rust/corrosion of any size particularly those that are covered by advertising signs</li> <li>l Lack of clearly displayed or omission of 'No Smoking' signs</li> </ul>

## 6.1 Vehicle body, security and condition (interior)

Method of inspection	Reason for rejection
a Examine thoroughly the interior for damaged, insecure or loose fixtures, fittings or accessories	a Insecure and loose fixtures, fittings or accessories
b Dirty, missing and worn trim, carpets, seat belts, mats, headlining, boot area and inclusion of prescribed items. Remove mats to inspect carpets underneath for cleanliness and wear	b Missing, dirty, soiled, stained worn or insecure trim, carpets, headlining, and mats in such a condition that they are likely to soil or damage passengers' clothing or luggage
c Examine interior lights, motion door locks and warning lights	c An inoperative interior light (all lights must illuminate if they are part of the manufacturer's standard equipment). Missing or defective motion switch/lock or warning lamp not illuminated
d Examine heating, demisting and air condition systems for correct operation, including passenger compartment controls where fitted (includes electric front and rear screen demisters)	d A system(s) which does not function correctly, or any part is missing including vents, controls and switches
e Examine all windows ensuring they allow lowering and rising easily	e An opening window that is inoperative or difficult to open and or close mechanism broken/missing
f Examine interior door locks, grab handles/rails safety covers	f Missing, defective or loose door locks, child locks, protective covers grab handles and rails. Grab handles/rails, which are rigid to aid the blind and partially sighted, and are worn to excess
g Examine grills/partitions for security and condition	g A grill/partition which is insecure or has sharp edge which may cause injury to passengers or driver
h Examine electrical wiring for condition, security, including intercom systems	h Frayed, chaffing wiring, non-shielded terminals and cables so routed that they cause a trip hazard, cables that can be easily disconnected. Intercom system defective, warning light inoperative and signs illegible/missing
i Examine the boot for access, contents, cleanliness and water ingress	i Unable to open, close and or lock boot lid, failure of boot lid support mechanism, defective seals/evidence of water ingress, dirty boot and/or carpets, loose items stored in boot (ie spare wheel tools and equipment etc)
<b>Additional items to be inspected in limousines and novelty vehicles.</b>	
j All fixtures and fittings, ie mirror balls, drinks cabinets, televisions etc must be stored securely and not hinder the ingress or egress from the passenger compartment	j Any fixture or fitting that is loose or insecure or where walkways are blocked that prevent ease of ingress or egress from the passenger compartment

Method of inspection	Reason for rejection
<p>k A notice identifying the maximum seating capacity to be displayed in the passenger compartment and clearly visible to all passengers. It may be necessary to display more than one sign indicating the maximum seating capacity</p> <p><i>Note: Any vehicle presented in a dirty, untidy condition will not be tested</i></p>	<p>k No maximum seating capacity sign or signs displayed. A sign or signs not clearly visible to all passengers</p>
<p><b>Mandatory 'No Smoking' sign</b></p> <p>l Check for presence and display of No Smoking sign</p>	<p>l No Smoking sign missing/not adequately displayed</p>

## 6.1 Bumper bars

Method of inspection	Reason for rejection
<p><b>Examine the bumper bars and check the following.</b></p> <p>a They are secure to their mountings</p> <p>b The mountings are secure to the vehicle</p> <p>c There is no evidence of damage</p>	<p>a A loose bumper bar or mounting. A weakened bumper bar and/or mounting is insecure because of poor repairs</p> <p>b A fractured mounting bracket. Mounting bolts so worn or elongated that the bumper bar is likely to detach partially or completely from the vehicle when in use. A bumper bar secured by wire or other temporary means is regarded as insecure and must be rejected</p> <p>c Bumper bars which have jagged edges, cracks, splits or projections, which may cause injury to persons near the vehicle. Paint miss-match or fading which is significantly different to that of the rest of the paintwork</p>

## 6.2 Doors and seats

Method of inspection	Reason for rejection
<p><b>Doors and emergency exits</b></p> <p>Examine the condition of all doors and emergency exits. Check door locks, striker plates, handles and hinges for security, wear and missing and damaged trim/cover plates</p> <p>Check the presence, condition and correct functioning of all door stay catches and devices (including sliding doors)</p> <p>Check markings describing the presence and method of opening emergency exit(s) are readily visible on or adjacent to the exit and are legible</p> <p>Check that seats are secure, clean and not unduly worn</p>	<p><b>Doors and emergency exits</b></p> <p>a A door or emergency exit does not latch securely in the closed position</p> <p>b A door or emergency exit cannot be opened from both the inside and outside the vehicle from the relevant control in each case</p> <p>c Missing, loose or worn handles, lock or striker plate</p> <p>d Markings describing the presence and method of opening an emergency exit missing, illegible or incorrect</p> <p>e Missing, loose or damaged trim/cover plate</p> <p>f Seat cushion(s) stained, torn, holed, worn or insecure. A seat that does not provide adequate support at base or backrest. Torn, slashed or badly stained seats are not acceptable</p> <p>g A door stay catch or device missing, excessively worn or not fulfilling its function</p>

Method of inspection	Reason for rejection
<p><b>Important note</b></p> <p>With the exception of 'novelty vehicles' only vehicles with forward and rear facing seats will be accepted.</p> <p>For more information on seating for novelty vehicles see section 12.1</p>	
<p><b>Accessibility: wheelchair vehicles</b></p> <p>Door configurations for wheelchair accessible vehicles</p> <p>a Single rear door – must open to a minimum of 90 degrees and be capable of locking in place</p> <p>b Twin rear doors – both must open to a minimum of 180 degrees and be capable of being locked in place. This is to enable an attendant (driver or guide) to assist the wheelchair passenger if required</p>	<p><b>Accessibility: wheelchair vehicles</b></p> <p>a Door does not open to a full 90 degrees and cannot be secured in the open position</p> <p>b Twin doors do not open to a full 180 degrees and cannot be secured in the open position</p>

## Section 7

### Exhaust, fuel and emissions

#### 7.1 Exhaust system

Method of inspection	Reason for rejection
Where applicable, check for presence, security and adequacy of grease shields to hot exhausts	A heat shield missing, insecure or inadequate

#### 7.2 Fuel system – pipes and tanks

Method of inspection	Reason for rejection
<p>a Check that fuel tank filler caps are:</p> <ul style="list-style-type: none"> <li>• present</li> <li>• of the correct type</li> <li>• secure and seated properly to ensure correct function of sealing</li> </ul> <p>b Examine pipes to see they are securely clipped to prevent damage by chafing and cracking, and are not in a position where they will be fouled by moving parts</p> <p>c Check that no fuel pipe runs immediately adjacent to or in direct contact with electrical wiring or the exhaust system</p>	<p>a A filler cap missing or unsuitable or in such condition that it would not prevent fuel leaking or spilling</p> <p>b Damaged, chafed, insecure pipes or pipes so positioned that there is a danger of them fouling moving parts</p> <p>c A fuel pipe immediately adjacent to or in direct contact with electrical wiring or exhaust system</p> <p>d Temporary/emergency fuel cap fitted</p>

## Section 8

# Driver's view of the road

### 8.1 Mirrors and view to rear

Method of inspection	Reason for rejection
<b><i>The number and position of all obligatory mirrors must be checked.</i></b>	
Check the condition of each mirror reflecting surface	A mirror reflecting surface deteriorated or broken. <i>Note: A defective additional external mirror is not a reason for rejection</i>

### 8.3 Windscreen – view to the front

Method of inspection	Reason for rejection
<b><i>Sit in the driver's seat and check that there is reasonable view of the road ahead, bearing in mind the original design of the vehicle.</i></b>	The position or size of any object restricts the driver's view of the road ahead, bearing in mind the original design of the vehicle
For all air operated wipers examine: <ul style="list-style-type: none"><li>the condition of any visible piping</li><li>the function of the operating mechanism</li><li>the function of necessary valves to protect the braking system</li></ul> <p><i>Note: Equipment or objects not originally fitted to the vehicle as part of the original design must not obstruct the designed forward view of the driver. In particular, objects such as (but not limited to) pennants, cab decorations and external stone guards/visors should not interrupt the view through the swept area by the windscreen wipers</i></p>	Air operated wipers: <ul style="list-style-type: none"><li>pipes inadequately clipped or supported</li><li>incorrect function of the wipers or leaking components</li><li>incorrect operation of protection valves</li></ul>

### 8.5 Window glass or other transparent material

Method of inspection	Reason for rejection
a Visually check the condition of all windscreens, internal screens, partitions, side, rear, roof and door windows for cracks, surface damage and discolouration	a A crack, surface damage or discoloration in glass or other transparent material that: <ul style="list-style-type: none"><li>impairs the driver's front, side, or rear view of the road</li><li>presents a danger to any person in the vehicle</li></ul>
b Check presence and security of all windscreens, side, roof, or rear windows, or internal screens or partitions	b A windscreen or any other outside window missing, or any windscreen, window, internal screen or partition insecure
c Check for evidence of obvious leaks from all windscreens and side, rear, roof or door windows	c Any external window or windscreen is obviously leaking
d Check for presence, security and condition of guard rails or barriers at windows, internal screens or partitions	d A guard-rail or barrier at a window, internal screen or partition missing, insecure or damaged
e For all vehicles first used before 1 January 1959. As far as is practicable, check that glass fitted to windscreens and outside windows facing to the front is safety glass, except glass fitted to the upper deck of a double deck bus	e The windscreen and/or any outside window facing to the front of a vehicle obviously not safety glass fitted to a vehicle first used before 1 January 1959
f For all vehicles used on or after 1 January 1959, as far as is practicable, check that glass used for windscreens and all outside windows is safety glass, or safety glazing	f Glass used for a windscreen or an outside window is obviously not safety glass

Method of inspection	Reason for rejection
<p>g Vehicles first used on or after 1 June 1978, check that windscreens and other windows, wholly or partly, on either side of the drivers' seat are made from safety glass displaying an acceptable safety mark</p> <p><i>Note: Marking is not required for safety glass on vehicles first used before 1 June 1978</i></p>	<p>g For vehicles first used on or after 1 June 1978, that windscreens and/or other windows wholly or partly on either side of the drivers seat that are not made from safety glass display an acceptable safety mark</p>

## Section 9

### Tricycles and quadricycles

No additional inspection requirements

## Section 10

### Additional requirements

#### 10.1 Transmission

Method of inspection	Reason for rejection
<p><b>Examine transmission, check for the following.</b></p>	
a Missing or loose flange bolts	a A loose or missing flange bolt(s)
b Cracked or insecure flanges	b A flange cracked, or loose on the transmission shaft
c Wear in shaft and/or wheel bearings	c Excessive wear in shaft bearing
d Security of bearing housings	d A bearing housing insecure to its fixing
e Cracks or fractures in bearing housings	e A cracked or fractured bearing housing
f Wear in universal joints	f Excessive wear in a universal joint
g Deterioration of flexible couplings	g Deterioration of a transmission shaft flexible coupling
h Distorted, damaged shafts	h A damaged, cracked or bent shaft
i Deterioration of bearing housing flexible mountings	i Deterioration of a flexible mounting of a bearing housing
j Clearance between transmission shafts and adjacent components	j Evidence of fouling between any transmission shaft and an adjacent component

#### 10.2 Oil and water leaks

Method of inspection	Reason for rejection
<p>a Check vehicle for oil and water leaks from any assembly or component to the ground</p> <p>b And/or which could be deposited on surrounding bodywork or onto the exhaust system.</p> <p><i>Note: If necessary, the engine can be run at idle speed to confirm the existence of an oil leak</i></p>	<p>a An oil or water leak, from any assembly, which deposits fluids underneath the vehicle whilst stationary</p> <p>b Leaks which, when the vehicle is moving, could be deposited upon the surrounding bodywork, exhaust and brake system so that it would:</p> <ul style="list-style-type: none"> <li>contaminate areas</li> <li>could potentially cause a health, safety or fire risk</li> </ul>

## 10.3 Luggage/load space

Method of inspection	Reason for rejection
<p>Physical separation is not so much an issue as is the safety of passengers in the event of an accident. The luggage should therefore be secure and prevented from becoming dislodged in an accident in such a manner as may cause injury. Such security can be by means of a sheet or net, which could be anchored to the floor of the luggage area. Clearly if the luggage compartment is not physically separated from the passenger compartment then care will need to be taken so as not to carry any hazardous items such as fuel cans, detergents or other loose items that could leak if they become damaged</p>	<p>Load restraint system, if required, not present at time of test</p> <p>Load restraint system faulty or unserviceable</p>

## 10.4 Trailers and towbars

Method of inspection	Reason for rejection
<p><b>Trailers</b></p> <p>Where a local licensing authority permits the use of trailers for the carriage of luggage, then the trailer needs to be presented for test along with the vehicle that will be authorised to tow it. The trailer will also need to display the appropriate registration plate and a licence plate</p> <p><i>Note: Trailers presented for inspection should be built by an approved or recognised trailer manufacturer</i></p> <p><i>An example of a typical trailer inspection sheet can be found at Appendix A</i></p>	<p><b>Trailers</b></p> <p>Rejections as indicated on the trailer inspection sheet shown at Appendix A</p>
<p><b>Towbars</b></p> <p>Where tow bars are fitted checks must be made on the condition and security to the towing vehicle</p>	<p><b>Towbars</b></p> <p>Rejections as indicated on the trailer inspection sheet shown at Appendix A</p>

## Section 11

### Ancillary equipment

#### 11.1 Wheelchair restraint and access equipment

Method of inspection	Reason for rejection
<p><b>Wheelchair restraint</b></p> <p>a Where applicable check condition and operation of wheelchair restraint</p> <p>b A system for the effective anchoring of wheelchairs shall be provided within the vehicle in all spaces designated as wheelchair spaces</p>	<p><b>Wheelchair restraint</b></p> <p>a A wheelchair restraint is defective, worn or missing.</p> <p>b Wheelchair anchorage systems and devices do not conform to European Directive 76/115 EEC (as amended)</p>
<p><b>Wheelchair access and equipment</b></p> <p>A vehicle shall be fitted with either of the following forms of wheelchair access equipment:</p>	

