

**Guidance for proprietors
and drivers of
Hackney Carriage and
Private Hire Vehicles**



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1. Introduction

This information is intended to provide guidance on the licensing requirements in Tandridge District Council under the Town Police Clauses Act 1847, as amended and the Local Government (Miscellaneous Provisions) Act 1976.

It is not intended to be an exhaustive or definitive statement of the law and all drivers, operators and proprietors should familiarise themselves with the provisions of the relevant Acts and any local byelaws.

Attention is also drawn to certain provisions of the Transport Acts, 1980, 1981 and 1985 and regulations made under the Road Traffic Acts.

Please allow around two to three months to complete the whole procedure.

2. Types of licence

The type of licence required will depend upon the work undertaken:

Hackney Carriages - Proprietor Vehicle Licence
 - Driver's Licence

Private Hire Vehicles - Proprietor Vehicle Licence
 - Driver's Licence
 - Operator's Licence

3. Duration of licences

Hackney Carriage Vehicle Licences	1 February	– 31 January annually
Hackney Carriage Driver's Licences	1 January	– 31 December annually
All Private Hire Licences	1 April	– 31 March annually

4. Licence Fees

The fees which are renewed annually, include administrative costs, enforcement and vehicle inspection tests. Applicants will be advised of fees and charges at the time of application or on request.

A reduction of fees of 25% will apply to a wheelchair accessible Hackney Carriage or Private Hire Vehicle.

5. Licence Application Policy

In summary, all applicants must:

- Complete a Disclosure and Barring Service application form every three years and pay the required fee. Other requirements are set out for vehicle, proprietorship and operators licences
- We do not proceed with applications until the Enhanced Disclosure is received back from the D&BS.
- Complete the DVLA driving licence record disclosure form and pay the required fee.
- Produce their passport for checking by the Border and Immigration Agency.
- Pass the Driving Standards Agency Taxi/Private Hire Assessment and produce the resulting certificate for inspection.
- Book the assessment on the Government website at www.businesslink.gov.uk/transport or by phoning the booking line on 0300 200 1122. The test is to be paid for by the applicant.
- Produce, on the form supplied by Tandridge District Council a medical certificate of fitness to drive a licensed vehicle completed by their General Practitioner.
- Pass the Council's own Knowledge Test and pay the required fee. The test will take place at Warren Lane Depot on the Council's computer system on the first Monday in each month (excluding Bank Holidays).
 - The computer will select at random 40 total questions concerning local area knowledge, Highway Code and Tandridge District Council procedures. You will need to answer 24 questions out of 32 for the knowledge test and 3 questions correctly out of 4 set for the Highway Code and procedures to obtain a pass certificate. You have 40 minutes to complete the test.
 - We suggest for your information, the following booklets which can be downloaded from the website or collected from the reception area in the Council Offices in Oxted:
 - Tandridge Official Guide
 - Guide to Tandridge

Enquiries

All applications or enquiries should be addressed to Tandridge Commercial Services, Tandridge District Council, Warren Lane Depot, Warren Lane, Hurst Green, Oxted, Surrey RH8 9DB. Telephone 01883 732735 / 732731.

www.tandridge.gov.uk or email plewis@tandridge.gov.uk
acharman@tandridge.gov.uk

Hackney Carriage vehicle information

6. Hackney Carriage vehicles

Hackney Carriage

Hackney Carriage is legally defined in the Town Police Clauses Act 1847, but in general terms may be described as a vehicle which can stand or ply for hire in a street which has been licensed by the Council and which displays a Hackney Carriage plate both internally and externally. A taxi may have no more than 8 passenger seats. Vehicles that carry more than 8 passengers are public service vehicles and are subject to separate licensing controls.

A Hackney Carriage vehicle licence is required under the Town Police Clauses Act 1847, Section 37 and is subject to standard conditions. In consideration of the transport Act 1985, section 16, the Council does not intend to restrict the number of vehicles licensed as Hackney Carriages.

It is an essential legal requirement that Hackney Carriages and Private Hire vehicles are readily distinguishable from each other. Section 47 of the 1976 Act enables the Council to require that any Hackney Carriage identifies as a Hackney Carriage. Section 48 clearly states that a Private Hire vehicle shall not be designed to lead any person to believe the vehicle is a Hackney Carriage.

