



**GOSPORT**  
BOROUGH COUNCIL

# **PRIVATE HIRE AND HACKNEY CARRIAGE**

# **HANDBOOK**

March 2024

## CONTENTS

1. **GENERAL INFORMATION:** page 4
2. **DRIVERS:** pages 4-8
  - General information for Applicants
  - Application Process
  - Procedure for Renewing Drivers
3. **VEHICLES:** pages 8-15
  - General information for Applicants
  - Vehicle Requirements
  - Procedure for New Vehicles
  - Procedure for Renewals
  - Procedure for Transfers
    - Plate Transfer (putting an existing plate onto a new vehicle)
    - Vehicle and Plate Transfer to New Owner
  - Wheelchair Accessibility
    - Duties to Assist Passengers in Wheelchairs
    - Exemptions from Duties
    - Lists of Wheelchair Accessible Vehicles
  - Grandfather Plates
  - Fitness of Vehicles
  - Specific Requirements for Hackney Carriages
  - Specific Requirements for Private Hire Vehicles
  - Taximeters
  - Novelty Vehicles
  - Executive Vehicles
  - Stretched Limousines
4. **OPERATORS:** pages 15-16
  - Definition
  - General Information for Applicants
  - Application Process for Applicants
  - Renewal Process for Operator Licence
5. **ADDITIONAL INFORMATION:** pages 16-18
  - Drivers Appearance
  - Found Property
  - Seat Belt Regulations
  - Notification Timelines
  - Code of Practice: Taxi Ranks
  - Taxi Rank Provision
  - Safeguarding
  - Child Sexual Exploitation and Abuse
  - Wearing of Identification Badges
6. **PENALTY POINTS SCHEME:** pages 19-21

## 1. GENERAL INFORMATION

- 1.1 We review the cost of licences annually. Our current fees are available on our website under [Fees and Charges](#).
- 1.2 All drivers should familiarise themselves with the legislation and byelaws that relate to their application.
- 1.3 We may share any information you provide with other Council departments and other bodies that manage or audit public funds. This is to prevent and detect fraud, to investigate any criminal offence, or to perform our statutory duties so that we can carry out public functions in the public interest.
- 1.4 If you give false information or leave out any information, we may refuse or revoke your licence. The local authority is entitled to make further enquiries relating to your application if it thinks necessary.
- 1.5 The Council is required under Section 2A of the Audit Commission Act 1998 to participate in the National Fraud Initiative (NFI). This is an exercise that matches electronic data within and between audited bodies to prevent and detect fraud. This includes police authorities, fire and rescue authorities as well as local councils and internal services within the Council. All taxi licence data will be provided to the Audit Commission for NFI and will be used for cross-system and cross authority comparison.
- 1.6 All licence holders must observe the requirements of the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 (and any order or regulation made as part of these Acts), any other Act of Parliament, Orders, Regulations and Byelaws, and the conditions of them that relate to the operation, driving and use of hackney carriage and private hire vehicles.
- 1.7 A private hire driver and vehicle can carry passengers for hire or reward, but only by being pre-booked. It is not allowed to stand or ply for hire on the taxi ranks or in the streets.
- 1.8 A Hackney Carriage driver and vehicle can stand on the taxi ranks or ply for hire in the streets of Gosport Borough.

## 2. DRIVERS.

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

- 2.1 To be a licence holder, you must have enough understanding of the English language to understand the Highway Code, maps and road signage and be able to competently communicate in order to respond to passenger's enquiries whether they be spoken or written.
- 2.2 The applicant must have held a full UK driving licence for at least two years. If the initial application is made with a European driving licence, a full UK driving licence must be applied for and granted before the one-year renewal date.