Method of inspection	Reason for rejection
<p><i>Ramps</i></p> <p>c Check that appropriate ramps fitted are securely installed in the designated storage area. Examine for damage, deformity, sharp edges etc. and provision of anti-slip covering</p> <p><i>Wheelchair lift</i></p> <p>d A purpose designed wheelchair lift shall conform to the LOLER 98 Regulations. A report, confirming that the lifting equipment is safe to use, shall be presented at the time of the vehicle inspection. Vehicles presented for inspection with a wheel chair lift will require a LOLER certificate that is valid for a period of six months from the date of issue</p> <p><i>Note: Passenger lifting equipment will need to be thoroughly examined by a competent person, in use, at least once every six months</i></p> <p>e Any purpose designed wheelchair access ramp that is carried must be lightweight and easy to deploy. The installed ramp shall have visible reference to safe working load of 250kgs and certified to BS 6109</p> <p>f Wheelchair access equipment shall be fitted either into the rear or side access door of the vehicle. Where it is fitted to a side door this shall be the door situated on the nearside of the vehicle, ie kerbside when stopped in a normal road</p> <p>g The aperture of the door into which the access equipment is fitted shall have minimum clear headroom in its central third of 48 inches (1,220mm). The measurement shall be taken from the upper centre of the aperture to a point directly below on either the upper face of the fully raised lift platform or the upper face of the ramp fully deployed on level ground</p> <p>h A locking mechanism shall be fitted that holds the access door in the open position whilst in use</p> <p>i All wheelchair tracking must be fit for purpose and structurally sound</p>	<p>c Ramps missing, insecurely stored, damaged/deformed, anti-slip covering in poor condition or missing</p> <p>d Vehicle not presented with a valid or current LOLER certificate</p> <p>e The installed ramp does not have any visible reference to a maximum safe working load or certification to BS 6109</p> <p>f Wheelchair access equipment is fitted to the offside access door of the vehicle</p> <p>g There is not clear headroom in the aperture within the central third of 48 inches (1,220mm)</p> <p>h No evidence of a suitable locking mechanism to hold the door open</p> <p>i Damaged or insecure tracking or detritus deposits within the tracking rails</p>

## 11.2 Fire extinguisher

Method of inspection	Reason for rejection
<p>a Check the fire extinguisher for presence:</p> <ul style="list-style-type: none"> <li>• the expiry date</li> <li>• seal</li> <li>• type – water or foam</li> <li>• approved mark – BS5423 or EN3</li> </ul> <p>b The fire extinguisher must be kept in an accessible position inside the vehicle. The extinguisher may be carried out of view, ie in a fastened glove compartment provided there is a clear sign on the dashboard, stating the location</p>	<p>a A fire extinguisher is missing or:</p> <ul style="list-style-type: none"> <li>• out of date</li> <li>• broken or missing seal</li> <li>• no approved marking visible or other non-approved marking shown</li> <li>• incorrect type</li> <li>• in an obviously poor condition or discharged state</li> </ul> <p>b Not fitted in an accessible position or its position is not clearly marked</p>

### 11.3 First aid kit

Method of inspection	Reason for rejection
a Check the first aid kit for presence, the expiry date and the seal is intact. There is no requirement to inspect the contents of the first aid kit	a A first aid kit is missing, out of date, in a poor or contaminated condition or the seal has been broken
b The first aid kit must be kept in an accessible position inside the vehicle. The first aid kit may be carried out of view, ie in a fastened glove compartment provided there is a clear sign on the dashboard, stating the location	b The first aid kit is not fitted in an accessible position or its position is not clearly marked

## Section 12

### Novelty vehicles (stretch limousines)

#### 12.1 Seating capacity

Method of inspection	Reason for rejection
It is strongly recommended that prior to the inspection of a novelty vehicle the inspector checks the seating capacity on the V5C to ensure it does not exceed 8 passenger seats	If the V5C states more than 8 passengers, then this vehicle <b>MUST NOT</b> be tested or licensed as a Private Hire Vehicle. The vehicle should be referred to VOSA for licensing as a passenger carrying vehicle (PCV)

#### 12.2 Undue stresses

Method of inspection	Reason for rejection
Vehicle inspectors should be aware of undue stresses caused to the steering, brakes and tyres due to the additional weight imposed on the vehicle at the modification process	Tolerances and wear should be as defined in the VOSA MOT Inspection Manual – Private Passenger and Light Commercial Vehicle Testing as follows: <ul style="list-style-type: none"><li>• steering – section 2</li><li>• brakes – section 3</li><li>• tyres – section 4</li></ul>

#### 12.3 Passenger notices

##### Driver declaration

Local licensing authorities are strongly advised to obtain a declaration, from the operator of a licensed novelty vehicle, that side facing seats will never be used to carry passengers under 16 years of age, **regardless of whether the vehicle is fitted with or without seat belts**

##### Passenger notices

- In addition, notices forbidding children to be carried in side facing seats must be displayed in prominent positions, ie on entry to the passenger compartment and on the inside of the vehicle on either side of the passenger compartment. In addition, local licensing authorities may require outward facing signs adjacent to all entrance/exit doors to the passenger compartment
- Further notices should be displayed inside the vehicle, where all passenger can clearly read the notice, advising passengers of the maximum carrying capacity of the vehicle and a warning to passengers that should the capacity be exceeded then the vehicle will not be insured

# Appendices

## Appendix A

### Hackney Carriage and Private Hire – Trailer inspection form

## Hackney Carriage and Private Hire Trailer inspection sheet

Space for  
local authority logo



Plate number of towing vehicle \_\_\_\_\_

Registration number of towing vehicle \_\_\_\_\_

Registered owner of vehicle \_\_\_\_\_

Manufacturer's plate showing chassis number \_\_\_\_\_

Manufacturer's plate showing maximum weight \_\_\_\_\_

Inspection area	Description	Pass (✓)	Fail (X)
Licence plate	Contains details and complies with local licensing authorities' format		
Licence plate	Clearly displayed, legible and securely fixed		
Licence plate	Serviceable – not damaged or defaced		
Trailer couplings	Check condition and operation and presence of a safety breakaway cable		
Tow bar mounting brackets	Check condition and security		
Trailer body	Check condition of side and rear tailboards		
Trailer chassis	Check condition		
Suspension	Check condition and operation		
Wheel bearings	Check for excessive free play or roughness in bearings		
Tonneau cover and fittings	Check for condition		
Wheels and tyres	Check security, condition and wear		
Braking system	Operates satisfactorily		
Lighting	All obligatory lights work		
Indicators	All indicators work		
Reflective triangle	Check presence and condition		
Numberplate	Check condition, security of fitting and displayed clearly		
Speed restriction notice	Check condition and displayed clearly		

I hereby certify that the above trailer has been inspected and has/has not\* been found to be roadworthy and suitable to be used as a hackney carriage/private hire\* trailer at the time of inspection.

Examined by (name) \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

\*Delete as appropriate

---

## Appendix B

### Definition of motor vehicles

Category	Definition
<b>M</b>	A motor vehicle with at least four wheels designed and constructed for the carriage of passengers
<b>M1</b>	Vehicles designed and constructed for the carriage of passengers and comprising no more than eight seats in addition to the driver's seat
<b>M2</b>	Vehicles designed and constructed for the carriage of passengers and comprising more than eight seats in addition to the driver's seat, and having a maximum mass not exceeding five tonnes
<b>M3</b>	Vehicles designed and constructed for the carriage of passengers and comprising more than eight seats in addition to the driver's seat, and having a maximum mass exceeding five tonnes

Appendix C

Hackney Carriage and Private Hire – Inspection sheet (front)

Hackney Carriage and Private Hire  
Inspection form

Space for  
local authority logo



**IMPORTANT: READ NOTES OVERLEAF**

Chassis no	Certificate of Compliance serial no		Class of inspection (tick) <input type="checkbox"/> Hackney Carriage <input type="checkbox"/> Private hire <input type="checkbox"/> Car purchase
Vehicle reg mark	Make and model	Year of manufacture	
Plate no	Recorded mileage	Colour	

A	Item tested	Pass (✓)	Fail (X)	Reasons for failure
	<b>Lighting equipment</b>			
	Front and rear lamps			
	Headlamps			
	Headlamp aim			
	Stop lamps			
	Rear reflectors			
	Direction indicators			
	<b>Steering and suspension</b>			
	Steering control			
	Steering mechanism/system			
	Power steering			
	Transmission			
	Wheel bearings			
	Front suspension			
	Rear suspension			
	Shock absorbers			
	<b>Brakes</b>			
	Controls/ABS warning system			
	Condition of service brake system			
	Condition of parking brake system			
	Service brake performance			
	Parking brake performance			
	<b>Tyres and wheels</b>			
	Tyre type			
	Tyre condition (including spare)			
	Road wheels			
	<b>Seat belts</b>			
	Mountings			
	Condition			
	<b>General</b>			
	Driver's view of the road, mirrors			
	Horn			
	Exhaust system			
	Fuel system			
	Exhaust emissions			
	Vehicle structure			
	Body interior and luggage space			
	Fire extinguisher, first aid kit and bulb kit			
	Meter – test and seal			
	Licence plates/discs			
	Roof sign and For Hire sign			
	Body exterior			
	Doors and seats			
	Electrical wiring and equipment			
	Speedo			
	Oil and water leaks			
	Ancillary equipment			
	Trailers and tow bars Yes/No			

\*delete as appropriate

**B** I hereby certify that the above vehicle has been inspected and has/has not\* been found to be roadworthy and suitable to be used as a hackney carriage/private hire\* vehicle at the same time of inspection.

Signed \_\_\_\_\_ (Tester/Inspector)

Name in capitals \_\_\_\_\_ Date \_\_\_\_\_

**Authentication stamp**

**C** WARNING: IN MY OPINION, THE VEHICLE IS DANGEROUS TO DRIVE BECAUSE OF THE FOLLOWING DEFECT:

## Hackney Carriage and Private Hire – Inspection sheet (back)

### If your vehicle has failed the test please read the following notes

- 1 Your vehicle does not meet the legal requirements. You should have it repaired without delay and you are not to use the vehicle for hire and reward until such repairs are carried out.
- 2 It is an offence to use on a public road a vehicle of testable age that does not have a current certificate of compliance, except when:
  - bringing it away from a testing station after it has failed the test
  - taking it to or bringing it away from a place where by PREVIOUS ARRANGEMENT repairs are to be or have been made to remedy the defects for which the vehicle was failed
  - taking it to the testing station for a test booked in advance

Even in the above circumstances you may still be prosecuted for driving an unroadworthy vehicle if it does not comply with the various regulations affecting its construction and use.

Additionally the insurance may not be operative.

- 3 A FULL FEE IS PAYABLE IF:
  - a the vehicle is submitted for retest at the testing station more than seven days after being failed
  - b having been presented for a retest, fails any subsequent test

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# **CHICHESTER DISTRICT COUNCIL**

## **CONDITIONS**

relating to the

## **CONSTRUCTION AND LICENSING**

of

## **HACKNEY CARRIAGES**

in the

## **DISTRICT OF CHICHESTER**

December 2012

# CONDITIONS

relating to the

## CONSTRUCTION AND LICENSING

of

## HACKNEY CARRIAGES (TAXIS)

in the

## DISTRICT OF CHICHESTER

### 1. Vehicle Type - Part One – General Conditions

- 1.1 All licensed vehicles must comply in all respects with the requirements of any Act and Regulations relating to motor vehicles in force during the currency of the licence. All licensed vehicles must comply in all respects with any Bye-Laws and Licence Conditions current in the Chichester District.
- 1.2 Any vehicle presented for licensing shall be accompanied by a valid EC Whole Vehicle Type Approval (ECWVTA) Certificate of Conformity (or, in the case of a vehicle already registered, a valid duplicate Certificate of Conformity), as a Category M1 vehicle. In the case of a vehicle that has been modified to accommodate a passenger with a disability confined to a wheelchair, the type approval shall include, as a minimum, those elements of the conversion relating to the bulkhead and any modified seating layout. Satisfactory evidence of compliance shall be provided to the Council at the time the vehicle is presented. This may include items such as the relevant drawings/photographs and / or Manufacturer's Information Document bearing the relevant Type Approval Authority's authentication stamp.
- 1.3 All vehicles including purpose built taxis shall be subject to the following additional requirements:
  - Where applicable, a licensed Proprietor may determine to carry a passenger, forward of the centre partition, by using the front

passenger seat. This option is at the sole discretion of the licensed Proprietor;

- 4 doors (excluding rear doors/tailgate unless accessible without the need to move seats);
- It is recommended that the minimum engine cylinder capacity should be 1600cc. In some circumstances, the engine size may be lower but in every case the licensed vehicle should be capable for use along urban and rural routes whilst carrying the maximum licensed number of passengers and associated luggage.
- **Euro 4** emissions compliance at the time of first licensing;
- Right hand drive;
- Vehicles over 5 years are subject to 6 monthly MoT and Fitness Test;
- Vehicles with seating for more than 5 passengers will only be accepted for licensing following prior inspection of the actual vehicle for compliance and for suitability of seating layout and access;
- Only vehicles capable of safe use as a Wheelchair Accessible Vehicle (WAV) shall be licensed as a Hackney Carriage.

1.4 Once a vehicle has been approved it must remain in that form and no change in the specification, design, condition or appearance of the vehicle shall be made throughout its licensing life without prior written approval from the Council.

1.5 It is a requirement that all drivers of accessible taxis are able to demonstrate that they are competent at loading and securing disabled passengers and wheelchair users safely.

## **2. Seating Capacity**

2.1 The vehicle shall have a minimum seating capacity of 5 with forward and/or rear facing passengers seats, up to a maximum of 8 passengers and be capable of accommodating at least one passenger confined to a wheelchair. A vehicle where a wheelchair occupant reduces the overall capacity shall be permitted, subject to fulfilling all other requirements.

2.2 Only forward and/or rearward facing passenger seats shall be fitted.

2.3 All passenger seats and the devices used to secure them to the vehicle shall comply with the relevant M1 standards contained in European Directive 74/408 EC or ECE Regulation R17 or as amended.