With these requirements in mind the licensing system specifies:

- In addition to the requirements of Section 48, the Transport Act 1980, Section 64, strictly restricts the use of roof signs on vehicles other than taxis (Hackney Carriages). The Council considers roof signs should not be used on Private Hire vehicles.
- A licensed vehicle, once licensed remains a licensed vehicle for the duration of that licence or until the licence is revoked by the Council, surrendered by the proprietor or the licence expires, unauthorised removal of the roof sign or plate(s) does not cancel such a licence.
- A licensed private hire or hackney carriage vehicle may only be driven by a person who holds a private hire or hackney carriage drivers licence issued by the same council. No one else may drive a licensed vehicle, regardless of the insurance cover.

Change of address

You must let the Council know immediately of any change of address.

Roof sign

Hackney Carriages should be fitted with a pattern approved design of roof sign by Tandridge District Council with black lettering on white background. The sign should be affixed and maintained and be capable of illumination.

On the front the word "TAXI" to be displayed at all times in clear/large black letters. This word to be centrally placed on the taxi sign.

On the rear panel the company name and telephone number may be displayed.

Vehicle specification

The following general specifications are laid down by the Council for licensed vehicles:

- The vehicle shall have four doors of a size to permit easy access, unless otherwise specifically approved by the Council.
- The engine capacity shall not be less than **1290cc**.
- The vehicle should be designed to allow the specified number of passengers to be carried in comfort and safety.
- The vehicle should have adequate luggage space for the number of passengers for which the vehicle is licensed.
- Vehicles must be suitable for the conveyance of passengers – for more information see page 10.
- Particular requirements apply to 6, 7 and 8 seater vehicles.
- Spare tyre, tools for wheel changing.

Mechanical inspection

All vehicles will be subject to periodic testing during the licensing period to ensure vehicles are maintained in a fit and proper condition. The Council is authorised to conduct extra spot checks and inspections at any time.

Maintenance of vehicle

The vehicle and all its fittings and equipment shall at all times, when the vehicle is in use or available for hire, be kept in an efficient, safe, tidy and clean condition with all relevant statutory requirement.

An extra charge will be applied to any vehicle over 10 years old. The vehicle will also be subjected to an additional vehicle test within the licensing year.

Identification plates

Identification plates required to be displayed by the byelaws and vehicle licence conditions will be provided by the Council.

The exterior licence plate should be fitted in a conspicuous position on the rear of the vehicle and able to be removed by an authorised officer.

The interior licence plate must be visibly positioned.

Identification plates must be returned to the Council within seven days of the expiry, revocation or suspension of the licence.

Taxi-meter and fares

Hackney Carriage vehicles must be fitted with a meter set to the agreed charges. These meters must be tested and sealed. The fitting of meters in Private Hire vehicles is optional, but, if fitted they must comply with the regulations.

Maximum fares are fixed by the Council and Hackney Carriages must display a current fare chart.

Prolongation of journeys

It is an offence for the driver of a vehicle, without reasonable cause, to unnecessarily prolong in distance or in time the journey for which the vehicle has been hired.

Stands

Stands for Hackney Carriages have been appointed under the Local Government (Miscellaneous Provisions) Act 1976. Hackney Carriage drivers should be aware of the provisions of Byelaw 5 - 12, which regulates the conduct of drivers at stands.

Alteration of vehicle

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

Transfer of vehicle

If the proprietor of a vehicle transfers his interest in the vehicle to another person he must immediately give notice in writing to the Council, specifying the name and address of the person to whom the vehicle has been transferred.

Accidents

Any accident to a Hackney Carriage or Private Hire vehicle causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers carried therein must be reported to the Council within 72 hours.

Disposal of vehicle

In the event of the vehicle being sold, other than by transfer, the identification plates must be returned to the Council. Should a replacement vehicle be obtained the plates will be re-issued for use in connection with the new vehicle, once licensed. The plates remain the property of Tandridge District Council at all times.

Renewal of licence

This licence must be renewed annually and the Council must be notified of any transfer of interest immediately. The holder must also notify any change of address to the Council.

Suspension and revocation of licence

The Council may suspend, revoke or refuse to renew a vehicle licence if the vehicle is unfit, any offence has been committed by the operator or driver or for any other reasonable cause. Notice of the grounds shall be given to the proprietor within 14 days and an appeal may be made to a Magistrates' Court.