- 2.3 The application process is expected take no more than 6 months. However, we cannot give you a specific date as to when the licence will be granted. There are factors outside of our control such as the length of time taken to obtain a DBS and a medical.
- 2.4 All driver licences are valid for three years and are renewable on the anniversary of the date granted.
- 2.5 Originals of documentation maybe requested before grant of a licence.
- 2.6 Drivers must inform the Council if they are suffering from a serious illness. In the event of a driver suffering a serious illness, the Local Authority may require a medical certificate of fitness to return to work, all certifications must comply with DVLA group 2 medical standards.
- 2.7 If it appears that for public safety reasons, we are required to revoke the licence with immediate effect, notice will be given to the driver under section 61(2), (a) which includes a statement that this is so, along with an explanation as to why the revocation takes effect, when the notice is given to the driver.
- 2.8 Details of revoked or refused drivers will be added to a database such as NR3S (National Register of Hackney Carriage and PHV Driver Licence Refusals, Revocations and Suspensions).

#### Application Process

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

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

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

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

- 2.11 It is then recommended that the medical is done, a Group II medical form will be provided. Ideally this form will be completed by a G.P at your registered surgery. If this is not feasible, a printout of your medical history can be taken to an approved medical examiner for the Group II medical to be completed (the approved list is available at the time of obtaining the Medical Form). Please

ensure that the back page is completed and signed by yourself and the Medical Examiner. We then send this to our consultants to be checked to ensure you reach the DVLA group II standard. This can take up to 2 weeks to be returned to us.

The fee for our consultant is not refundable.

- 2.12 We recommend you submit your completed application form to us once the DBS Certificate and medical has been returned to us. The cost can differ at this stage depending on what type of badge you wish to hold.
- 2.13 We will carry out the check on your driving licence. Please bring it along with your National Insurance number and your post code. We will then check your details with you on-line. Alternatively, you can access the code which enables us to check without you being present. Please access <https://www.gov.uk/view-driving-licence> and collect the code and bring this into us.
- 2.14 A practical test must be completed with the Certificate being presented to the Licensing Team. Tests can be booked with either:
- a. Blue Lamp Trust: [https://bluelamptrust.org.uk/taxi\\_homepage/](https://bluelamptrust.org.uk/taxi_homepage/) 0333 700 0157
  - b. Taxi Driver Tests: <http://taxidrivertests.co.uk>
  - c. Drive Tech: [www.drivetech.co.uk](http://www.drivetech.co.uk) / [01256 495731](tel:01256495731)

- 2.15 Applicants are required to undertake an oral-fluid drug test at the Civic Offices in Fareham. This test will take around 45minutes. The applicant must bring photographic ID and a list of any over the counter and prescribed medications.

These fees are not refundable.

- 2.16 Finally, applicants (Private Hire and Hackney Carriage) must sit a knowledge test to show they know the Gosport Borough area and can speak and understand a good level of English. The applicant may have 3 attempts to pass this test, there is a fee for each test. This fee is non-refundable.

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

Each test contains the following sets of questions:

Hackney (time allowed 70 minutes)

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

Safeguarding 10 questions asked, minimum pass rate 8 correct

Private Hire (time allowed 50 minutes)

Private Hire Conditions 15 questions asked, minimum pass rate 10 correct

Highway Code 10 questions asked, minimum pass rate 8 correct

Road Signs 7 questions asked, minimum pass rate 5 correct

Points of Interest 7 questions asked, minimum pass rate 4 correct

Safeguarding 10 questions asked, minimum pass rate 8 correct

Dual (time allowed 90 minutes)

Hackney Conditions 15 questions asked, minimum pass rate 10 correct

Private Hire Conditions 15 questions asked, minimum pass rate 8 correct

Highway Code 10 questions asked, minimum pass rate 8 correct

Road Signs 7 questions asked, minimum pass rate 5 correct

Routes 10 questions asked, minimum pass rate 7 correct

Points of Interest 15 questions asked, minimum pass rate 10 correct

Safeguarding 10 questions asked, minimum pass rate 8 correct

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

#### Procedure for Renewing Drivers

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

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

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

2.21 Some renewals will be subject to a Right to Work Check, further information will be provided with the renewal paperwork.