- 2.4 All passenger seats shall be permanently fixed to the vehicle. Demountable seats that are capable of being removed for the purpose of providing space for wheelchair passengers shall not be allowed. Fold-away tip-up type seats, shall be permitted providing they remain attached to the vehicle and comply with the requirements of 2.2 above.
- 2.5 All seats shall have a minimum cushion size of 350mm front to rear and 400mm side to side. Seat heights to be between 300mm to 460mm measured from the floor of the vehicle to the top of the seat cushion at its forward edge. The squab should not have a pronounced angle.
- 2.6 All passenger seats shall be fixed such that a minimum knee and leg room of 650mm is provided, measured from the face of the backrest to the nearest part of the seat in front, measured in a horizontal plane, excepting that where seats face each other, ie conference seating, the distance between the faces of opposing backrests shall be not less than 1220mm and the gap between the front edges of opposing seat cushions shall be not less than 340mm.
- 2.7 All seats shall have minimum headroom of 900mm measured from the central point of the seat cushion where it meets the backrest, measured in a vertical plane.
- 2.8 To provide adequate room for disabled passenger's (s') feet there must be clear floor space in front of the seat of 300mm length, 250mm width and 80mm height.
- 2.9 Every passenger seat shall have the forward edge highlighted in a contrasting colour so as to assist passengers with visual impairment.
- 2.10 It is a recommended that a swivel seat facility should be fitted to the nearside rear tip seat to assist ambulant disabled passengers.

### **3. Seat belts and Anchorages**

- 3.1 All passenger seats shall be provided with a lap and diagonal 3 point seat belt which comply with the strength requirements specified in European Directive 77/541 or ECE Reg. 16 or as amended and Regulations 46 and 47 of the Road Vehicle (Construction and Use) Regulations 1986, whether or not those Directives or Regulations apply to that particular seat or the vehicle and in every case governed by ECWVTA.
- 3.2 Each passenger confined to a wheelchair shall be provided with a disabled person's seat belt that conforms to ISO 10542 ; 2001 or ECE Reg. R14.05 or as amended, which fastens to the structure of the vehicle either permanently or temporarily by use of approved fixings appropriate to the position of the wheelchair as laid down in PAS 2012 – 1:2012 for both forward and rear-ward facing wheelchairs or as amended.
- 3.3 All seat belts shall be fitted to the vehicle with the number of anchorage points appropriate to the type of seat belt. All anchorage points shall comply with M1 standards laid down in European Directive 76/115 EC or ECE Regulation 14

whether or not those requirements apply to that particular anchorage or vehicle. PAS 2012 – 1:2012 shall also apply or as amended.

#### **4. Wheelchair Restraint(s) and Passenger Safety Equipment**

- 4.1 A system for the effective anchoring of wheelchairs shall be provided within the vehicle for all spaces designated as wheelchair spaces in accordance with 5 below. The system and the devices used to secure the wheelchair to the vehicle shall comply with the strength requirements set out in PAS 2012 – 1:2012 or as amended, whether or not those Directives apply to those devices or vehicle. Wheelchair(s) must only face forward or rearward when the vehicle is in motion.
- 4.2 A full set of restraints shall be available in the vehicle for each wheelchair capable of being carried as permitted by the vehicle licence.

#### **5. Wheelchair Space**

- 5.1 The vehicle shall have a designated space capable of accepting a standard reference wheelchair, of at least 1200mm by 700mm (measured front to back and side to side) with a minimum headroom of 1350mm to 1825mm measured from the floor of the vehicle for each passenger confined to a wheelchair. The space(s) shall be immediately adjacent to a vehicle door fitted with the wheelchair access equipment (see 6 below) so as to allow the passenger confined to a wheelchair to board the vehicle and use the anchoring equipment with the minimum of manoeuvring.

#### **6. Wheelchair Access Equipment**

- 6.1 The vehicle shall be fitted with the following form of wheelchair access equipment:

Ramp - A purpose designed wheelchair access ramp which must be permanently installed in the vehicle and be lightweight and easy to deploy. An add-on removable section would be deemed to meet this requirement. The ramp must provide a continuous surface of not less than 700mm in width and shall not exceed 1500mm in length when fully deployed and project from the widest part of the vehicle. Where ever possible, the ramp gradient should be less than 14 degrees when positioned off a kerb approximately 125mm in height. On level ground the ramp shall have a maximum gradient of no more than 19 degrees in the fully deployed position. It is recommended that the ramp should be fitted with a 35mm safety lip, comprise of a non-slip surface with highlighted edges to reduce the risk of trips. It is recommended that the ramp should be the same width as the door. The installed ramp must have a minimum safe working load of 250kgs to 300kgs and shall be tested to 10% overload and a certificate obtained from the manufacturer/installer. Ramps and fittings must comply with British Standards 6109 and PAS 2012 -1:2012 or as amended.

- 6.2 Rear loading of wheelchairs will not be permitted.

- 6.3 The aperture of the door into which the access equipment is fitted shall have a width of 840mm (or greater) to a minimum of 800mm to provide adequate clearance for wheelchairs and walking frames. A door height of between 1220mm to 1595mm clear headroom will be required. The measurement shall be taken from the upper centre of the aperture to a point directly below on either the upper face of the fully raised lift platform, or the upper face of the ramp when fully deployed on level ground.
- 6.4 A mechanism shall be fitted that positively holds the access door in the open position whilst in use particularly if the vehicle is on a slope and such that requires a deliberate effort to close.

## **7. Bulkhead/Drivers Safety Screen**

- 7.1 A bulkhead/drivers safety screen must be fitted and it shall be a full width, full height screen fitted in the vehicle directly behind the driver's seat. A means of payment and communication shall be incorporated into the screen.
- 7.2 An induction loop facility must be installed and clearly signed for the use of passengers with hearing aids.

## **8. General Entry and Exit Requirements**

- 8.1 The vehicle shall have a minimum of 2 means of exit from the passenger compartment behind the driver for use in emergency situations. The means of exit shall be free of any obstructions, reachable from all parts of the rear passenger compartment. Any gap through which a passenger can be expected to pass shall be of a minimum width of 400mm through which an adult can pass freely in a normal manner without undue difficulty.

## **9. Floor Height, Steps and Handrails**

- 9.1 At the main access door into the passenger area of the vehicle, steps shall be provided to aid ingress/egress. Steps shall be fitted to the nearside and offside of the vehicle and be either a manual or electric fitting.
- 9.2 Where the internal floor height of the vehicle exceeds 320mm an intermediate step shall be fitted at between 100mm and 250mm from road level up to the internal floor height. All steps must be capable of supporting a minimum weight of 150kg. It is recommended that steps should be either retractable or fixed, the width of the door entry and be closed at the back without an overhang to avoid the risk of tripping.
- 9.3 Grab handles must be fitted in appropriate positions in all passenger access doors so as to assist (intending) passengers and to facilitate the use of steps where provided. All grab handles fitted shall be highlighted in a contrasting high-visibility colour to match seat markings as shown at 2.8 above and be of a non-slip finish. It is recommended that grab handles should have a diameter of 40mm and surface clearance of 45mm.

## **10. Windows/Ventilation**

- 10.1 The vehicle shall have windows fitted throughout on both sides of the vehicle and to the rear of the passenger compartment. A minimum of one window on each side shall be capable of being opened for the purpose of ventilation and passenger comfort.
- 10.2 All windows shall comply with European Directive 92/22/EC or ECE Reg. R43 or as amended.
- 10.3 It is important that passengers must be visible from the outside and vehicles fitted with blacked out windows will not generally be licensed. In some exceptional circumstances and where there is justification for doing so, tinted windows may be permitted after application to the licensing authority.

## **11. Floors and Passageways**

- 11.1 All floor areas and passageways between seats through which passengers may be expected to pass shall be free of all steps, encumbrances or trip hazards and shall have a slip resistant surface securely fitted to the floor. Integral step(s) at doorways will not count towards this requirement.

## **12. Interior Lighting**

- 12.1 The vehicle shall have interior lighting fitted in the passenger compartment sufficient to illuminate the whole of that compartment. The light(s) shall be switched such that they may be turned on and off from both the driving and passenger compartments and shall operate automatically when a door is opened.
- 12.2 A means of illuminating the entrance steps at all access doors into the passenger compartment shall be fitted and switched such that they operate automatically when a door is opened.

## **13. Luggage Space**

- 13.1 There shall be a luggage compartment situated at the front or rear of the vehicle. If at the front it must be forward of a bulkhead/safety screen and on the opposite side of the driving compartment. The luggage compartment must be divided off by a barrier capable of preventing any luggage from entering the driving compartment or rear passenger compartment.
- 13.2 There should be sufficient luggage space to carry a folded wheelchair which shall be securely loaded outside of the main passenger compartment.

## **14. Fire Extinguisher**

- 14.1 The vehicle shall have securely fitted in the driving compartment an appropriate fire extinguisher approved for use in a motor vehicle. The extinguisher shall be clearly marked with the registration number of the licensed vehicle.

- 14.2 The approved extinguisher should be of a type using CO2, foam or dry powder extinguisher of at least 1 kilogram in weight and marked as complying with BS5423 or EN3. The extinguisher should be sealed and in date.

## **15 Spare Wheel**

- 15.1 Many vehicles are no longer fitted with any type of standard spare wheel and the provision for a puncture is met by equipping the vehicle with a 'space saver' spare wheel or 'run flat tyres' or by providing a sealant that can be used to seal and inflate a punctured tyre. In cases where a full sized spare wheel is provided for use, the driver/owner shall continue to use this type of wheel and tyre. Council policy and licence conditions shall allow the provision of a 'space saver' spare wheel if fitted or the provision of a tyre sealant or 'run flat tyres'. All to be in accordance with the manufacturers specifications at the time of first registration by the DVLA. In every case where this occurs the driver/owner shall be required to sign a 'method statement' designed to highlight driver responsibilities with regard to the maximum permitted speed when using these devices and an acknowledgement that these devices are designed only as a 'get-you-home' measure. The vehicles' normal and spare tyre provision shall be reinstated before returning to service after completing the hire in progress at the time of the puncture.

## **Vehicle Type - Part Two – Technical Conditions**

**In addition to the above the following requirements shall apply to the construction of the licensed vehicle.**

### **16. WHEELS**

- 16.1 All vehicles must have a minimum of four wheels and a wheelbase of not less than 2540 mm measured between the centres of the front and rear wheel axles.

### **17. DOORS**

- 17.1 All vehicles must have a minimum of four doors, excluding any tailgate.

### **18. STEERING**

- 18.1 The steering wheel must be on the right hand side of the vehicle.
- 18.2 The steering mechanism must be so constructed or arranged that no overlock is possible and that the road wheels do not in any circumstances foul any part of the vehicle.
- 18.3 The steering arms must be of adequate strength and as far as possible protected from damage by collision.

### **19. BRAKES and DUAL CIRCUIT BRAKING SYSTEM**

- 19.1 All brakes must act directly on the wheels of the vehicle.

19.2 The pedal operated braking system must be so designed that notwithstanding the failure of the brakes on any pair of wheels either on one axle or diagonally opposite, there must still be available for application, brakes on the other pair sufficient to bring the vehicle to rest within a reasonable distance.

## **20. TYRES**

20.1 All tyres must be at the correct pressure when used on the road.

20.2 All tyres must be suitable for the vehicle.

20.3 A minimum of 2mm of tread is required across the whole width and around the entire circumference of each tyre

20.4 Where a spare tyre is recommended by the vehicle manufacturers the condition of the tyre shall conform to 20.1 to 20.3 above and must be fitted to a suitable wheel; each to be the same circumference as the other wheels and tyres. See paragraph 15 above for additional guidance.

20.5 Only tyres of a similar construction (e.g. steel braced radials) may be used on one axle.

20.6 Remoulded or re-cut tyres are not acceptable.

## **21. SUSPENSION**

21.1 Every vehicle must be fitted with an efficient suspension system so designed and constructed that there is no excessive roll or pitch and that under normal driving circumstances, passengers receive a comfortable ride.

## **22. TRANSMISSION**

22.1 Vehicles using automatic or semi-automatic transmission must be fitted with a device to prevent the engine starting with the transmission selector in a DRIVE or REVERSE position.

## **23. FUEL TANKS**

23.1 Fuel tanks must not be placed in the engine compartment and must be adequately protected from damage by collision.

23.2 All fuel tanks and all apparatus supplying fuel to the engine must be so placed or shielded that no fuel overflowing or leaking therefrom can fall or accumulate upon any fitting where it is capable of being readily ignited or can fall into any receptacle where it might accumulate.

23.3 The filling points for all fuel tanks must be accessible only from the outside of the vehicle and filler caps must be so designed and constructed that they cannot be accidentally dislodged.

23.4 In the case of an engine powered by liquefied petroleum gas (LPG) a device must be fitted by which the supply of fuel to the engine may be immediately cut off. Its situation, together with means of operation and "Off" position must be clearly marked on the outside of the vehicle. Any LPG fuel tanks must be separated from the engine and passenger compartments.

## **24. ELECTRICAL**

24.1 All electrical leads, cables and connectors must be adequately insulated and where liable to be affected by exposure to water, fuel or oil must be adequately protected.

24.2 All electrical circuits must be protected by suitable fuses.

24.3 Batteries must be so placed and protected that they cannot be a source of danger.

## **25. EXHAUST PIPE**

25.1 The exhaust pipe must be so fixed or shielded that no inflammable material can fall or be thrown upon it from any other part of the vehicle and that it is not likely to cause a fire through proximity to any inflammable material on the vehicle. The outlet must be placed at the rear of the vehicle and in such a position as to prevent fumes entering the vehicle. Side exit exhausts may be permitted following an application to the Licensing Authority.

## **26. BODY**

26.1 The body must be of the fixed head type. A suitable sun roof may be fitted.

## **27. DRIVER'S COMPARTMENT**

(1) The driver's compartment must be so designed that the driver has adequate room, can easily reach and quickly operate the controls and give hand signals on the offside of the vehicle.

(2) The controls must be so placed as to allow reasonable access to the driver's seats and, when centrally placed, must be properly protected from contact with luggage.

(3) The driver's seat must be designed to accommodate the driver only and be adjustable for height and reach.

(4) The vehicle must be fitted with adequate devices for demisting, defrosting and washing the windscreen and with a sun visor adjustable by the driver.

(5) Direction indicators of an approved type must be fitted.

- (6) Every cab must be provided with an approved means of communication between the passenger and the driver. When a sliding window is fitted at the rear of the driver's compartment, the maximum width of the opening must not exceed 11.5 centimetres.

## **28. WINDOWS**

- 28.1 Windows must be provided at the sides and at the rear of the vehicle.
- 28.2 Passenger door windows must be capable of being opened easily by passengers whilst seated.