Safety equipment

All vehicles are required by byelaw or licence condition to carry a suitable and efficient fire extinguisher 600gms or more, with the expiry date clearly shown. This must be fixed in the drivers' area, available for immediate use in an emergency.

Carrying of assistance dogs

Assistance dogs accompanying disabled people shall be carried in accordance with The Disability Discrimination Act and will not be charged, unless an exemption certificate is displayed.

Insurance

A copy of the current Certificate of Insurance or Cover Note relating to the licensed vehicle must be kept available for inspection at all times.

Hackney Carriages are licensed to ply for hire within the Tandridge District Council area and may not ply for hire beyond the district boundary. A passenger boarding the vehicle within the licensed area may be transported into another area. A Hackney Carriage is permitted to be used for private hire purposes and a passenger may be collected from another area on a pre-booked basis, although plying for hire is strictly prohibited.

Cross boundary journeys

When travelling outside the licensing district, drivers of Hackney Carriage vehicles must extinguish the illumination to the roof sign. Failure to do so could be construed as 'plying for hire' outside the licensing area and result in prosecution.

Requirements for 6,7, and 8 seater Hackney Carriage vehicles

These vehicles must meet the following requirements:-

Doors

The vehicle shall be fitted with:

- One service door on the near side of the vehicle of a size to permit easy access
- One emergency door at the rear of the vehicle.

Emergency door

Every emergency door shall:

- Display instructions for opening, for example – “pull”, “turn clockwise”, etc.
- Open outwards and operate manually.

Locks

No vehicles will be fitted with any emergency door, which can be locked from the outside unless, it is also capable of being opened from inside the vehicle when stationary.

All doors must remain unlocked when carrying passengers.

All emergency doors must be able to be opened from both outside and inside.

Hackney Carriage Driver Information

7. Hackney Carriage Drivers

Every driver of a Hackney Carriage licensed to ply for hire in Tandridge must hold a current Hackney Carriage driver's licence issued by the Council. It is an offence to ply for hire, unless both the driver and the vehicle are licensed to do so.

Licences are issued subject to the requirements of the byelaws which together with the statutory provisions of the 1847 and 1976 Acts, lay down the code of conduct and matters relating to Hackney Carriage drivers.

All licence holders must inform the Council, in writing, of any conviction imposed on them during the period of their licence within seven days.

Unauthorised drivers and insurance liability

Drivers and proprietors are reminded of the requirements of Part VI of the Road Traffic Act, 1972, in relation to the provision of a third party insurance (see Section 40 of the 1847 Act and Section 48 of the 1976 Act). No person should act as a driver without the consent of the proprietor. Proprietors are generally liable for offences committed by the driver.

Eligibility

The requirement for both Hackney Carriage and Private Hire driver's licences are the same. An applicant must:

- Be 21 years of age or over and have held for at least 12 months a full driver's licence for motor cars.
- Be a fully competent driver.
- Be physically and mentally fit.
- Be a fit and proper person to drive a vehicle on public hire (any convictions, including motoring offences, will be taken into account).

Driving ability

If at any time, upon complaint or otherwise, there appears to be reason to doubt that the driving of any driver is not of a satisfactory standard, whether for medical or other reasons, the Council may require the licence holder to undertake a DSA test drive, paid for by the driver.

A Hackney Carriage Driver is allowed to drive a Hackney Carriage Vehicle and a Private Hire Vehicle.

Medical fitness

The first application for a licence must be accompanied by a medical certificate provided by your General Practitioner on the form supplied by the Council, and every five years up to the age of 60 years and every year after that.

On each renewal of a driver's licence, applicants are required to make a declaration as to physical and mental fitness. Any medical circumstances arising during the current licence period which might affect a driver's ability should be notified immediately to the Council and a further medical certificate be completed if required.

Good character

Applicants are required to submit information on the application form concerning their previous employment and history, together with references from professional persons.

If there is any doubt about the suitability of a person to act as a licensed driver the application may be referred to the appropriate committee of the Council for consideration.

In that event, an applicant will be given the opportunity to attend and support his application. The Council views with particular concern any conviction relating to a drinking and driving offence. Generally, such applications will be referred for individual committee consideration although any application may be refused under the Delegation Procedure where circumstances justify.

Similarly if, at any time, there is any reason to doubt a person is not a fit and proper person to continue to hold a driver's licence, the matter will be referred to the committee for consideration.