2.22 A DVLA driving licence check will be carried out. A check code will need to be provided to the Licensing Section.

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

2.24 Unless you have or develop a medical condition, you will not be required to undertake a further medical until you are 45. It is then a requirement that a medical is carried out every 5 years until you are 65. Once you are 65 a medical is required annually.

### 3. **VEHICLES**

#### General Information for Applicants

- 3.1 Please be aware that licences will not be issued on demand. Therefore, we *advise you not to make arrangements to use a vehicle before you have obtained a licence.*
- 3.2 All vehicle licences are valid for one year and will be renewable on the anniversary of the grant of the licence.
- 3.3 Originals of documentation maybe requested before grant of a licence.
- 3.4 Only a driver licensed by Gosport Borough Council can drive a vehicle licensed by Gosport Borough Council. In addition to this, if the driver and vehicle are private hire, they must also have an operator licenced by Gosport Borough Council. Partners, friends and family or a driver licensed by another Local Authority are not allowed to operate the vehicle.
- 3.5 A Hackney Carriage must always display a roof sign. As it is always a Hackney Carriage (by law) and cannot be driven by anyone other than a driver licensed with Gosport Borough Council.

#### Vehicle Requirements

- 3.6 The vehicle must comply with the following requirements (stretched limousines or novelty vehicles may be subject to amended or additional conditions, as detailed in the relevant section of this document):
- i. suitable in type and design for use as a licensed vehicle and capable of carrying not less than four and no more than eight passengers;
  - ii. in a suitable mechanical and physical condition;
  - iii. All vehicles must have at least 4 wheels and must carry a spare wheel to the same specification as the road wheels, or a space saver wheel or any approved manufacturer's device including an inflation kit.
  - iv. safe;
  - v. seats are of adequate comfort
  - vi. must be right hand drive

- vii. where necessary there must be satisfactory provision of a suitable luggage gate or similar structure to ensure passenger safety.
- viii. on initial application vehicles may be no older than 5 years since the date of first registration.
- ix. Hackney Carriage Vehicles must be wheelchair accessible, unless a grandfather plate is issued.
- x. the vehicle wheelbase measured from the centre of front and rear wheels must be minimum distance is 2540 mm (100ins).



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

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

#### Procedure for New Vehicles

- 3.7 There are two types of licence plate, hackney and private hire. Hackney vehicles may be used for private hire, but private hire vehicles cannot be used as hackney vehicles.
- 3.8 Private hire vehicles must work for an operator who is licensed with Gosport Borough Council.
- 3.9 To licence a vehicle, you must present the following documentation to the licensing team:
  - Vehicle application form
  - V5 registration document (alternatively Bill of Sale, or proof of purchase), original only
  - Vehicle engineer's report form, original only
  - Valid insurance certificate which must have the required limitations to use, i.e. carriage of passengers under hire and reward.
  - Meter installation / calibration certificate (HC vehicles only), original only
  - Applicable fee



- 3.10 The engineer's report is to be completed and signed by an independent fitter who has carried out the inspection and be authenticated by the addition of the name and address of the garage by means of a rubber business stamp.
- 3.11 All licensed hackney carriage vehicles to be subject to an annual MOT test after the age of one year. For Private Hire vehicles the requirement is for when the vehicle is three years old.
- 3.12 Private Hire vehicles must display a pre-booking sticker on each passenger door.
- 3.13 Once all your paperwork has been processed an Officer will contact you and arrange a visual vehicle inspection. This will be within 5 working days of the paperwork being submitted.
- 3.14 If the vehicle passes the visual inspection, the plate and paper licence will be issued.
- 3.15 Once the vehicle is licensed you must always display the plate on the outside rear of the vehicle, in the area of the bumper unless you have a dispensation from the Council.
- 3.16 The proprietor of any vehicle licensed by the Council shall, at the request of any authorised officer of the Council, produce for inspection the vehicle licence and any other documentation as required.