## **29. HEATING AND VENTILATION**

- 29.1 An adequate heating and ventilation system must be fitted for the driver and passengers. The system shall be maintained in good and efficient working order.

## **30. GLASS**

- 30.1 The windscreen and all windows must be constructed of either toughened or laminated safety glass to an appropriate standard.

## **31. DOOR LOCKS**

- 31.1 Passengers' and drivers' doors must be capable of being readily opened from inside and outside the vehicle by one operation of the latch mechanism.
- 31.2 Double catches of an approved type must be fitted to all passenger and drivers' doors. Where a driver intends to allow a passenger to use the front seat, the vehicle should be fitted with an isolation door lock facility.
- 31.3 Approved central locking systems are permitted.

## **32. FLOOR COVERINGS**

- 32.1 The floor of the vehicle must be suitably covered using a non-slip floor covering that will not impede the movement of a wheelchair during normal usage. At all times the floor covering shall be in good repair.

## **33. TAXIMETER**

- 33.1 Taximeters must be of an approved type and tested by the Council. The method of fixing and all wiring and drive cables must not give rise to any obstruction of the driver when engaged in driving the vehicle nor to any danger to the safety of the vehicle or passengers. The meter shall be sealed by the Council following a meter test and must not be removed or altered.
- 33.2 If the taximeter fitted to the vehicle, is repaired, adjusted or for any reason the seals are broken, or alterations made to the vehicle transmissions gearing ratio the proprietor shall not permit or suffer the vehicle to be used for hire

until the taximeter has been satisfactorily tested and sealed by an authorised officer at the Council.

#### **34. FARE TABLE**

- 34.1 The current Fare Table and licence plate details shall be displayed in a prominent position on the driver/passenger partition.

#### **35. RADIO APPARATUS, MOBILE TELEPHONES and SATELLITE NAVIGATION EQUIPMENT**

- 35.1 All two-way radio communication apparatus, mobile telephones and satellite navigation equipment and all attendant wiring must be fixed so as not to give rise to any obstruction of the driver when engaged in driving the vehicle or to cause any danger to the safety of the vehicle or passengers.

#### **36. MAINTENANCE**

- 36.1 All vehicles, (including all parts, fittings, accessories etc.) must be clean and maintained at all times in safe working and good order.

#### **37. HORN**

- 37.1 A horn of approved pattern must be fitted as required by ECWVTA.

#### **38. TAXI SIGNS**

- 38.1 A taxi sign of an approved pattern shall be displayed on the vehicle roof to clearly indicate when the cab is for hire.
- 38.2 A second 'For Hire' sign shall be fixed inside the front of the vehicle to indicate when the cab is for hire.

#### **39. FITTINGS**

- 39.1 No fittings other than those approved may be attached to or carried upon the inside or outside of the vehicle

#### **40. ADVERTISING**

- 40.1 Suitable advertisements may be allowed on the inside and outside of the vehicle subject to the approval of Chichester District Council.
- 40.2 Inside advertisements may be displayed only on the base of the occasional seats or along the bulkhead on top of the passenger/driver partition. All such adverts must be encapsulated in clear non-flammable plastic.
- 40.3 Advertisements must be of such a form as not to become easily soiled or detached.

- 40.4 Outside advertisements may consist of a single full livery advertisement, or, an advertisement displayed on the lower part of the front doors. On termination of the contract to display a full livery advertisement the vehicle shall be professionally repainted to remove all remnants of the advertisement.
- 40.5 In addition to the conditions listed in this section, it shall be permissible for an advertisement to be displayed along the base of the vehicles' rear windscreen. The advertisement shall be for the licensed proprietor's benefit only and may list the company name and telephone number. The advertisement shall comprise a self-adhesive strip and the overall height must not exceed 58mm (2 ¼ inches).
- 40.6 No advertisement, badge or emblem is to be exhibited other than is provided for in the conditions contained in this section.

#### **41. FIRST AID KIT**

- 41.1 A 'Health and Safety at Work' first aid kit should be carried in such a position as to be readily available for use and should be suitably maintained at all times. The first aid kit should be clearly marked with the vehicle registration number of the licensed vehicle.

#### **42. WARNING TRIANGLE and REFLECTIVE JACKETS**

- 42.1 All licensed vehicles will be equipped with a warning triangle and reflective high visibility vests to EU standard EN 471 class 2. This equipment shall be used at the discretion of the driver in order to safeguard all persons in the event of a mechanical breakdown, accident or other emergency. The vehicle shall be equipped with sufficient reflective vests for use by the driver and every passenger.

#### **43. WHEEL TRIMS (where fitted as standard)**

- 43.1 Wheel trims must be provided on all vehicles and must be maintained in good condition so as not to detract from the appearance of the vehicle. They need not be manufacturer's replacements, but must be a matching set. It is recommended that all wheel trims be secured into position with plastic ties to prevent loss.

#### **44. MAINTENANCE OF VEHICLE**

- 44.1 The vehicle and all of 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 shall comply with all relevant licensing and statutory requirements including those contained in the Council's Condition of Fitness Manual and the Motor Vehicle (Construction and Use) Regulations.

#### **45. PERMITTED PASSENGERS**

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

#### **46. CONVICTIONS**

- 46.1 The proprietor of the vehicle shall within seven days disclose to the Council in writing details of any conviction 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.

**Note:** *At some point in the future, it may become both necessary and desirable to establish a separate licensing classification for different vehicle types. At the time of this revision and in order to accommodate the licensing of electric vehicles in the near future, the following Addendum has been included in this revised document.*

#### **47. ADDENDUM for ELECTRIC VEHICLES (EV), HYBRID ELECTRIC VEHICLES (HEV) and RANGE EXTENDED ELECTRIC VEHICLES (REEV)**

##### **Section 1.3 – Engine Capacity:**

Although engine capacity is not applicable to pure electric vehicles, any EV presented for consideration for licensing must meet (or exceed) the following conditions:

- The EV should be able to successfully drive applicable routes (e.g. urban / rural) whilst carrying the maximum licensed number of occupants and associated luggage:
- The EV should be able to sustain sufficient battery charge to complete a booked / fare paying journey (i.e. Fare paying journeys should not include charging time at roadside charge points and / or suitably equipped taxi ranks)
- The EV should be able to maintain progress with surrounding traffic (as prescribed by applicable speed limits)
- The EV should be able to meet (or exceed) prescribed braking distances whilst carrying the maximum licensed number of occupants and associated luggage

HEVs and REEVs should also meet the following conditions:

- The HEV / REEV should be able to successfully drive applicable routes (e.g. urban / rural) whilst carrying the maximum licensed number of occupants and associated luggage:
- The HEV / REEV should be able to maintain progress with surrounding traffic (as prescribed by applicable speed limits)

- The HEV / REEV should be able to meet (or exceed) prescribed braking performance whilst carrying the maximum licensed number of occupants and associated luggage

N.B. The HEV / REEV vehicle types will have 'plug-in' charging capability; however their hybrid and 'range extended' capabilities will facilitate extended distances / journey times.

#### **Section 14 – Fire Extinguisher:**

EVs, HEVs and REEVs should carry a fire extinguisher with a fire retardant / suppressant applicable to the battery type used on the vehicle.

**Water should not be used on electrical fires.**

The following elements of 14.2 should also apply:

- Weight of at least 1 kilogram
- Marked as complying with BS5423 or EN3
- Extinguisher should be sealed and in date

In addition, the extinguisher should be subjected to regular inspection

#### **Section 19 – Brakes:**

Where fitted, EV / HEV / REEV vehicles are designed and equipped with braking systems that are regenerative. Where a regenerative braking system is fitted to a licensed vehicle for use in conjunction with the mandatory braking systems e.g. hydraulic service brake and hydraulic / cable parking brake, the regenerative system is permitted.

#### **Section 22 – Transmission:**

Where fitted, EVs, HEVs and REEVs are designed and equipped with transmission systems that may have direct drive or single ratio gearboxes, used in conjunction with a drive selector e.g. Forward / Reverse or Drive / Park / Reverse. Where this is the case, traction will not be available until the required direction is selected, in conjunction with associated traction system interlocks. Under these circumstances, Section 22.1 will not apply.

#### **Section 24 - Electrical: Electrical Traction/Electrical Safety**

All EVs, HEVs & REEVs use high powered battery systems. The following criteria should be noted and will be determined on a case by case basis:

- Labelling of battery packs ie High Voltage or non-serviceable item.
- High voltage cable colouration and labelling ie orange for high voltage cables, danger labels.
- Charging protocols ie 'plug-in' vehicles with associated safety interlocks to prohibit vehicle movement whilst the charger is connected

- Guidelines for the use of kerbside and taxi rank charging points ie their use should not present electrical or physical hazards to drivers or to the general public

**Note:** Baseline certification requirement for these vehicles is ECWVTA M1 Classification. ECE Regulation 100 (Construction and Functional Safety Requirements for Electric Vehicles) or as amended shall apply to all electric vehicles.

### **Section 33 – Taximeter:**

Where improving technologies associated with GPS or telemetry systems are fitted to an electric vehicle, this may negate the use of standard equipment such as drive cables, pulse generators, memory ‘chips’ for tariff updates and gears. Where an electric vehicle is presented for licensing, these requirements may be determined on a case by case basis.

### **Section 34 – Fare Table & Section 40 – Advertising:**

There is potential for some electric vehicles to be equipped with a display screen in the passenger compartment which may be used to show a fare table and/or licence details, advertisements or local information.

As this technology becomes more widely available, the wording in these sections may require amendment to reflect the use of such screens in Hackney Carriages.

### **NOTES**

**The foregoing provisions give a general guide to the features which will be taken into account when assessing a vehicle's suitability for licensing. They are not exhaustive and the Licensing Authority retains the sole discretion to approve or reject any vehicle if it is not considered suitable for licensing for any reason.**

**The Council has adopted the National Inspection Standard for the testing of Hackney Carriages. This is a best practice guide prepared by the Public Authority Transport Network and Freight Transport Association. The guide is approved for use by VOSA and is used for the Council's Fitness Test for all licensed vehicles.**

### **2014 / 2017 Directive & Regulation repeals; new regulation implementations and impact on future Type Approval requirements:**

The majority of directives and regulations that are currently comprise the Type Approval requirements for specific areas are scheduled to be repealed in November 2014, with the existing directive on tyres being repealed in November 2017.

Specific details of the replacement requirements are being formulated at present; however the repealed directives are being replaced with the following:

- General Safety Regulation [EC] No. 661/2009
- Pedestrian Protection Regulation [EC] No. 78/2009

Further detailed review and discussions with the VCA have confirmed that these regulations are subject to phased implementations for specific vehicle classes & sub-classes (See below).

### **General Safety Regulation [EC] No. 661/2009**

This regulation involves the consolidation of existing directive requirements under a single regulation and identifies additional areas of safety based functionality that is being introduced in conjunction with updates to the UNECE Regulations.

This is intended to introduce further regulatory harmonisation between the European & UNECE requirements.

Primary areas of change in this new regulation include:

- The implementation of Electronic Stability Control systems on all M & N Class vehicles
- Revised regulatory requirements for Tyres, their performance, rolling resistance, operational noise and their fitment to / use on vehicles
- Gear Shift Indicators on vehicles with manual gearboxes
- Revision of overall vehicle safety requirements across all M & N Classes, based upon the alignment with planned updates of UNECE Regulations and the introduction of new requirements highlighted in the earlier points

The requirements of this regulation are subject to implementation at different dates:

- Electronic Stability Control for M1 & N1 – 1<sup>st</sup> November 2011
- Gear Shift Indicators (for manual gearboxes) – 1<sup>st</sup> November 2012
- Tyres – due to the wide ranging nature of the changes in this area, implementation dates range from 1<sup>st</sup> November 2012 to 1<sup>st</sup> November 2020.

Manufacturers can request that their vehicles are tested to the revised requirements prior to the mandatory date. In addition, vehicles that are undergoing Type Approval activity that is scheduled to complete after these implementation dates must comply with the revised requirements. Actual test requirements will be determined at associated 'Worst Case' meetings.

#### **Pedestrian Protection Regulation [EC] No. 78/2009**

This regulation implements major changes in the requirements for Pedestrian Protection on M<sub>1</sub> and N<sub>1</sub> Class vehicles. The requirement for pedestrian protection is being extended to vehicles that exceed the current 2.5 tonnes threshold.

This change will be mandatory for M1 class vehicles > 2.5 tonnes and all N1 class vehicles from 24<sup>th</sup> February 2015.

Manufacturers can request that their vehicles are tested to the revised requirements prior to the mandatory date. In addition, vehicles that are undergoing Type Approval activity that is scheduled to complete after the 24<sup>th</sup> February 2015 must comply with the revised requirements. Actual test requirements will be determined at associated 'Worst Case' meetings.

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**CHICHESTER DISTRICT COUNCIL****HACKNEY CARRIAGE BYELAWS**

Made under section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act 1875 by the District Council of Chichester with respect to Hackney Carriages in the District of Chichester.

**INTERPRETATION.**

1. Throughout these byelaws “the Council” means the District Council of Chichester and “the District” means the District of Chichester.

**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 hackney carriage is so constructed to carry luggage;
  - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use; and

- (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 the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say:-
- (a) the taximeter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taximeter into action and 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 and time in pursuance of the tariff fixed by the Council;
  - (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; and
  - (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; and
  - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half an hour after sunset and half an hour before sunrise, and also at any other time at the request of the hirer.

6. A proprietor or driver of a 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 appointed by the Council;
  - (b) if a stand, at the time of his arrival, is occupied by the full number of carriage authorised to occupy it, proceed to another stand;
  - (c) on arrival 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; and
  - (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. The driver of a hackney carriage shall **not at any time** when conveying a person hiring that carriage smoke or burn tobacco or any other material.
9. A proprietor or driver of a hackney carriage, when standing or plying for hire shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.
10. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
11. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
12. 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; and
- (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 RATES OR FARES TO BE PAID FOR HACKNEY CARRIAGES WITHIN THE DISTRICT, AND SECURING THE DUE PUBLICATION OF SUCH FARES.**

15. 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 Council, the rate or fare being calculated by distance and time unless the hirer expresses 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 and time 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 Council which it may not be possible to record on the face of the taximeter.