Dress code

The driver should be clean and respectable in his/her dress and person, not dressing in a manner likely to embarrass or offend passengers. Appropriate footwear must be worn during the period of hire and whilst the vehicle is in motion.

The driver should behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of passengers entering or getting out of the vehicle.

No smoking policy

A licensed taxi driver and any passengers, whether fare paying or not, may not smoke in a licensed vehicle. This applies to all licensed vehicles. You must display **no smoking** signs in each compartment of the licensed vehicle. These signs must be visible from the outside and be clearly visible by any passenger you are transporting.

Failure to comply with this will result in the Hackney Carriage or Private Hire driver being reported and prosecuted.

Suspension, revocation or refusal of licence

The Council may suspend, revoke or refuse to renew a licence on any of the following grounds:

That the licensee has, since the grant of the licence:-

- Been convicted of an offence involving dishonesty, indecency or violence.
- Been convicted of an offence under, or has failed to comply with, any relevant requirements of law.
- Any other reasonable cause.

If there are grounds for suspension, revocation or refusal, the licensee may be given the opportunity to attend the committee before any decision is taken.

If the licence is suspended, revoked or refused the Council will give written notice of the grounds within 14 days and there is right of appeal to the Magistrates' Court.

Conduct

A high standard of conduct is expected from licensed drivers who should in all their dealings with the public be prompt, polite and helpful. Instances of improper conduct will be taken seriously and a record maintained of complaints against individual driver's records. Consideration may be given to suspension, revocation or refusal to renew a licence in the light of a driver's record.

The driver's licence must be deposited with the proprietor of the vehicle being driven (Hackney Carriage or Private Hire), but shall be produced within 5 days on request by an authorised officer of the Council, or Police Constable (Section 53 of the 1976 Act).

Every driver must co-operate with any authorised officer of the Council or a police officer and in this regard must obey all reasonable requirements and provide all assistance and information requested of him/her (Section 73 of the 1976 Act).

Convictions

The driver must immediately disclose to the Council, in writing, details of any conviction imposed or, if the proprietor is a company or a partnership, on any of the directors or partners during the period of the licence.

Badges

Each person with a drivers licence will be issued with a badge provided by the Council and when acting as the driver of a licensed vehicle must wear the badge where it can be clearly seen.

Badges are prescribed by the Council and must have a photograph of the licensee. Upon suspension or revocation of a driver's licence the driver must return his badge to the Council.

Guideline relating to the relevance of convictions of applicants to drive Hackney Carriage and Private Hire vehicles

The Council has adopted guidelines based upon Home Office advice to ensure a consistent approach in determining driver applications. A summary of the main principles is set out below for your information.

General policy

Each application will be decided on its own merits.

A person with a current conviction for serious crime will not necessarily be permanently barred from obtaining a licence, but will be expected to remain free of conviction for five years, according to the circumstances, before an application will be considered. The overriding consideration will be the protection of the public.

Minor traffic offences

Convictions for minor traffic offences, e.g. obstruction, waiting in a restricted street, speeding, etc, will not prevent a person from proceeding with an application.

Major traffic offences

Convictions for reckless driving without due care and attention, etc within the last three years will merit refusal and no further application will be considered until a period of three years free from convictions has elapsed after the restoration of the driving licence.

Drunkenness

With motor vehicle

Where there is a single conviction for this offence the application will be refused. At least three years should elapse after restoration of the driving licence before the applicant will be considered for a licence.

Not in Motor Vehicle

An isolated conviction for drunkenness may not debar an applicant from gaining a licence, but a number of convictions for drunkenness would.

Drugs

An applicant with a conviction for a drug related offence will be required to show a period of at least three years free of convictions before an application is considered or five years after detoxification treatment if they are an addict.

Indecency offences

As Hackney Carriage and Private Hire Vehicle drivers often carry unaccompanied passengers, applicants with convictions for indecent exposure, indecent assault, importuning, or any of the more serious sexual offences, will be refused until they can show a substantial period (of five years) free of such offences.

More than one conviction of this kind will preclude consideration for at least five years. In either case if a licence is granted a strict warning as to future conduct will be issued.

Violence

As Hackney Carriage and Private Hire Vehicle drivers maintain close contact with the public, applicants who have current convictions for grievous bodily harm will be refused a licence.

Dishonesty

Hackney Carriage and Private Hire Vehicle drivers are expected to be persons of trust. In general, a period of five years free of any conviction, involving dishonesty will be required before an application is considered.