#### Procedure for Renewals

- 3.17 All vehicles are to be renewed by the anniversary of the grant of the licence.
- 3.18 Paperwork will be sent in the post for the proprietor to complete. Once completed, please present at the Town Hall with the correct fee and supporting documents.
- 3.19 Whilst we send out the paperwork as a reminder, it is up to the owner to ensure the vehicle is always licensed.
- 3.20 Partly completed applications, or applications without the correct documents or fee will not be accepted.
- 3.21 Vehicles will be inspected by the Licensing Team. If the vehicle passes the visual inspection, the vehicle plate and paper licence will be issued.

#### Procedure for Transfers

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

- 3.22 Where a vehicle is already licensed this plate can be transferred on to a replacement vehicle, unless it is a grandfather plate.

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

- 3.23 If a proprietor transfers a licensed vehicle to another person, they shall within fourteen days give notice in writing to the Council specifying the name and address of the person to whom the vehicle has been transferred. Once a vehicle is plated, the vehicle and plate must remain together until such time as either the plate is cancelled, or another vehicle is transferred onto the plate. The plate cannot be sold independently of the vehicle. Transfer of ownership cannot take place with the plate for grandfather plates.
- 3.24 Transferring a plated vehicle to another licensed driver is purely a paper exercise, no inspection is required. The paperwork will need to be presented to the licensing team within fourteen days of the transfer taking place. The licensing team will then update the details on the system and send out the vehicle paper licence in the name of the new owner.

#### Wheelchair Accessibility

- 3.25 All hackney carriage vehicles must be wheelchair accessible, unless a grandfather plate is issued.

#### Duties to Assist Passengers in Wheelchairs

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

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

#### Exemptions from Duties

- 3.27 Section 166 allows licensing authorities to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for him or her to comply with the duties.
- 3.28 Consequently, if you drive a designated wheelchair accessible taxi or private hire vehicle you will be able to apply for an exemption. We will maintain a list of wheelchair accessible vehicles in our area and will be putting in place a system for assessing drivers and granting exemption certificates for those drivers who we consider should be exempt.

#### Lists of Wheelchair Accessible Vehicles

- 3.29 Section 167 allows licensing authorities to maintain a list of "designated vehicles", that is, a list of wheelchair accessible taxis and private hire vehicles licensed by them. The consequence of being on this list is that the driver must undertake the duties in Section 165.
- 3.30 Please contact the Licensing Team if you own/drive a wheelchair accessible vehicle but wish to be exempted from the duties listed above.

#### Grandfather Plates

- 3.31 Grandfather plates are for Hackney Carriage vehicles which can be used on standard vehicles, not disabled access vehicles.
- 3.32 Joint ownership is not allowed for grandfather plated vehicles.
- 3.33 When a grandfather plate is surrendered this will need to be returned to the Council Offices.
- 3.34 Grandfather plates will not be issued to any driver who has previously had one, or currently holds one.
- 3.35 The number of grandfather plates in circulation will be at the discretion of the Council and subject to compliance with the Disability Discrimination Act.
- 3.36 The criteria for being considered for a Grandfather Plate, should one become available will include:
- 3.36.1 Complaint record of driver and vehicle (a minimum of three years complaint free will be required);
  - 3.36.2 Age of current vehicle;
  - 3.36.3 Length of time the driver has been licensed with Gosport Borough Council;
  - 3.36.4 Must currently drive a wheelchair accessible vehicle;
  - 3.36.5 Must currently own a licensed vehicle (named on V5), as well as being named as the vehicle plate holder.

#### Fitness of Vehicles

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

#### Specific Requirements for: Hackney Carriages

- 3.38 A sign shall be displayed on the roof of each licensed hackney carriage bearing the word "taxi". This sign is to be illuminated when switched on and must shine red to the rear.
- 3.39 Licensed Hackney vehicles will be required under S.37 of the Disability Discrimination Act 1995 to carry guide, hearing and certain other assistance dogs

accompanying disabled people, and to do so without additional charge, the dog must be allowed to remain with the passenger. Drivers who have a medical condition preventing them from carrying dogs, must obtain a medical exemption certificate from the Licensing Team to display in their licensed vehicle.