16. (a) The proprietor of a hackney carriage shall cause a statement of The fares fixed by the Council resolution 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 REDELIVERY OF ANY PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES, AND FIXING THE CHARGES TO BE MADE IN RESPECT THEREOF.**

17. 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.
18. 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 on his giving a receipt for it; and

(b) be entitled to received from any person to whom the property shall be redelivered 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 is the greater) but not more than five pounds.

**PENALTIES.**

19. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction therefore.

**REPEAL OF BYELAWS.**

19. The byelaws relating to hackney carriages referred to in the following Schedule are hereby repealed.

**SCHEDULE.**

Date of Byelaws	By Whom Made	Date of Confirmation	By Whom Confirmed
12 <sup>th</sup> March 1986	District Council of Chichester	17 <sup>th</sup> April 1986	One of Her Majesty's Principal Secretaries of State

Given under the Common Seal of the District Council of Chichester this 16<sup>th</sup> day of May 2001.

(Signed) M. Kelley  
District Solicitor

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**Licensing Authority, Chichester District Council, East Pallant House,  
East Pallant, Chichester, West Sussex PO19 1TY**

**Fees**

<b>Hackney Carriage and Private Hire Driver's Licence</b>	
New Application - Hackney Carriage, Private Hire or Dual Licence	1 year - £140.00 3 year - £312.00
Renewal Application - Hackney Carriage, Private Hire or Dual Licence	1 year - £113.00 3 year - £285.00
Criminal Records Check - Enhanced DBS processed by the Disclosure & Barring Service.  A fee is only paid to the Council where a paper application is submitted. Where an applicant wishes to submit an electronic application via the GB Group online system, the applicant must arrange and pay the £52 direct to the GB Group online	Paper Application - £40.00  Electronic Application - £52.00 to GB Group
DVLA Driving Licence Check - the check is undertaken by Licence Check Ltd trading as 'DAVIS' (Driver and Vehicle Information Solutions) who are the approved contractor	1 Year - £3.00 3 Years - £9.00
Knowledge Test - Hackney Carriage, Private Hire or Dual Licence	New - £41.00 Resit - £20.00

<b>Hackney Carriage Vehicle Licence</b>	
New or Renewal Application Fee	£116.00
MOT and Fitness Test Package	£74.55
MOT Test - if undertaken by Chichester Contract Services at Westhampnett Depot	£54.50
Fitness Test - to be undertaken by Chichester Contract Services at Westhampnett Depot only	£30.95
Taximeter Test - to be undertaken by Chichester Contract Services at Westhampnett Depot only	£21.00

<b>Private Hire Vehicle Licence</b>	
New or Renewal Application Fee	£116.00
MOT and Fitness Test Package	£74.55
MOT Test - if undertaken by Chichester Contract Services at Westhampnett Depot	£54.50
Fitness Test - to be undertaken by Chichester Contract Services at Westhampnett Depot only	£30.95
Taximeter Test - <b>only required if the vehicle has a meter.</b> If required, to be undertaken by Chichester Contract Services at Westhampnett Depot only	£21.00
Adhesive Door Signs (2 required per vehicle)	£6.00 each

<b>Private Hire Operator's Licence</b>	
New Application - 1 or 5 year	1 year - £182.00 5 year - £696.00
Renewal Application - 1 or 5 year	1 year - £154.00 5 year - £670.00

<b>Miscellaneous Charges</b>	
Replacement Driver Badge	£9.00
Replacement Vehicle Plate	£15.50
Transfer of Vehicle Ownership	£23.50
Replacement Private Hire Adhesive Door Sign	£6.00 each
Replacement paper part of any granted licence (Hackney Carriage or Private Hire)	£10.50 per licence
Notification of change of address of any granted licence (Hackney Carriage or Private Hire)	£10.50 per licence
Notification of change of name of any granted licence (Hackney Carriage or Private Hire)	£10.50 per licence



**Licensing Authority, Chichester District Council, East Pallant House,  
East Pallant, Chichester, West Sussex PO19 1TY**

**(Draft) Convictions Policy**

**1. Introduction**

- 1.1 This document provides existing and prospective Licensed Vehicle Proprietors, Drivers, and Operators with clarity as to Chichester District Council's requirements as the Licensing Authority, with respect to convictions and their effect on whether or not Licence(s) will be granted and/ or retained.
- 1.2 As the basis of this Convictions Policy, this Licensing Authority adopts the proposals of the Institute of Licensing which, in partnership with the Local Government Association (LGA), Lawyers in Local Government (LLG), and the National Association of Licensing and Enforcement Officers (NALEO), in April 2018 published '*Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades*': These proposals were reiterated by HM Government's Department for Transport in the annex '*Assessment of Previous Convictions*' to its '*Statutory Taxi & Private Hire Vehicle Standards*' published in July 2020, where they are stated as the minimum standards that should be applied by Licensing Authorities. Any future amendments or updates from the Institute of Licensing or HM Government in these respects will be afforded similar credence, and similarly are adopted by this Licensing Authority.

**2. Responsibility of the Licensing Authority<sup>1</sup>**

- 2.1 Drivers and Operators cannot be granted a licence unless the Licensing Authority is satisfied that they are a "Fit and Proper Person" to hold that licence<sup>2</sup>.
- 2.2 As there are no statutory criteria for vehicle licences, Licensing Authorities have absolute discretion over whether or not to grant Hackney Carriage or Private Hire Vehicle Licences.
- 2.3 "Fit and Proper" means that the individual, or in the case of a Private Hire Operator's Licence, the limited company together with its directors and secretary, or all members of a partnership<sup>3</sup>, is "safe and suitable" to hold the licence.

<sup>1</sup> Pursuant to paragraphs 4.7-4.11 Institute of Licensing - '*Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades – April 2018*'.

<sup>2</sup> Local Government (Miscellaneous Provisions) Act 1976 s.51 and s.59 in respect of drivers; s.55 in respect of operators.

<sup>3</sup> Section 57(2)(c) Local Government (Miscellaneous Provisions) Act 1976 allows a local authority to consider the character of a company director or secretary, or any partner.

- 2.4 In determining safety and suitability, the Licensing Authority is entitled to take into account all matters concerning that applicant or existing Licence Holder: This is not simply concerning a person's behaviour whilst working in the Hackney Carriage or Private Hire trade, and is far wider than simply criminal convictions or other evidence of unacceptable behaviour, with the entire character of the individual being considered: This can include, but is not limited to, the individual's attitude and temperament.
- 2.5 Convictions for attempt or conspiracy will be regarded as convictions for the substantive crime. A Caution is regarded in exactly the same way as a conviction<sup>4</sup>. Also, Fixed Penalties and Community Resolutions will be considered in the same way as a conviction<sup>5</sup>.

### 3. Explanation, Offence Types, and Debarring Periods<sup>6</sup>

- 3.1 Persons involved in the Licensed Vehicle trade have responsibility for the safety of their passengers, responsibility for the safety of other road users, and significant control over passengers who are in their vehicles. As those passengers may be alone, and also may be vulnerable, any previous convictions or unacceptable behaviour weighs heavily against a licence being granted or retained: Although this is particularly the case regarding Licensed Drivers, also these criteria will be applied to Operators and Proprietors of Licensed Vehicles.
- 3.2 Where an applicant or existing Licence Holder has more than one conviction showing a pattern or tendency, irrespective of the time elapsed since the convictions, serious consideration will be given as to whether they are a safe and suitable person to be Licensed.
- 3.3 This Licensing Authority debar persons from becoming Licence Holders should they already have a conviction, or receive a new conviction once Licensed unless, in relation to a single conviction, the following time periods have elapsed following completion of the sentence (or the date of conviction if a fine was imposed):

#### Crimes resulting in death

- 3.4 Where an applicant or existing Licence Holder has been convicted of a crime which resulted in the death of another person, or was intended to cause the death or serious injury of another person, they will not be licensed nor an existing Licence Renewed.

#### Exploitation

- 3.5 Where an applicant or existing Licence Holder has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed nor an existing Licence Renewed: This

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<sup>4</sup> This is because a caution can only be imposed following an admission of guilt, which is equivalent to a guilty plea on prosecution.

<sup>5</sup> This is because payment of a fixed penalty indicates acceptance of guilt, and a community resolution can only be imposed following an admission of guilt.

<sup>6</sup> Based on the Institute of Licensing - 'Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades' - April 2018, and HM Government's Department for Transport's 'Statutory Taxi & Private Hire Vehicle Standards' - July 2020

includes slavery, child sexual abuse and exploitation (CSAE), grooming, and psychological, emotional, or financial abuse, but this is not an exhaustive list.

### **Offences involving violence**

- 3.6 Where an applicant or existing Licence Holder has a conviction for an offence of violence, or connected with any offence of violence, a licence will not be granted nor an existing Licence Renewed until at least ten (10) years have elapsed since the completion of any sentence imposed.

### **Possession of a weapon**

- 3.7 Where an applicant or existing Licence Holder has a conviction for possession of a weapon, or any other weapon-related offence, a licence will not be granted nor an existing Licence Renewed until at least seven (7) years have elapsed since the completion of any sentence imposed.

### **Sex and indecency offences**

- 3.8 Where an applicant or existing Licence Holder has a conviction for any offence involving or connected with illegal sexual activity, or any form of indecency, a licence will not be granted nor an existing Licence Renewed.
- 3.9 Additionally, this Licensing Authority will not grant a licence to any applicant nor Renew the Licence of an existing Licence Holder who is currently on the Sex Offenders' Register, nor on any 'debarred' list.

### **Dishonesty**

- 3.10 Where an applicant or existing Licence Holder has a conviction for any offence of dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted nor an existing Licence Renewed until at least seven (7) years have elapsed since the completion of any sentence imposed.

### **Drugs**

- 3.11 Where an applicant or existing Licence Holder has any conviction for or related to the supply of drugs, or possession with intent to supply drugs, or connected with possession with intent to supply drugs, a licence will not be granted nor an existing Licence Renewed until at least ten (10) years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.
- 3.12 Where an applicant or existing Licence Holder has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted nor an existing Licence Renewed until at least five (5) years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

### **Discrimination**

- 3.13 Where an applicant or existing Licence Holder has a conviction involving or connected with discrimination in any form, a licence will not be granted nor an existing Licence Renewed until at least seven (7) years have elapsed since the completion of any sentence imposed.

### **Motoring convictions**

- 3.14 Hackney Carriage and Private Hire Drivers are professional drivers charged with the responsibility of carrying the public: Any motoring conviction demonstrates a lack of professionalism, and will be considered most seriously. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence may not prohibit the grant of a Licence, nor result in action against an existing Licence Holder. However, any subsequent convictions reinforce the fact that the Licence Holder does not take their professional responsibilities seriously, and is therefore not a safe and suitable person to be granted or to retain a licence.

### **Drink driving/driving under the influence of drugs**

- 3.15 Where an applicant or existing Licence Holder has a conviction for drink-driving or driving under the influence of drugs, a licence will not be granted nor an existing Licence Renewed until at least 7 years have elapsed since the completion of any sentence or driving ban imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

### **Using a hand-held mobile phone or other hand-held device whilst driving**

- 3.16 Where an applicant or existing Licence Holder has a conviction for using a hand-held mobile phone or other hand-held device whilst driving, a licence will not be granted nor an existing Licence Renewed until at least five (5) years have elapsed since the conviction or completion of any sentence or disqualification imposed, whichever is the later.

### **Other motoring offences**

- 3.17 A minor traffic or vehicle-related offence is one which does not involve loss of life, driving under the influence of drink or drugs, driving whilst using a mobile phone or other hand-held device, and has not resulted in injury to any person, nor damage to any property (including vehicles) eg. as the result of a Road Traffic Collision (RTC). Where an applicant or existing Licence Holder has seven (7) or more points on their DVLA Driving Licence (or equivalent) for minor traffic or similar offences, a licence will not be granted nor an existing Licence Renewed until at least five (5) years have elapsed since the completion of any sentence imposed.
- 3.18 A major traffic or vehicle-related offence is one which is not covered in any previous section above, but also any offence which resulted in injury to any person, or damage to any property (including vehicles) eg. as the result of a Road Traffic Collision (RTC); also it includes any offence connected with motor insurance. Also, Revocation or a period of Disqualification from entitlement to drive constitutes a major traffic offence. Where an applicant has a conviction for a major traffic offence or similar offence, a licence will not be granted nor an existing Licence Renewed until at least seven (7) years have elapsed since the completion of any sentence imposed.

### **Hackney carriage and private hire offences**

- 3.19 Where an applicant or existing Licence Holder has a conviction for an offence concerned with, or connected with Hackney Carriage or Private Hire activity (excluding vehicle use), a licence will not be granted nor an existing Licence Renewed until at least seven (7) years have elapsed since the completion of any sentence imposed: Note that should the matter fall within a more serious category listed herein, those criteria apply.

### **Vehicle use offences**

- 3.20 Where an applicant or existing Licence Holder has a conviction for any offence which involved the use of a vehicle (including Hackney Carriages and Private Hire Vehicles), a licence will not be granted nor an existing Licence Renewed until at least seven (7) years have elapsed since the completion of any sentence imposed: Note that should the matter fall within a more serious category listed herein, those criteria apply.

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## Knowledge Test

Any driver applying to Chichester District Council for a new Hackney Carriage or Private Hire Driver Licence must sit and pass a knowledge test, in order to help demonstrate that they possess a basic understanding of the Highway Code, taxi/private hire legislation and Council policy, as well as, knowledge of the local area. By passing this test it will help demonstrate that you have a suitable level of knowledge to provide a professional and safe service to customers.

In accordance with this Council's Policy, a licence will **not** be granted unless an applicant successfully passes the knowledge test.

Pass mark – **70% for each section**

Fee - **£41**

This is a **COMPUTERISED MULTIPLE CHOICE TEST**. Every question will have one correct answer from a choice of four. The person sitting the test will be able to use the computer based system to select the one answer they believe to be correct. The questions are randomly selected for each section of the test.

Please fully read this guide to ensure that you give yourself every opportunity to pass the test. When you are ready to take the test then please contact the Council via [licensing@chichester.gov.uk](mailto:licensing@chichester.gov.uk) to book a place on the next available test.