Private Hire vehicle information

Private Hire vehicles

Private Hire Vehicle is defined in the Local Government (Miscellaneous Provisions) Act, 1976, as meaning 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

Every Private Hire vehicle shall be licensed under the 1976 Act, section 48, subject to conditions. A private hire vehicle may not ply for hire from a stand or in a street.

Exemptions from Private Hire Vehicle licensing requirements

No licensing or legal requirements shall:

- Apply to a vehicle used only for carrying passengers for hire or reward under a contract for the hire of the vehicle for a period of not less than seven days.
- Apply to a vehicle while it is being used in connection with a funeral or a vehicle used wholly or mainly, by a person carrying on the business of a funeral director, for the purpose of funerals.
- Apply to a vehicle while it is being used in connection with a wedding.
- Require the display of any plate, disc or notice in or on any private hire vehicle licensed by the Council under this Part of the Act during such period the vehicle is used for carrying passengers for hire or reward.
- Under a contract for the hire of the vehicle for a period of not less than 24 hours.

The Council may, by written notice, grant an exemption to display plates.

It is an essential legal requirement Hackney Carriages and Private Hire vehicles are distinguishable from each other. Section 47 of the 1976 Act enables the Council to require that any Hackney Carriage to be identifiable as a Hackney Carriage. Section 48 states a Private Hire vehicle must not be of such design and appearance to lead any person to believe the vehicle is a Hackney Carriage.

With these requirements in mind the licensing system specifies that:

- Private Hire vehicles are to be identifiable by the coloured licence plate and may be additionally marked subject to the approval of the Council, on doors or window to indicate that the vehicle is a Private Hire vehicle.
- In addition to the requirements of Section 48, the Transport Act, 1980, Section 64, strictly restricts the use of roof signs on vehicles other than taxis (Hackney Carriages). The Council considers that roof signs should not be used on Private Hire vehicles.
- A licensed vehicle, once licensed remains a licensed vehicle for the duration of that licence or until the licence is revoked by the Council, surrendered by the proprietor or the licence expires, unauthorised removal of the door sign or plate(s) does not cancel such a licence.
- A licensed private hire or hackney carriage vehicle may only be driven by a person who holds a private hire or hackney carriage drivers licence issued by the same council. **No other person** may drive a licensed vehicle regardless of the insurance.

Private Hire vehicle licence

All licences must be held by the same authority in which the booking is made or taken for the use of Private Hire.

Vehicle specification

The following general specifications are laid down by the Council for licensed vehicles:-

- The vehicle shall have four doors of a size to permit easy access (unless otherwise specifically approved by the Council).
- The engine capacity shall not be less than **1290cc**.
- The vehicle shall be designed to permit the specified number of passengers to be carried in comfort and safety.
- The vehicle shall be provided with adequate luggage space for the number of passengers for which the vehicle is licensed.
- Vehicles must be suitable for the conveyance of passengers.

- Particular requirements apply to 6,7 and 8 seater vehicles, see page 22.
- Spare tyre, tools for wheel changing.

Mechanical inspection

All vehicles are subject to periodic testing during the licensing period to ensure that vehicles are maintained in a fit and proper condition. The Council is authorised to conduct extra spot checks and inspection at any time.

Identification plates

Identification plates required to be displayed by the byelaws and vehicle licence conditions will be provided by the Council.

The exterior licence plate will be fitted in a conspicuous position on the rear of the vehicle and able to be removed by an authorised officer.

The interior licence plate must be visibly positioned.

Identification plates must be returned to the Council within seven days of the expiry, revocation or suspension of the licence.

Prolongation of journeys

It is an offence for the driver of a vehicle, without reasonable cause, to unnecessarily prolong in distance or in time the journey for which the vehicle has been hired.

Transfer of vehicle

If the proprietor of a vehicle transfers his interest in the vehicle to another person he must immediately give notice in writing to the Council, specifying the name and address of the person to whom the vehicle has been transferred.

Accidents

Any accident to a Hackney Carriage or Private Hire vehicle causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers must be reported to the Council within 72 hours.

Disposal of vehicle

In the event of the vehicle being sold, other than by transfer, the identification plates must be returned to the Council. Should a replacement vehicle be obtained, the plates will be re-issued for use in connection with the new vehicle, once licensed. The plates remain the property of Tandridge District Council at all times.