- 3.40 All proprietors of Hackney Carriage vehicles must advise their drivers that they are required to take travel vouchers in lieu of cash.
- 3.41 In no circumstances must Hackney Carriages be left unattended while the driver carries out activities away from the rank except for short comfort breaks.

#### Specific Requirements for Private Hire Vehicles

- 3.42 Private Hire vehicles must not display anything on or above the roof, which may suggest that the vehicle is a taxi (HCV).
- 3.43 The vehicle should not be of such a design and appearance as to lead any person to believe that the vehicle is a taxi (HCV).
- 3.44 If a taximeter is installed in a Private Hire vehicle it must be calibrated to the current Licensing Authority Taxi Tariff.
- 3.45 Pre-booked stickers must be displayed on each passenger door.

#### Taximeters

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

#### Novelty Vehicles

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

#### Interpretation Novelty Vehicle

- 3.48 For the purposes of this policy and license conditions a novelty vehicle is defined as follows: -
  - a) any vehicle that has been specially constructed adapted or converted by a low volume specialist vehicle manufacture or modifier;

- b) any vehicle that has been specially modified from its original design or specification
- c) any vehicle that, in the opinion of the Head of Environmental Health because of its specialist design/styling or origin requires to be classed as a Novelty Vehicle;
- d) any vehicle granted a licence under the Novelty Vehicle provision, will only be able to be operated in accordance with the business model submitted to and approved by the Board.

### Executive Vehicles

- 3.49 There is no legal definition of Executive vehicle; however, there is common acceptance that an Executive vehicle would be a relatively expensive vehicle that includes additional features designed to increase the comfort of the driver and passengers, which exhibits the qualities of luxury, prestige, and refinement. Vehicles qualifying for executive status must be of a high-end vehicle specification and must still meet the private hire vehicle criteria. The Head of Environmental Health shall decide in their absolute discretion whether a vehicle is an Executive vehicle. Those vehicles classed as Executive will qualify for a plate dispensation.
- 3.50 Where a vehicle is classified as an Executive Vehicle, Novelty Vehicle or Stretched Limousine, an application for a dispensation may be made to the Licensing Team to allow for the rear plate to be kept in the boot of the vehicle. This will apply to specific contract work only and will be at the discretion of the Licensing Team. Window plates will be issued once an application for dispensation has been granted and must always be displayed in the front windscreen.

### Stretched Limousines

- 3.51 Where practicable the existing Hackney Carriage and Private Hire conditions of this Council will apply to Stretched Limousines. The following additional or alternative conditions will also apply.
- 3.52 The vehicle must not be over 5 years old on first application for licensing. Vehicles over 8 years old will be subject to the licensing regime adopted for Exceptional Vehicles in addition to the special conditions for Stretched Limousines.
- 3.53 DVLA V5 or equivalent shall be produced to authenticate registration.
- 3.54 A Department for Transport (DfT), Single Vehicle Approval (SVA) documentation shall be produced to prove vehicle compliance with EC Type Approval Standards.
- 3.55 The VIN plate shall display '1L1' to confirm conversion completed by an authorised dealer.
- 3.56 The applicant shall confirm, by a badge or other appropriate documentation the conversion dealer.
- 3.57 The vehicle must have a minimum of 4 doors. They must be of sufficient size to allow easy access and egress to seats for passengers. This should not require the passenger to use a static tip up seat mechanism.