### **SECTIONS TO BE COMPLETED**

#### **Applying for a Private Hire (PH) Driver Licence**

- Section A** – Road Signs & Road Markings (10 questions)
- Section B** – Highway Code (10 questions)
- Section C** – Places of Interest (10 questions)
- Section D** – Private Hire Law & Policy (10 questions)
- Section G** – Prevention of Child Sexual Exploitation and Disability Awareness (10 questions)

Time allowed – **1 hour 15 minutes**

#### **Applying for a Hackney Carriage (HC) Driver Licence**

- Section A** – Road Signs (10 questions)
- Section B** – Highway Code (10 questions)
- Section C** – Places of Interest (10 questions)
- Section E** – Hackney Carriage Law & Policy (10 questions)
- Section F** – Hackney Carriage Geography Test (10 questions)
- Section G** – Prevention of Child Sexual Exploitation and Disability Awareness (10 questions)

Time allowed – **1 hour 30 minutes**

### **Applying for a Dual Licence (PH & HC)**

All sections (Sections A to G) will need to be passed

Time allowed – **1 hour 45 minutes**

### **Adding a HC Driver Licence to an existing PH Driver Licence**

Section E, Section F and Section G only

Time allowed – **45 minutes**

### **Adding a PH Driver Licence to an existing HC Driver Licence**

Section D and Section G only

Time allowed – **30 minutes**

### **KNOWLEDGE TEST RULES**

1. Please ensure that you arrive to take the test no later than 15 minutes before the scheduled start time. **Anyone who is late will not be able to sit the test.**
2. Please bring your Driving Licence photo ID. **If this is not presented on arrival then you will not be able to sit the test.**
3. If you leave the room for any reason before you have finished the test, you will **not** be allowed back in to the room to complete the test and the paper will be marked against the questions answered prior to leaving the room.
4. Mobile phones, electronic devices, bags, paper, pens etc are **not** permitted in the test room. You will be asked to provide these to the officer prior to entering the room. At the end of the test these items will be returned to you. You are permitted to take a bottle of water into the test, but this must be in a clear bottle.
5. Any person caught or suspected of cheating will be automatically disqualified from the test and this may result in your application being invalidated and returned to you.

### **Knowledge Test – Pass**

If you pass the test then you can continue completing the various other elements required to make a valid application.

### **Knowledge Test – Fail (Re-sits)**

If you have not passed the test, then you can re-sit the test up to a maximum of 2 times. You will only be re-tested on the section(s) that you achieved less than the required **70% pass mark**. The questions on subsequent tests will not necessarily be the same as those previously attempted.

### **Re-test fee - £20**

If the test has **NOT been passed after the second re-test** then a **‘cooling off period’ of 6 weeks** will then be required before you can submit a fresh application and try again.

## **SECTION DETAILS**

### **Section A – Road Signs & Road Markings (10 questions)**

You will be presented with a series of pictures of road signs and asked to identify what it means. There will also be questions on road markings and their meaning. It is strongly recommended that you purchase a current copy of 'The Highway Code' to be able to learn this information.

#### **Example Question**

What does this sign mean?

- Answer A – Maximum Speed
- Answer B – No road markings
- Answer C – No entry for vehicular traffic
- Answer D – Side winds



#### **Example Answer**

The answer to the example question is Answer A – Maximum Speed.

### **Section B – Highway Code (10 questions)**

You will be presented with a series of questions based on the Highway Code. It is strongly recommended that you purchase a current copy of 'The Highway Code' to be able to learn this information. There will be questions on:

- Speed Limits on different types of roads
- Stopping distances
- Seatbelt regulations
- What to do in an emergency
- Tyres and vehicle maintenance

#### **Example Question**

Can you drive past a lollypop woman/man who is standing in the road displaying a 'Stop' lollypop sign?

- Answer A – Yes
- Answer B – No, unless there are no pedestrians about to cross
- Answer C – None of the above
- Answer D – No, under no circumstances

#### **Example Answer**

The answer to the example question is Answer D – No, under no circumstances.

### **Section C – Places of Interest (10 questions)**

You will be presented with a series of questions based on places of interest within the Chichester District. A list of destinations that may feature as questions in Section C are listed at **Annex 1**.

For places of interest located in Chichester itself, you may be asked to identify the road name. For any places of interest outside of Chichester, you will need to know which village or town the venue is located in and may be asked what the main 'A' or 'B' road is to get there. It is recommended that you use Google maps to help learn this information prior to your test. **The use of Google maps is not permitted during test conditions.**

#### **Example Question**

Which two villages are West of Chichester, on the A259?

Answer A – Bosham and Fishbourne

Answer B – Fishbourne and Lavant

Answer C – Bosham and Tangmere

Answer D – Fishbourne and Tangmere

#### **Example Answer**

The answer to the example question is Answer A – Bosham and Fishbourne.

### **Section D – PH Law & Policy (10 questions)**

This section is for **Private Hire Drivers only**. You will be presented with a series of questions on the law regarding private hire work and also Chichester District Council's policies and other key requirements. **Annex 3** contains the basic information that you will need to be aware of in order to pass this section.

You may also be asked basic numeracy questions based around how much change to give a customer.

### **Section E – HC Law & Policy (10 questions)**

This section is for **Hackney Carriage Drivers only**. You will be presented with a series of questions on the law regarding hackney carriage work and also Chichester District Council's policies and other key requirements. **Annex 3** contains the basic information that you will need to be aware of in order to pass this section.

You may also be asked basic numeracy questions based around how much change to give a customer.

## **Section F – HC Geography Test (10 questions)**

This section is to test an applicant's geographical knowledge of the Chichester District and consists of 10 randomly selected questions. This section only needs to be passed by those applying for a Hackney Carriage Driver Licence.

All questions will relate to journeys that start from a daytime taxi rank. There are currently 3 of these in the Chichester District:

- North side of Chichester Railway Station
- South side of Chichester Railway Station
- West Street, Chichester, outside the Duke & Rye Public House (Formerly 'Wests')

A list of destinations that may feature as questions in Section F are listed at **Annex 1**. You will not be asked questions on all these destinations, but will need to have knowledge of how you get to these destinations from the ranks, in order to pass this section.

You will also get tested on residential road names in Chichester itself. A list of residential road names that may feature as questions in Section F are listed at **Annex 2**.

### **Example Question 1 – Geography Question**

You pick up a customer from the rank, north side of Chichester railway station. You turn left onto Southgate (A286). Staying in the left hand lane you follow the road round to the left onto Avenue De Chartres (A286). You drive past the multi-storey car park and at the roundabout take the 2nd exit onto Via Ravenna (A259). At the next roundabout you take the 2<sup>nd</sup> exit, continuing along Via Ravenna (A259). At the next roundabout you take the 1<sup>st</sup> exit onto Cathedral Way (A259). You take the first right onto Fishbourne Road East. You approach a small roundabout and take the 1<sup>st</sup> exit. Where do you end up?

Answer A – Chichester College

Answer B – Tesco's

Answer C – Sainsbury's

Answer D – None of the above

### **Example Answer 1 – Geography Question**

The answer to the example question is Answer B - Tesco's.

### **Example Question 2 – Residential road name in Chichester**

Which of the following is a road between Oving Road (B2144) and Bognor Road (A259)?

Answer A – Westgate

Answer B – Kingsham Road

Answer C – Florence Road

Answer D – Barnfield Drive

### **Example Answer 2 - Residential road name in Chichester**

The answer to the example question is Answer C – Florence Road.

## **Section G – Prevention of Child Sexual Exploitation (CSE) and Disability Awareness (10 Questions)**

You will be presented with a series of basic questions testing your knowledge in relation to the following two subjects:

- Prevention of Child Sexual Exploitation (CSE)
- Disability Awareness

### **Prevention of Child Sexual Exploitation (CSE)**

Tackling Child Sexual Exploitation (CSE) is a government priority and in West Sussex we are looking to engage with all communities to help prevent children becoming victims of these crimes.

To be able to answer the questions regarding CSE you will need to have read the booklet ***‘Together, we can stop Child Sexual Exploitation (CSE) – Handbook for taxi and private hire drivers’***, produced by West Sussex County Council in partnership with West Sussex Safeguarding Children Board and SAFER West Sussex Partnership. If you have not received a copy of the booklet then please contact the Licensing Team to arrange for one to be sent to you. It is also downloadable from the following link - <http://www.chichester.gov.uk/taxihackneyapplication#knowledge>.

The questions in the test will focus on the following:

- What is Child Sexual Exploitation (CSE)
- A brief definition of CSE
- Who is affected by it
- Where it can take place
- What are the signs to look out for
- If you have a concern then who to contact and the information that may be useful
- Advice regarding working with vulnerable passengers

The booklet contains all the above information.

### **Disability Awareness**

There are approx. 10.5 million disabled persons in the UK of which between 15% – 20% are wheelchair users. The Hackney Carriage and Private Hire trade provide an invaluable lifeline to the elderly and disabled persons who are reliant upon their services to enable them to perform essential everyday activities such as shopping, attending medical appointments etc, as well as, visiting family and friends. Therefore, the attitude of drivers and having an understanding of the challenges faced by the elderly and disabled persons is vital.

Please read the following two documents, which have been provided as part of this pack:

- ***‘Your guide to assistance dogs’*** produced by Transport for London (TfL)
- ***‘Assisting taxi and private hire passengers’*** produced by (TfL)

This will enable you to answer the questions in the test that relate to disability awareness.

## **Annex 1 – Places of Interest**

If the place of interest is in Chichester itself or Goodwood then it is strongly recommended that you familiarise yourself with the road names where the venue is located. If the venue is outside Chichester and elsewhere in the District then it is important you are aware which village or town the venue may be located in and what the main 'A' or 'B' road is to get to them.

### **Civic Buildings**

Assembly Rooms – Chichester City Council  
Bus Station  
Chichester District Council (CDC)  
CDC's vehicle testing station at Westhampnett  
Chichester Crematorium  
County Hall – West Sussex County Council  
County Records Office  
Police Station

### **Hospitals**

Nuffield Hospital, Chichester  
St Richards Hospital, Chichester  
St Wilfrid's Hospice, Donnington

### **Attractions in Chichester**

Chichester Festival Theatre  
Chichester New Park Centre (Cinema)  
Cineworld (Cinema at Chichester Gate Leisure Park)  
Novium Museum, Chichester  
Pallant House Gallery, Chichester  
Westgate Leisure Centre, Chichester

### **Attractions outside Chichester**

Fishbourne Roman Palace  
Cowdray Ruins, Midhurst  
Goodwood Motor Circuit  
Goodwood Racecourse  
Goodwood House  
Petworth House  
Weald & Downland Open Air Museum, Singleton  
West Dean College

### **Colleges/Universities**

Chichester College  
University of Chichester

### **Road Names**

A27  
A259  
A272  
A286  
A287  
B2145  
B2178  
B2179  
B2198

### **Supermarkets**

Marks & Spencer (East Street), Chichester  
Sainsbury's, Chichester  
Tesco's, Chichester  
Waitrose, Chichester

### **Hotels**

Chichester Park Hotel  
Crouchers Hotel, near Appledram  
Goodwood Hotel  
Spread Eagle Hotel, Midhurst  
Premier Inn, Chichester  
The Seal, Selsey  
Travelodge, Chichester

### **Caravan Parks**

Bunn Leisure, Selsey  
Lakeside Caravan Park, Chichester  
West Sands Holiday Park, Selsey

### **Pubs**

The Nags Head, Chichester  
The Old Cross, Chichester  
The Shore Inn, East Wittering  
The Star, Petworth  
Trents, Chichester

### **Towns and Villages**

Bosham  
Bracklesham  
Donnington  
East Wittering  
Fernhurst  
Fishbourne  
Funtington  
Hunston  
Midhurst  
Petworth  
Sidlesham  
Selsey  
Tangmere  
West Wittering

### **Locations outside the Chichester District**

Gatwick Airport  
Southampton Docks

### **Industrial Estates**

Council's vehicle testing station at Westhampnett  
Terminus Road, Chichester  
Quarry Lane, Chichester

## **Annex 2 – Residential Road Names in Chichester**

It is recommended that you look up this information using Google maps or a current street atlas for Chichester.

### **List of residential roads in Chichester**

Adelaide Road  
Barnfield Drive  
Basin Road  
Bognor Road (A259)  
Bradshaw Road  
Broyle Road (A286)  
Calendonian Road  
Cambrai Avenue  
Cherry Orchard Road  
Cleveland Road  
Florence Road  
Kingsham Avenue  
Kingsham Road  
Lavant Road (A286)  
Little Breach  
Market Avenue  
Market Road  
Neville Road  
Northgate  
Norwich Road  
Oaklands Way  
Oliver Whitby Road

### **List of residential roads in Chichester**

Orchard Street  
Oving Road (B2144)  
Parklands Road  
Pound Farm Road  
Sherbourne Road  
Sherlock Avenue  
Somerstown  
Spitalfield Lane  
Sumersdale Road  
St Pancras (A285)  
St Pauls Road (B2178)  
St James' Road  
Stane Street  
Swanfield Drive  
The Avenue  
The Broadway  
The Drive  
Westgate  
Westhampnett Road (A285)  
Whyke Lane  
Whyke Road  
Worcester Road

### **Annex 3 – Key Legal and Council Policy Requirements Drivers**

This document has been devised to outline some of the key legal and policy requirements that a professional Hackney Carriage or Private Hire driver should be aware of when licensed by Chichester District Council (CDC). The information below also forms part of the Knowledge Test, therefore it is important that you have read and understood this information before sitting the test.

The information below is broken down into 3 sections:

- Hackney Carriage
- Private Hire
- Requirements that apply to both Hackney Carriage and Private Hire Drivers and Vehicle Licence Holders

To see the Council's policy, conditions and byelaws in their entirety please view the following link - <http://www.chichester.gov.uk/article/25500/Taxi-and-private-hire-licensing---legislation-conditions-and-policy>.