Suspension and revocation of licence

The Council may suspend, revoke or refuse to renew a vehicle licence if the vehicle is unfit, any offence has been committed by the operator or driver, or for any other reasonable cause.

Notice of the grounds shall be given to the proprietor within 14 days and an appeal may be made to a Magistrates Court.

Safety equipment

All vehicles are required by the licence condition to carry a suitable and efficient fire extinguisher 600gms or more, with the expiry date clearly shown. This must be fixed and fitted in the driver's area.

Carrying of assistance dogs

Assistance Dogs accompanying disabled people must be carried in accordance with The Disability Discrimination Act and will not be charged, unless an exemption certificate is displayed.

Insurance

A copy of the current Certificate of Insurance or Cover Note relating to the licensed vehicle must be kept available for inspection at all times.

Requirements for 6,7, and 8 seater Private hire vehicles

These vehicles shall meet the following requirements:

Doors

The vehicle shall be fitted with:

- One service door on the near side of the vehicle of a size to permit easy access
- One emergency door at the rear of the vehicle.

Emergency Door

Every emergency door shall:

- Display instructions for opening for example – pull, turn clockwise, etc.
- Open outwards and operate manually.

Locks

No vehicles should be fitted with any emergency door which can be locked from the outside unless, it can be opened from inside the vehicle when stationary.

All doors must remain unlocked when carrying passengers.

All emergency doors should be able to be opened from both outside and inside.

Private Hire driver information

8. Private Hire drivers

Every driver of a Private Hire vehicle licensed by the Council must hold a current Private Hire Driver's Licence issued by the Council.

Licenses are issued subject to conditions of licence and certain provisions of the 1976 Act, which lay down the code of conduct and matters relating to Private Hire drivers.

A Private Hire Driver is not allowed to drive a Hackney Carriage Vehicle.

Unauthorised drivers and insurance liability

Drivers and proprietors are reminded of the requirements of Part VI of the Road Traffic Act 1972, in relation to the provision of a third party insurance (see Section 40 of the 1847 Act and Section 48 of the 1976 Act). No person should act as a driver without the consent of the proprietor. Proprietors are generally liable for offences committed by the driver.

Eligibility

The requirement for both Hackney Carriage and Private Hire driver's licences are the same. An applicant must:

- Be 21 years of age or over and have held for at least twelve months a full driver's licence for motor cars.
- Be a fully competent driver.
- Be physically and mentally fit.
- Be a fit and proper person to drive a vehicle on public hire (any convictions, including motoring offences, will be taken into account).

Driving ability

If at any time, upon complaint or otherwise, there appears to be reason to doubt the driving of any driver is not of a satisfactory standard, whether for medical or other reasons, the Council may require the licence holder to undertake a DSA test drive, paid for by the driver.

Medical fitness

The first application for a licence shall be accompanied by a medical certificate provided by your doctor on the form supplied by the Council and every five years up to the age of 60 years and every year thereafter.

On each renewal of a driver's licence, applicants are required to make a declaration as to physical and mental fitness. Any medical circumstances arising during the current licence period which might affect a driver's ability should be notified immediately to the Council and further medical certificate to be completed if required.

Good character

Applicants are required to submit information on the application form concerning their previous employment and history, together with business and personal references.

If there is any doubt about the suitability of a person to act as a licensed driver the application may be referred to the appropriate committee of the Council for consideration.

In that event, an applicant will be given the opportunity to attend and support his application. The Council view with particular concern any conviction relating to a drinking and driving offence.

Generally, such applications will be referred for individual committee consideration although any application may be refused under the Delegation Procedure where circumstances so justify.

Similarly if, at any time, there is any reason to doubt a person is not a fit and proper person to continue to hold a driver's licence, the matter will be referred to the committee for consideration.

Dress code

The driver must be clean and respectable in his/her dress and person, not dressing in a manner likely to embarrass or offend passengers. Appropriate footwear must be worn during the period of hire and while the vehicle is in motion.

The driver should behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in, entering or getting out of the vehicle.

Suspension, revocation or refusal of licence

The Council may suspend, revoke or refuse to renew a licence on any of the following grounds:

That the licensee has, since the grant of the licence:

- Been convicted of an offence involving dishonesty, indecency or violence.
- Been convicted of an offence under, or has failed to comply with, any relevant requirements of law.
- Any other reasonable cause.