- 3.58 Where the vehicle is fitted with continuous seats, one person shall be counted for each complete length of 41 centimetres (16 inches).
- 3.59 Every seat shall have fitted a suitable seat belt or restraint for each passenger.
- 3.60 The interior and exterior of the vehicle must be maintained in a clean and proper manner to the reasonable satisfaction of the Council.
- 3.61 There shall be no passengers carried in the front compartment.
- 3.62 A plate on the door pillar shall confirm the total weight of the vehicle.
- 3.63 No intoxicating liquor shall be provided in the vehicle unless there is in force an appropriate licence permitting the sale or supply of the same.
- 3.64 A stretched limousine vehicle will be subject to twice-yearly mechanical examination, at an authorised testing station. Vehicles licensed under the Exceptional scheme will be subject to mechanical inspection at 4 monthly intervals.
- 3.65 Tinted glass shall conform to the legal requirements as laid down by the Vehicle and Operators Services Agency (VOSA).
- 3.66 The vehicle shall display the licence plate issued by the Council on the rear of the vehicle. Unless a dispensation has been granted by the Head of Environmental Health, in this case only a window plate will be required to be on display. The requirement to display "Pre Booking Only" stickers will not be applied to such vehicles.
- 3.67 The driver of the vehicle must display in a prominent position a Private Hire Drivers Licence badge issued by this Council when operating the vehicle.

## 4. OPERATORS

### Definition

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

### General Information for Applicants

- 4.2 To be an operator, you must have sufficient understanding of the English language to understand the Highway Code, maps and road signage and be able to competently communicate to respond to customer enquiries whether they be spoken or written.
- 4.3 The operating address for any private hire operator must be within the Borough of Gosport. When applying to be a licensed private hire operator, it is important to consider whether the premises that the business will operate from is suitable, and

whether planning permission is needed. For more information, contact the Planning Service at the Council offices on 01329 236100.

- 4.4 All operator licences are valid for one, three or five years.
- 4.5 Originals of any documentation provided maybe requested, before granting a licence.
- 4.6 A record shall be kept of all journeys undertaken by each vehicle operated by the licence holder, such record to include the name and address of the client.
- 4.7 The words “taxi” or “cab” or similar words likely to mislead members of the public must not be included in the title describing the operator’s undertakings and from any advertising material, unless the proprietor of the vehicle is also the proprietor of a Hackney Carriage company licensed by Gosport Borough Council and registered as such.
- 4.8 Upon initial enquiry the client should be properly informed of what charges will be incurred and the fact that the booking is in respect of a private hire vehicle.
- 4.9 If for any reason a surcharge is to be imposed on the normal fare, the hirer will be informed of the intent at the time of booking.

#### Application Process for Operator Licence

- 4.10 A completed application form along with a DBS and fee must be submitted to the Council.
- 4.11 The application process will involve consultation and approval from the Planning Department.

#### Renewal Process for Operator Licence

- 4.12 A renewal application will be sent out for completion and return with the payable fee.
- 4.13 A tax check code must be supplied and verified to renew your licence. This is available from the [www.gov.uk](http://www.gov.uk) website, further information will be provided with your renewal paperwork.

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

### Drivers Appearance

- 5.1 The personal appearance and hygiene of all drivers is important to the comfort of the passengers and is in the best interests of the Trade in general. The authorised officer must be satisfied that an acceptable standard is maintained by all drivers in as much as a driver shall always be clean and respectable in their appearance and behave in a civil and orderly manner.

- 5.2 Whilst operating a licensed vehicle, all drivers shall conduct themselves in an orderly manner and with civility and propriety towards every person, and shall comply with every reasonable requirement of the person hiring the vehicle.

#### Found Property

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

#### Seat Belt Regulations

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

#### Notification Timelines

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

#### Code Of Practice: Taxi Ranks

- 5.7 All taxis are to be moved up the rank as space becomes available.
- 5.8 The front car must always have its driver in attendance.
- 5.9 Taxis on the ranks should not be left unattended by the driver. If use of the public convenience is required, the driver should advise the driver to the rear of his/her vehicle. The vehicle should not be left unattended for any other reason.
- 5.10 The only times the front car may not be used are as follows:
- a. When a five seater is required, use the first five seater in line.
  - b. When a customer requires a specific type of vehicle.
  - c. At the discretion of the customer choosing their taxi.
- 5.11 No overtaking in the Borough en-route to the ranks unless signalled to do so by the driver in front.
- 5.12 No parking is permitted overnight or for any part of the day on the rank whilst not working the taxi.