#### **Hackney Carriage**

- **All licences MUST 'match'** i.e. A hackney carriage plated by Chichester District Council (CDC) can only be driven by a person issued with a hackney carriage driver licence by CDC. It is permissible to hold a driver's licence for more than one area, but a vehicle can only be licensed with one authority.
- Only persons licensed by this authority to drive a CDC licensed vehicle may do so. In other words, **family members and friends are prohibited from driving a vehicle licensed for hackney carriage/private hire work under any circumstances, unless they themselves possess the appropriate driver's licence from CDC. Simply removing the plate does not result in the vehicle being considered unlicensed.**
- Only licensed hackney carriage vehicles may be hailed in the street and pick up passengers, which is referred to as 'plying for hire'.
- A number of taxi ranks have been designated across Chichester and these can be used by hackney carriages. When on the rank the hackney carriage driver **MUST** remain with the vehicle at all times (Failure to do so is an offence under the Hackney Carriage Byelaws).
- Any hackney carriage vehicle proprietor that uses the **taxi ranks at Chichester train station MUST** ensure that they have obtained a **rank pass** from Indigo, who act as agents for Govia Thameslink Railway. To obtain a rank pass please visit Indigo's website <http://taxis.gtrcarparks.com>. If you have any further queries then please contact Indigo's customer service number 0330 123 5247. Please note that there are only a limited number of rank passes available from Indigo.
- **The driver's badge MUST** be worn at all times when working as a hackney carriage driver (Failure to do so is an offence under the Hackney Carriage Byelaws).
- **The vehicle licence plate MUST** always be prominently displayed on the outside of the vehicle, even when being utilised for personal use (Failure to do so is an offence under the Hackney Carriage Byelaws).

- If you hold a Hackney Carriage Vehicle Licence then you **MUST** notify this authority within **7 days** in relation to a change of address (Town Police Clauses Act 1847). It is recommended that if you change your name that you also notify this Authority within **7 days**. If you only hold a Hackney Carriage Driver Licence then you are not legally obliged to notify the Council of a change of address, but it is strongly recommended to assist with receiving reminder letters for renewing the licence.
- It is strongly recommended that a hackney carriage driver notify the Council within **7 days**, in writing, details of any **conviction(s), caution(s), Fixed Penalty Notice(s) for criminal or other endorsable offence(s), ASBO's or penalty notices for disorder, imposed on him or her during the period of the licence, including all motoring offences or pending proceedings.**
- Advertising permitted on a hackney carriage is a single full livery advertisement, or, an advertisement displayed on the lower panel of the front doors. A self-adhesive strip can be displayed on the rear windscreen with the licensed proprietor's company name and number. The overall height of the lettering must not exceed 58mm (2 ¼ inches) and not obscure the driver's view.
- CDC will only licence **Wheelchair Accessible Vehicles** as a hackney carriage.
- A hackney carriage vehicle **MUST** have a roof sign with the word 'TAXI', which is to be illuminated when available for hire.
- A hackney carriage vehicle cannot 'ply for hire' or use ranks outside of the Chichester District. It is however permissible for a hackney carriage vehicle to undertake pre-booked work outside the Chichester District.
- The legal minimum tread depth is 1.6mm for a tyre across the central three-quarters of the tyre and around the whole circumference. Due to hackney carriages being used to transport members of the public and being driven on a regular basis the Council's policy and conditions state that the minimum tread depth for a tyre on a hackney carriage vehicle **MUST NOT** be less than 2mm around the entire circumference of the tyre.

## Private Hire

- **All licences MUST 'match'** i.e. A private hire vehicle plated by Chichester District Council (CDC) can only be driven by a person issued with a Private Hire driver licence by CDC and accept jobs from a private hire operator licensed by CDC. It is permissible to hold a driver's licence for more than one area, but a vehicle can only be licensed with one authority.
- For private hire work, 'plying for hire' is unlawful and therefore all bookings **MUST** be made via a CDC licensed private hire operator.
- A private hire vehicle **IS NOT** allowed to use a hackney carriage rank. If a private hire vehicle is parked near to a rank then this could be considered 'plying for hire', unless the driver is waiting for a genuine, bona fide booking.
- **The driver's badge MUST** be worn at all times, unless the vehicle being driven benefits from an exemption certificate issued by this Council. Under these circumstances it is permissible for the driver not to wear the badge, but the driver must have it in their possession. An exemption certificate is granted based on the nature of work the vehicle is being used for, such as executive work or those vehicles used solely for journeys to airports or for account customers.

- **The vehicle licence plate MUST** always be prominently displayed on the outside of the vehicle, even when being utilised for personal use. The only exceptions to this are for stretched limousines, 'special vehicles' (vintage cars or replica vintage cars) and vehicles that have been issued with an exemption certificate by this Council due to the nature of their work, such as executive vehicles and those vehicles used solely for journeys to airports or for account customers.
- If there is a change of address then you **MUST** notify this Council, in writing, within **7 days** of the change in details. Any other licences such as a vehicle licence and operator licence will also need to be updated.
- A private hire driver **MUST** notify the Council within **7 days**, in writing, details of any **conviction(s), caution(s), Fixed Penalty Notice(s) for criminal or other endorsable offence(s), ASBO's or penalty notices for disorder, imposed on him or her during the period of the licence, including all motoring offences or pending proceedings.**
- The only advertising allowed on a private hire vehicle is a self-adhesive strip containing the name of the operator or proprietor and telephone number at the base of the rear window and does not exceed 58mm (2 ¼ inches) in height. The advertising cannot contain the word 'taxi' or 'cab'.
- A private hire vehicle is not allowed to have a roof sign.
- A private hire vehicle must display 'pre-booked' door signs on each side of the vehicle on the rear doors.
- The legal minimum tread depth is 1.6mm for a tyre across the central three-quarters of the tyre and around the whole circumference. Due to private hire vehicles being used to transport members of the public and being driven on a regular basis the Council strongly recommends that the tread depth for a tyre on a private hire vehicle is no less than 2mm around the entire circumference of the tyre.

### **Requirements that apply to both Hackney Carriage and Private Hire Drivers and Vehicle Licence holders**

- If a licensed vehicle is involved in an **accident** which affects the vehicle's appearance, performance or safety then the vehicle proprietor **MUST** report the accident to this Authority as soon as reasonably practicable, and in any case within **72 hours** of the occurrence (Failure to do so is an offence under the Local Government (Miscellaneous Provisions) Act 1976).
- If you decide to **sell a licensed vehicle**, then the vehicle proprietor **MUST** notify this Authority, in writing, of the name and address of the person to whom the vehicle has been transferred to, within **14 days** of the transaction taking place (Failure to do so is an offence under the Local Government (Miscellaneous Provisions) Act 1976). It is also recommended that the Council is provided with the new owner's contact number and email address, in case they are not a licensed driver with the Council.
- If you drive a Wheelchair Accessible Vehicle (WAV) then it is an offence to refuse to carry a wheelchair user or charge extra for loading, securing and unloading the passenger. The only exception to this is if you have been issued with a Medical Exemption Certificate issued by Chichester District Council or it would be unsafe to carry the passenger in the WAV.

- It is an offence to refuse to take an assistance (guide) dog. The only exception to this is if you have been issued with a Medical Exemption Certificate issued by Chichester District Council.
- Equipment that needs to be carried in a licensed vehicle at all times is as follows: Fire Extinguisher, First Aid Kit, Warning Triangle, Hi-Vis Jacket for driver and amount of people vehicle licensed to carry.
- Any lost property **MUST** be brought to the Council Offices within **48 hours**. If a private hire driver then it is permissible to make the operator aware in the first instance as they may be able to contact the customer to arrange delivery or pick up of the lost item.
- All vehicles when first licensed by Chichester District Council for private hire or hackney carriage work must be EURO IV compliant. This information may appear on the V5 registration document issued by the DVLA. If the V5 registration document shows that the vehicle was first licensed on or after the 1<sup>st</sup> Jan 2008 then the vehicle will definitely be EURO IV compliant. If the vehicle is registered before this date then the applicant will need to get written confirmation from the manufacturer or dealer that it is a EURO IV compliant vehicle.
- The vehicle testing regime is as follows:

Less than 1 year old - no MoT or Fitness Test is required

1 year or over - MoT and Fitness Test required every 12 months

5 years or over - MoT and Fitness Test required every 6 months

The MOT can take place at any MOT testing station, but the vehicle fitness test must take place at the Council's vehicle testing station at Westhampnett Depot. The fitness test must be no later than 3 working days after the MOT test certificate has been issued.



**Licensing Authority, Chichester District Council, East Pallant House,  
East Pallant, Chichester, West Sussex PO19 1TY**

**Guidelines for Private Hire Vehicle Safety Partition Screens**

**1. Introduction**

- 1.1 The purpose of these guidelines is to provide private hire vehicle owners, drivers and operators with guidance as to Chichester District Council's requirements in relation to the use of safety partition screens.
- 1.2 The installation of safety partition screens in vehicles used for private hire is supported by Chichester District Council for the purposes of improving the safety of private hire drivers and reducing the threat of attack from passengers. However Chichester District Council also recognises that in fitting and using such devices, together with other measures such as good ventilation and positioning of passengers, they may provide some degree of protection from and control of infection e.g. COVID-19.
- 1.3 All newly manufactured vehicles have been rigorously tested (NCAP) and achieved European Whole Vehicle Type Approval. Changing or adding to the interior of the vehicle can alter the 'type approval', and may also have consequences as to what might happen inside the vehicle in the event of a collision.
- 1.4 These guidelines apply to all safety partition screens which are installed after the original manufacture of the vehicle.

**2. General requirements**

- 2.1 Due to the broad range of vehicles licensed by Chichester District Council, and the different types of safety partition screens available, it is not possible to offer specific purchase or installation advice in respect of these devices.
- 2.2 Whether a safety partition screen should be installed is a matter for vehicle owners, drivers and/or operators to consider. In making this decision, Chichester District Council considers that a number of matters must be considered including, but not limited to, the following.
  - i. Ensuring that all relevant safety legislation, [UK and European Community (EC)] is complied with.

- ii. Consideration of their general health and safety responsibilities together with their personal liability to employees, hirers and passengers.
- iii. Informing insurers of the intention to fit such a device, and obtaining written confirmation of their agreement and providing this to Chichester District Council.

### **3. Specific Requirements**

- 3.1 If a safety partition screen is installed in a vehicle being used for private hire purposes, Chichester District Council requires the following specific requirements to be satisfied.
- i. The installation and/or design of the device must not adversely influence or interfere in any way with vehicle type approval.
  - ii. Installation and maintenance of the safety partition screen must be in full accordance with the manufacturer's specification and recommendations.
  - iii. The device installed must not be significantly changed or modified from the original manufactured design. In cases where it is necessary to modify the original design of the device (for example, to facilitate installation of the device in the vehicle), assurances must be sought from the supplier/installer that the modification does not raise any concerns in relation to safety of the device, and complies with the relevant UK and EC safety legislation.
  - iv. Devices must be rigid, remain clear and be resistant to scratching or clouding, and no stickers or any other item may be affixed which might in any way impede the driver's vision.

### **4. Approval Process**

- 4.1 A safety partition screen may only be installed with written approval given by Chichester District Council. Installing a device without permission would constitute a breach of licence condition and a Vehicle Licence would have to be Suspended until such time that the device had been completely removed.
- 4.2 Written information about the proposed safety partition screen to be installed (including links to any websites which may provide images or specifications for the device) must be provided to Chichester District Council in order that an initial proposal can be properly considered. Please email all information to: [taxilicensing@chichester.gov.uk](mailto:taxilicensing@chichester.gov.uk). This is absolutely crucial as, without written information, a proposal will not be considered.
- 4.3 Once a written proposal has been considered, this will often include liaising with our colleagues at the Westhampnett Depot who undertake inspections of all our Licensed Vehicles, we will confirm in writing whether or not the proposed safety partition screen meets with these guidelines and, in the case that it does, permission will be given to proceed to have the device installed as per the agreed specification.

- 4.4 Once the installation is complete, the vehicle will need to be presented at the Westhampnett Depot for inspection. Currently there is no charge for this service, however this may change. At the end of the inspection the engineer who has inspected the safety partition screen will provide a written report which will confirm whether or not the installation is acceptable.
- 4.5 Where an installation has been approved, then the Licence Holder or their duly authorised agent will need to sign the inspection form and return this to the Licensing Team at Chichester District Council and this will be held on file. In the event that an installation is not approved, then immediate remedial action will need to be taken to resolve the issue(s) of concern or alternatively the entire screen removed. Chichester District Council will also consider whether it is appropriate to Suspend the Vehicle Licence until such time that the matter has been satisfactorily resolved.

## **5. Compliance**

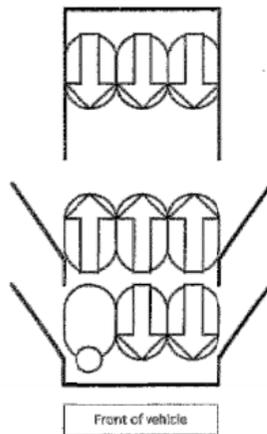
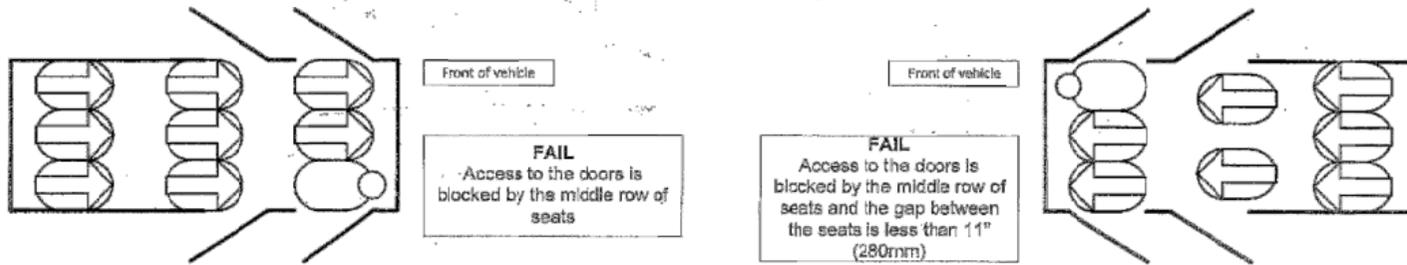
- 5.1 Private hire vehicle owners, drivers and operators who have installed an approved safety partition screen must fully comply with these guidelines at all times.
- 5.2 If, during the annual licensing inspection (or during a compliance inspection) of the vehicle, it is found that these guidelines have not been complied with, the vehicle will not be re-licensed, and an existing licence will be Suspended.
- 5.3 After each journey is completed, the Licensed Driver must ensure that along with the interior of the vehicle in general, that the safety partition screen is thoroughly cleaned to minimise the risk of cross contamination to the public.
- 5.4 It is also a requirement that any automatic locking of rear doors is disabled at all times where a safety partition screen has been installed. This is to mitigate the hazard of the device preventing emergency egress through the front of the vehicle.