If there are considered to be grounds for suspension, revocation or refusal, the licensee may be given the opportunity to attend the committee before any decision is taken.

If the licence is suspended, revoked or refused the Council will give written notice of the grounds within 14 days and there is right of appeal to the Magistrates' Court.

No smoking policy

A Licensed Taxi Driver and any passengers (whether fare paying or not) may

no longer smoke in a licensed vehicle. This applies to all licensed vehicles. You must display **no smoking** signs in each compartment of the licensed vehicle. These signs must be visible from the outside and be clearly visible by any passenger you are transporting.

Failure to comply with this will result in the Hackney Carriage or Private Hire driver being reported and prosecuted.

Conduct

The attention of Private Hire Vehicle drivers is drawn to the conditions of the licence, which should be retained by them for reference.

A high standard of conduct is expected from licensed drivers who should in all their dealings with the public be prompt, polite and helpful. Instances of improper conduct will be viewed most seriously and a record is maintained of complaints against individual driver's records. Consideration may be given to suspension, revocation or refusal to renew a licence in the light of a driver's record.

The driver's licence must be deposited with the proprietor of the vehicle being driven (Hackney Carriage or Private Hire) but shall be produced within five days on request by an authorised officer of the Council, or police officer (Section 53 of the 1976 Act).

Every driver must co-operate with any authorised officer of the Council or a police officer and must obey all reasonable requirements and provide all assistance and information requested of him (Section 73 of the 1976 Act).

Convictions

The driver must immediately, disclose to the Council, in writing, details of any conviction imposed or, if the proprietor is a company or a partnership, on any of the directors or partners during the period of the licence.

Badges

Each person issued with a drivers licence will be issued with a badge provided by the Council and when acting as the driver of a licensed vehicle must wear the badge where it can be clearly seen.

Badges are prescribed by the Council and must have a photograph of the licensee. Upon suspension or revocation of a driver's licence the driver must return his badge to the Council.

Local Government (Miscellaneous Provisions) Act 1976

Private Hire Drivers' Licence

CONDITIONS OF LICENCE

Licence holder

The licence holder shall at all times, when acting as driver of a Private Hire vehicle conduct themselves in a civil and orderly manner and comply with the reasonable requests of passengers in the vehicle and take all reasonable precautions to ensure the safety of person conveyed in or entering or getting out of the vehicle.

Dress code

The driver must be clean and respectable in his/her dress and person, not dressing in a manner likely to embarrass or offend passengers. Appropriate footwear must be worn during the period of hire and while the vehicle is in motion.

The driver shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed, entering or getting out of the vehicle.

Luggage

Convey a reasonable quantity of luggage if required by the person hiring the vehicle. Give reasonable assistance in loading and unloading the luggage and give assistance in removing luggage to or from the entrance of any place at which he may take or set down a passenger.

Standard of service

Not display signs, call out, stand with the vehicle at a Hackney Carriage rank or do anything which gives any person the impression the vehicle is available for hire. When the vehicle has been hired to be present at an appointed time and place the driver shall, unless delayed by some sufficient cause, punctually attend with the vehicle at that time and place.

Passengers

Not carry in the vehicle more than the number of passengers specified in the vehicle licence. Not carry any person in the vehicle during a hiring without the express permission of the hirer.

Driver

The driver shall at all times comply with the instructions of the Council or of their authorised officer concerning any matter relating to his occupation as a private hire vehicle driver. The driver shall notify the Council in writing as soon as possible and, in any event, within fourteen days of any:

- Change of address
- Illness or injury affecting his fitness to drive in any way
- Convictions recorded against him.

Lost property

Any lost property left in a Private Hire vehicle should be taken to the nearest police station.

Written receipts

The driver will, if requested, provide a written receipt for the fares paid.

Prompt attendance

The driver of a private hire vehicle will be at the appointed place on time to meet their passenger, unless delayed or prevented by sufficient cause.

Taxi-meter

If a private hire vehicle being driven by the driver is fitted with a taximeter, the driver will ensure it is clearly visible to the passenger.

Change of address

The driver shall notify the Council, in writing, immediately of any change of address during the period of the licence.

Return the badge

The driver will upon the expiry (without renewal), revocation or suspension of this licence return the driver's badge issued to him by the Council.