- 5.13 No taxi will drop off passengers or accept payment for a fare on the ranks, this must be carried out prior to re-joining the ranks.
- 5.14 Parking on the ranks for any purpose, other than picking up fares is not permitted.
- 5.15 No "For Hire" sign or roof sign is to be illuminated outside of the Borough.
- 5.16 This Code of Practice is part of the Hackney Carriage Vehicle Conditions and should always be adhered to.

### Safeguarding

- 5.17 Everyone has responsibility for protecting and safeguarding children and adults who may be vulnerable. In the event that the Hackney Carriage driver, Private Hire driver or operator has concerns a child or adult is suffering or is likely to suffer from any form of maltreatment (whether financial, physical, sexual, emotional or neglect) this should be reported in the following ways:
  - 1. If a child or vulnerable adult is in immediate danger or left alone, contact the police on 101 or call an ambulance on 999.
  - 2. In all other cases involving children, referrals should be made to Hampshire Children's Services telephone 0300 555 1384 (daytime) 0300 555 1373 (out of hours).
  - 3. In all other cases involving adults, referrals should be made to Hampshire Adult Services on 0300 555 1386.

### Child Sexual Exploitation and Abuse

- 5.18 Sexual exploitation of under 18's includes situations, contents and relationships where something is received in exchange for them participating in sexual activities. This could be food, accommodation, drugs, alcohol, cigarettes, affection, gifts or money.
- 5.19 Those exploiting them have power over them due to their age, intellect, strength or lack of resources. Violence, coercion, and intimidation are common.
- 5.20 All drivers are expected to report any suspicion or concerns that a child or young person is being transported for the purposes of sexual abuse.
- 5.21 Where a driver becomes aware or concerned that they or other drivers are transporting a young person or a number of young people to specific premises or venues either accompanied or alone on a regular basis and they suspect the young person may be subject to exploitation they must report their concerns to Hampshire Constabulary as a matter of urgency on the above number.
- 5.22 Drivers are also expected to inform their manager that they have reported their concerns to Hampshire Constabulary or a Licensing Officer.

### Wearing Of Identification Badges

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

## **7. PENALTY POINTS SCHEME**

	<b><u>Offence/Breach of Condition</u></b>	<b><u>Maximum Points Applicable</u></b>	<b><u>Driver</u></b>	<b><u>Vehicle Owner or Operator</u></b>
1	Providing false or misleading information on licence application form, or failing to provide relevant information.	6*	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
2	Driver not holding a current Hackney Carriage/Private Hire Driver Licence.	12*	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
3	Failure to notify the Council of change of address within 7 calendar days.	3*	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
4	Refusal to accept hiring without reasonable cause (e.g. drunk or rude customer) [HC].	4*	✓ <input type="checkbox"/>	
5	Unreasonable prolongation of journeys or any misconduct regarding the charging of fares.	6*	✓ <input type="checkbox"/>	
6	Private hire drivers touting.	9*	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
7	Failure to hold current vehicle excise licence.	4*		✓ <input type="checkbox"/>
8	Using unlicensed vehicle or vehicle without insurance	12*		✓ <input type="checkbox"/>
9	Failure to produce relevant documents within timescale when requested by Authorised Officer.	4*	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
10	Unsatisfactory condition of vehicle, interior or exterior.	4	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
11	Failure to complete the 6 monthly vehicle check (vehicles over 6 years of age)	6		✓ <input type="checkbox"/>
12	Failure to produce Hackney Carriage or Private Hire vehicle for testing when required.	4*		✓ <input type="checkbox"/>
13	Using a vehicle subject to a suspension order issued by the licensing officer or a police officer	12	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
14	Using a vehicle for which the licence has been suspended or revoked.	12	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
15	Failure to report within 72 hours accident or damage to licensed vehicle, which would cause the vehicle to breach licence condition.	4	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>