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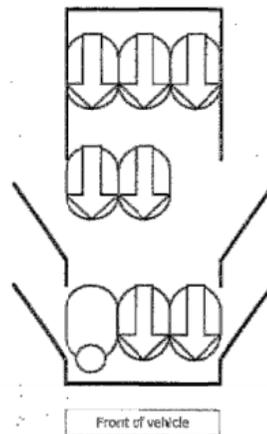
## Seating Configurations

Examples of seating arrangements viewed from above the vehicle

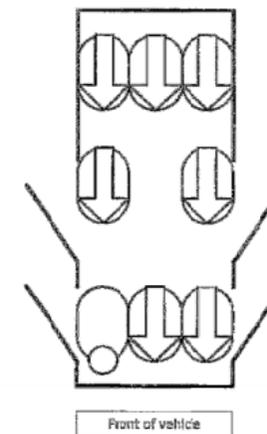
Appendix A



**PASS**  
Space between middle row and rear row is 11" (280mm) or more with clear access to the passenger doors



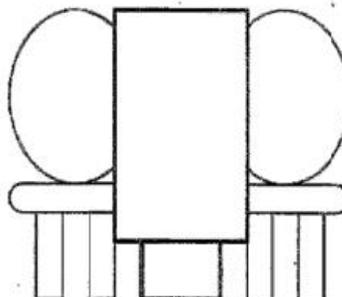
**PASS**  
Space between middle row of seats and side of vehicle is 11" (280mm) or more



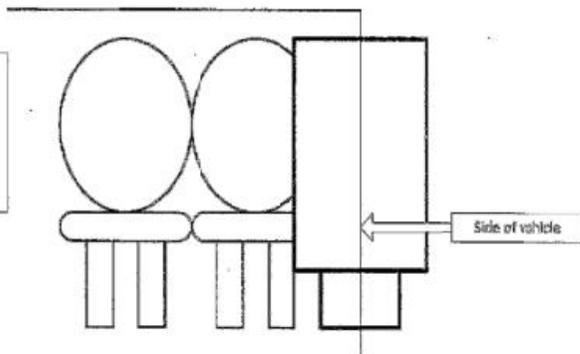
**PASS**  
Space between seats in the middle row is 11" (280mm) or more

Examples of seating arrangements viewed from inside the vehicle looking from the front to the rear of the vehicle

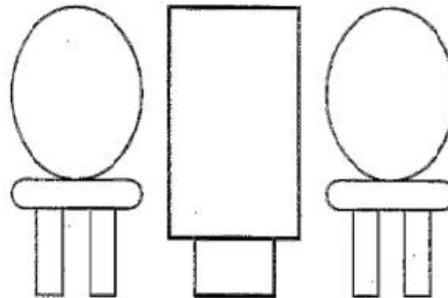
**FAIL**  
Gap between seats  
is less than 11"  
(280mm)



**FAIL**  
Gap between side of  
vehicle and passenger  
seat is less than 11"  
(280mm)



**PASS**  
Gap between seats  
is a minimum of 11"  
(280mm)





## Private Hire Drivers Licence Conditions

Private Hire Drivers are required to ensure compliance with the following conditions at all times.

### **CONDUCT OF DRIVER**

The driver shall:

- (1) afford all reasonable assistance with passenger's luggage.
- (2) at all times be clean and respectable in his dress and person and behave in a civil and orderly manner.
- (3) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him.
- (4) not without the express consent of the hirer, drink or eat in the vehicle. At no time shall a driver smoke in the vehicle.
- (5) 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.
- (6) 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.

### **PASSENGERS**

The driver shall not convey or permit to be conveyed in a private hire vehicle a greater number of persons than prescribed in the licence for the vehicle.

The driver shall not allow there to be conveyed in the front of a private hire vehicle:

Any child below the age of ten years; or  
More than one person above that age.

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

### **LOST PROPERTY**

- (1) 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.
- (2) 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, he shall take it as soon as possible and in any event within twenty-four hours if not sooner claimed by or on behalf of its owner to the Council office and leave it in the custody of the officer in charge on his given a receipt for it.

### **WRITTEN RECEIPTS**

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

### **ANIMALS**

The driver 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 and he shall ensure that any animal belonging to or in the custody of any passenger is conveyed in the rear of the vehicle. The driver shall carry without charge a guide dog or assistance dog unless precluded from doing so by a proven medical condition.

### **PROMPT ATTENDANCE**

The driver of a private hire vehicle shall, if he is aware that the vehicle has been hired to be in attendance at an appointed time and place or he 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.

### **DISPLAY OF APPOINTMENT BOARD**

The driver of a private hire vehicle when awaiting a passenger through a prearranged appointment shall display in the windscreen of the vehicle a board containing the name of that passenger and the appointed time of the meeting.

### **TOUTING AND SOLICITING**

The driver shall not, whilst driving or in charge of a private hire vehicle

- (1) tout or solicit any person to hire or be carried for hire in any private hire vehicle;
- (2) cause or procure any other person to tout or solicit any person to hire or be carried for hire in any private hire vehicle.

### **TAXIMETER**

Unless the fare has been agreed at the time of the booking, where a private hire vehicle being driven is fitted with a taximeter, the driver shall not cause the fare recorder thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare or it is intended that the hirer is to pay on an account rendered.

### **FARE TO BE DEMANDED**

The driver shall before the commencement of any journey ensure that the hirer is aware of the pre-arranged fare for the journey and the driver shall not demand from any hirer of a private hire vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator. If the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter is not to be exceeded.

### **CHANGE OF ADDRESS**

The driver 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.

### **CONVICTIONS AND CAUTIONS**

All licensed drivers shall within seven calendar days of notification, report to the Council in writing details of any conviction(s), caution(s), Fixed Penalty Notices (FPN) for crime or endorsable offences or FPN for disorder or ASBO's, imposed on him or her during the period of the licence, including all motoring offences and any pending proceedings.

### **RETURN OF BADGE**

The driver shall upon the expiry, revocation or suspension of this licence forthwith return to the Council the driver's badge issued to him by the Council when granting this licence.

### **ACCIDENT/VEHICLE DAMAGE REPORTING**

It is a legal requirement under Section 50 (3) of the Local Government (Miscellaneous provisions) Act 1976 to report vehicle damage to the Council within 72 hours. This requirement applies to damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers.

### **DRIVING STANDARDS AGENCY TEST**

Existing drivers will not be required to undergo this DSA test. Where it becomes evident that a licensed drivers' driving ability has fallen below the standard considered to be safe or where a driver has acquired between 7 to 9 penalty points on their DVLA driving licence, a licensed driver should undergo the DSA test. If such a test is failed, consideration will be given to suspend a driver's licence until they successfully pass. This decision will only be taken by the Assistant Director (Environmental Health) under existing delegated powers where there is a potential risk to the public.

An applicant or driver would meet the cost of the Hackney Carriage/Private Hire DSA test.

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## Private Hire Vehicle Licence Conditions

**Holders of Private Hire Vehicle Licences are required to ensure their vehicle(s) comply with the following conditions at all times.**

### **Local Government (Miscellaneous Provisions) Act 1976, Section 48(2)**

- 1. Maintenance of Vehicle** – The vehicle and all of 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 shall comply with all relevant licensing and statutory requirement sincluding those contained in the Council's Conditions of Fitness Manual and the Motor Vehicle (Construction and Use) Regulations.

All Private Hire Vehicles first license don or after the 4th April 2012 will comply with **Euro 4** as a minimum vehicle emissions standard and requirement.

- 2. Mechanical Standard and Vehicle Tests** - Proprietors must ensure that all licensed vehicles are tested to MoT standard annually or where applicable, bi-annually. All licensed vehicles must in addition undergo a Fitness Test(s) carried out by the Council. The tests are required when a vehicle is first licensed and thereafter every six or twelve months and in addition if the vehicle is involved in an accident or if the vehicle is subject to a Stop Notice.

Proprietors must ensure that all licensed Private Hire vehicles are presented for a MoT and Council Fitness Test in accordance with the following structure:

Less than 1 year old	– no MoT or Fitness Test is required
1 year or over	– MoT and Fitness Test required every 12 months.
5 years or over	– MoT and Fitness Test required every six months.

The examination certificate supplied should be returned to the Council's Licensing Office along with the appropriate completed licence application form.

Proprietors will ensure that all Private Hire vehicles are tested in accordance with the Hackney Carriage and Private Hire National Inspection Standards for Taxis issued (from time to time) jointly by the Public Authority Transport Network and the Freight Transport Association.

- 3. Alteration of Vehicle** – No material alteration or change in the specification, design, or condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force.
- 4. 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 constable.

Where an exemption is granted by virtue of the provisions of Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976 it is required that the appropriate authorisation is displayed at all times inside the vehicle on either the front or rear window. In addition the Statement of Declaration pursuant to that Section shall be retained in the vehicle at all times and be presented on demand. The driver shall at all times carry his or her driver's badge, which shall be presented on demand.

In addition to the licence plate and where Section 75(3) does not apply, private hire vehicle owners/operators are required to affix a sign of a type designed and approved by the Council to both rear doors indicating that the vehicle has to be 'pre-booked'. This sign must be clearly displayed at all times.

**5. 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 number of this licence and the number of passengers prescribed in this licence.

**6. Safety Equipment**

(a) **Fire Extinguisher** – There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a fire extinguisher, which shall be indelibly marked with the registration of the vehicle, of a type approved by the Council. The extinguisher should be either (a) a dry powder extinguisher of at least 1 kilogram in weight and marked as complying with BS5423, or (b) an AFFF extinguisher of at least 1 litre capacity to BSEN3: 1996 all extinguishers must have a visual gauge to indicate the state of charge.

(b) **Spare Wheel** - A proprietor shall when using: -

1. a full size spare wheel or
2. 'space saver' spare wheel or
3. tyre sealant or
4. 'run flat' tyres

ensure that all such equipment is strictly in accordance with the manufacturers specifications existing at the time of first registration of the vehicle with the DVLA or as may be varied from time to time. It is a further condition that the proprietor has signed a 'method statement' setting out driver responsibilities with regard to the maximum permitted speed when these devices are used, and prior to their use, acknowledging that they are only a 'get you home' measure. A suitable replacement tyre or professional repair shall be provided at the earliest practical opportunity.

(c) **First Aid Kit - Every** licensed private hire vehicle shall carry a suitable first aid kit for use in an emergency.

(d) **Warning Triangle** - Every licensed private hire vehicle shall carry a suitable warning triangle for use in an emergency.

(e) **Reflective Jackets - Every** licensed private hire vehicle shall carry suitable reflective high visibility vests to EU standard EN 471 class 2. for use in an emergency.

**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 or required or permitted by these conditions, provided that this condition shall not apply to a sign which:
  - (a) is displayed in pursuance of a prior arrangement for the carriage of a passenger or passengers named in the sign.
  - (b) is a self-adhesive strip containing the name of the operator or proprietor and telephone number at the base of the rear window and does not exceed 58mm (2 ¼ inches) in height.
- (2) The Proprietor shall cause to be affixed and maintained in the vehicle in a conspicuous position in accordance with the direction 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) Where a private hire vehicle is used for 'mainstream' short haul private hire work, in addition to the licence plate, private hire vehicle owners/operators will be required to affix a sign on both rear doors indicating that the vehicle **has** to be 'pre-booked'. The additional doorplates shall include the Council's logo and the vehicle licence number.

**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 calendar days disclose to the Council in writing details of any conviction(s), caution(s) or Fixed Penalty Notices for crime or endorseable offences, ASBO's or penalty notices for disorder, imposed on him or her during the period of the licence, (or, if the proprietor is a company or partnership, on any of the directors or partners) including all motoring offences or pending proceedings.

**10. Inspection of Driver's Licence** – 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 inspect that person's private hire driver's licence.

**11. Vehicle Fitted with a Taximeter** – If the vehicle is equipped with a taximeter the proprietor shall notify the council immediately if, for any reason, the seal is broken.

**12. C.B. Radio** – The proprietor shall not employ nor permit his drivers to employ the use of C.B. or other public radio circuits for the control or direction of vehicles or drivers.

**13. Use of Seat belts in Vehicles** – A seat belt must be available for each person carried.

**14. Damage to Vehicle** – The proprietor shall inform the Council within 72 hours of any damage caused to the vehicle.

## **15. Log Book**

Every licensed proprietor/owner will keep a Vehicle Log Book in a form prescribed by the District Council, which will be retained with the vehicle at all times and be available on demand for inspection by an Authorised Officer.

This document will include details of all maintenance and servicing carried out on the vehicle in accordance with the manufacturers recommended safety inspection and servicing procedures, all inspections made by Authorised Officers/Police or VOSA, any accident damage details and details of the current insurance policy in force for that vehicle.



## Private Hire Operators Licence Conditions

**Private Hire Operators are required to ensure compliance with the following conditions at all times.**

### 1. RECORDS

- (1) The record required to be kept by the operators 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) The time of pick-up
  - (d) The point of pick-up
  - (e) The destination
  - (f) The registration number of the vehicle and driver allocated for the booking
  - (g) 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, which 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:

- (1) 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 the appointed time and place.
- (2) 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.
- (3) Ensure that any waiting area provided by the operator has adequate seating facilities.
- (4) 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**

The proprietor shall within seven calendar days disclose to the Council in writing details of any conviction(s), caution(s) or Fixed Penalty Notices for crime or endorsable offences, ASBO's or penalty notices for disorder, imposed on him or her during the period of the licence, (or, if the operator is a company or partnership, on any of the directors or partners) including all motoring offences or pending proceedings.

### **5. C.B. RADIO**

The operator shall not employ, nor permit his drivers to employ, the use of C.B. or other public radio circuits for the control or direction of vehicles or drivers.

### **6. NOISE**

- (1) The operator shall ensure that the use of the licensed premises for the purposes of the operation of private hire vehicles shall not cause disturbance to the occupiers of neighbouring properties through the use of radio equipment or vehicle movements.
- (2) The operator shall instruct licensed private hire vehicle drivers under his operation to exercise due care with regard to vehicle movements and the use of radio equipment so as not to cause disturbance to others.