Guideline relating to the relevance of convictions of applicants to drive Hackney Carriage and Private Hire vehicles

The Council has adopted guidelines based upon Home Office advice to ensure a consistent approach in determining driver applications. A summary of the main principles is set out below for your information.

General policy

Each application will be decided on its own merits.

A person with a current conviction for serious crime will not necessarily be permanently barred from obtaining a licence, but will be expected to remain free of conviction for five years, according to the circumstances, before an application will be considered. The overriding consideration will be the protection of the public.

Minor traffic offences

Convictions for minor traffic offences, e.g. obstruction, waiting in a restricted street, speeding, etc, will not prevent a person from proceeding with an application.

Major traffic offences

Convictions for reckless driving without due care and attention, etc within the last three years will merit refusal and no further application will be considered until a period of three years free from convictions has elapsed after the restoration of the driving licence.

Drunkenness

With motor vehicle

Where there is a single conviction for this offence the application will be refused. At least three years should elapse after restoration of the driving licence before the applicant will be considered for a licence.

Not in Motor Vehicle

An isolated conviction for drunkenness may not debar an applicant from gaining a licence, but a number of convictions for drunkenness would.

Drugs

An applicant with a conviction for a drug related offence will be required to show a period of at least three years free of convictions before an application is considered or five years after detoxification treatment if they are an addict.

Indecency offences

As Hackney Carriage and Private Hire Vehicle drivers often carry unaccompanied passengers, applicants with convictions for indecent exposure, indecent assault, importuning, or any of the more serious sexual offences, will be refused until they can show a substantial period (of five years) free of such offences.

More than one conviction of this kind will preclude consideration for at least five years. In either case if a licence is granted a strict warning as to future conduct will be issued.

Violence

As Hackney Carriage and Private Hire Vehicle drivers maintain close contact with the public, applicants who have current convictions for grievous bodily harm will be refused a licence.

Dishonesty

Hackney Carriage and Private Hire Vehicle drivers are expected to be persons of trust. In general, a period of five years free of any conviction, involving dishonesty will be required before an application is considered.

Operators licences

Private Hire operators

Operator's Licence

No person shall operate any vehicle as a Private Hire vehicle in Tandridge without having a current Operator's Licence. This, in addition to any requirement for a vehicle or driver's licence.

Private Hire operators must live within the Tandridge District

'Operate' means to invite or accept bookings for a private hire vehicle.

Eligibility

The applicant must provide information concerning their previous business activities, history of any previous Operator's Licence or application and any convictions. Satisfactory character and references will be required.

Suspension and revocation of licence

Section 62 of the 1976 Act provides for the suspension, revocation or refusal to renew an Operators Licence on the grounds specified.

Local Government (Miscellaneous Provisions) Act 1976

Private Hire Operators' Licence

Conditions of licence

Records

The record required to be kept by the operator under Section 56 (2) of the Local Government (Miscellaneous Provisions) Act 1976 shall be kept in a suitable book, the pages of which are numbered consecutively. The operator will enter before each journey, the following details about every booking of a licensed vehicle invited or accepted by him:

- The time and date of the booking.
- The name and address of the hirer.
- The method of booking.
- The time of pick-up.
- The point of pick-up.
- The destination.
- The time at which a driver was allocated to the booking.
- The registration number of the vehicle allocated for the booking.
- Remarks (including details of any sub-contract).

The operator must also keep records of the particulars of all vehicles operated by them, including details of the owners, registration numbers and drivers of vehicles, together with any radio call sign used.

All records kept by the operator must be kept for a period of not less than six months following the date of the last entry.

Standard of service

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

- Ensure vehicles arrive on time at the appointed place attend at that appointed time and place.
- Keep clean, adequately heated, ventilated and lit any premises which the operator provides for the public
- Ensure any telephone facilities and radio equipment are maintained in a sound condition and any defects are repaired promptly.

Complaints

The operator will immediately notify the Council in writing of any complaints concerning a contract for hire or purported contract for hire relating to or arising from his business and of the action which the operator has taken in response.

Change of address

The operator will notify the Council in writing of any change of address, including any business address, during the period of the licence.

Convictions

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

Operators licences only

A person wishing to become an operator only will not be required to take the DSA driving test and will not need a medical.

Please contact our Taxi Licensing Office on 01883 732 775 for more information www.tandridge.gov.uk or email plewis@tandridge.gov.uk or acharman@tandridge.gov.uk