16	Overloading of licensed vehicle (including exceeding the licensed number of passengers).	6*	✓ <input type="checkbox"/>	
17	Failure to display external licence plate as required.	4*		✓ <input type="checkbox"/>
18	Carrying an offensive weapon in the vehicle.	1-12	✓ <input type="checkbox"/>	
19	Failure to notify transfer of Private Hire or Hackney Carriage vehicle licence within 14 days.	4*		✓ <input type="checkbox"/>
20	Failure to provide information when requested on vehicle garaging arrangements.	4		✓ <input type="checkbox"/>
21	Displaying unsuitable or inappropriate sited signs or advertisements in or on the vehicle.	3		✓ <input type="checkbox"/>
22	Failure to carry top sign bearing the word "Taxi" except for when carrying out or returning from a private booking where part of the journey is outside of the Borough. <b>[HC]</b>	4	✓ <input type="checkbox"/>	
23	Failure to maintain records in a suitable form of the commencement and cessation of work of each driver each day. <b>[HC]</b>	4		✓ <input type="checkbox"/>
24	Failure to produce on request records of drivers work activity. <b>[HC]</b>	4		✓ <input type="checkbox"/>
25	Using a non approved taximeter. <b>[HC]</b>	6	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
26	Obstruction of an authorised officer or police officer wishing to examine a taximeter. <b>[HC]</b>	6	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
27	Failure to display "Pre booking only" stickers appropriately (PHV only).	3		✓ <input type="checkbox"/>
28	Displaying any feature on private hire vehicle that may suggest that it is a Taxi.	6		✓ <input type="checkbox"/>
29	Using a vehicle the appearance of which suggests that it is a Taxi.	6		✓ <input type="checkbox"/>
30	Installation of a taximeter in a private hire vehicle.	6		✓ <input type="checkbox"/>
31	Driver not holding a current DVLA Licence.	12*	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
32	Failure to wear driver's badge.	4*	✓ <input type="checkbox"/>	
33	Failing to notify/advise licensing authority of a change in medical circumstances (Licensed Hackney Carriage/Private Hire drivers).	6	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>

34	Unsatisfactory appearance of driver. [PHD]	3	✓ <input type="checkbox"/>	
35	Failure to observe rank discipline. [HC]	3*	✓ <input type="checkbox"/>	
36	Failure to maintain proper records of private hire vehicle.	3		✓ <input type="checkbox"/>
37	Failure to keep or produce records of Private Hire bookings or other documents required to be kept or produced.	6*		✓ <input type="checkbox"/>
38	Misleading use of the words "Taxi" or "Cab" on advertising materials	3		✓ <input type="checkbox"/>
39	Failure to advise on request charges. [PH]	3	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
40	Failure to return vehicle licence plate within 7 days after due notice following expiry, revocation or suspension of such licence.	4*		✓ <input type="checkbox"/>
41	Unsatisfactory behaviour or conduct of driver.	3-9*	✓ <input type="checkbox"/>	
42	Failure to notify the Council of any motoring or criminal convictions or cautions during period of current licence.	6	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
43	Failure to display internal licence plate where issued.	4	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
44	Inappropriate use of specialist equipment provided for disabled or wheelchair client accessibility.	3-6	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>

- Matters identified with an asterisk are direct contraventions of the Local Government (Miscellaneous Provisions) Act 1976 or other statutory requirements and may result in prosecution in addition to any points penalty imposed.
- Ticks indicate potential recipients of penalty points for infringements. N.B. certain infringements may result in drivers, driver owners and/or operators receiving penalty points.
- Certain matters are specific to Hackney Carriages [HC], Private Hire Drivers [PHD] or Private Hire Operators [PHO].
- Points may be awarded to one or several persons depending upon the nature of the infringement, however each case must be determined on its own merits.