

**To:** General Purposes Licensing Committee

**Date:** 01 March 2011 **Item No:**

**Report of:** Head of Environmental Development

**Title of Report:** Amendments to Taxi Licensing Regulations and Guidelines

### Summary and Recommendations

**Purpose of report:** To seek approval from the Committee to the additions and amendments to the current Taxi Licensing regulations, guidelines, criteria to the licensing of Hackney Carriage and Private Hire Vehicles, Drivers and Operators; and to the Policy on the Relevance of Offences, Cautions and Convictions related to the licensing of Hackney Carriage and Private Hire Drivers and Operators

**Report Approved by:**  
**Finance:** Paul Swaffield  
**Legal:** Jeremy Franklin

**Policy Framework:** Improve the local environment, economy and quality of life

**Recommendations:** Page 1 of 2

**Committee is recommended to:**

i) agree to the additions and amendments to the regulations, guidelines, criteria relating to the licensing of Hackney Carriage and Private Hire Vehicles, Drivers and Operators;

ii) agree to the additions and amendments to the Policy on the Relevance of Offences, Cautions and Convictions relating to licensing of Hackney Carriage and Private Hire Drivers and Operators;

iii) agree to the amended Policy on the Relevance of Offences, Cautions and Convictions being incorporated into the forthcoming Taxi Licensing Policy, and in turn grant delegated authority to the Head of Environmental Development to immediately suspend a driver charged with any indecency offence, and that suspension be in force until the case is determined by either the police or the Courts;

iv) recommend that the amended Policy on the Relevance of Offences, Cautions and Convictions be adopted by Full Council; and

**v) delegate authority to the Head of Environmental Development and the Head of Law & Governance to make any textual changes to the Regulations and Guidelines put forward in this Report and authorise the Head of Law & Governance to amend the Constitution accordingly.**

## **INTRODUCTION**

1. The Head of Environmental Development has carried out a review of the procedures and processes currently in place within the Taxi Licensing function, and identified a more efficient and transparent method with a view to providing the service.
2. In carrying out this review, consideration was given to the current regulations, conditions, criteria and relevant policies applicable to the licensing of Hackney Carriage drivers and vehicles, and Private Hire drivers, vehicles and operators, and potential improvements identified.

## **BACKGROUND**

3. As a Licensing Authority, we have a statutory duty to licence vehicles and drivers who wish to provide Hackney Carriage and Private Hire services within Oxford. These powers are granted under two Acts: Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976
4. The following types of licence are issued by Oxford City Council: Hackney Carriage and Private Hire Drivers, Hackney Carriage and Private Hire Vehicles, Private Hire Operators.

## **RESEARCH AND CONSIDERATIONS**

5. In considering the current procedures, guidelines, conditions, criteria and policies, the Licensing Team Leader carried out a benchmarking exercise with other Licensing Authorities, having regard to recent audit findings, and guidance provided by Department of Transport Best Practice, as well as previous experience of recent workplaces.
6. When researching the current procedures regard was given to the volume of licensed drivers, vehicles, operators and new applications for licensing who visit the Council Offices and the Cowley Marsh Depot.
7. When reviewing the information available to the licensed trade and staff, it was found that there was no comprehensive application pack that contained all of the information that any licensee would need to be fully aware of their responsibilities, or a full guide for staff to refer to when processing work.
8. Whilst significant improvements to the Taxi Licensing page on the Council's website have been made, it was apparent that they did not contain the information necessary for applicants, or for that matter staff and the general public.

9. Having regard to the needs of Thames Valley Police and following dialogue with Area Inspectors and the NightSafe Manager, it was felt that a concise document would be of huge benefit to assist the Police in their duties and as a training tool to Police Officers.
10. Throughout this process the Licensing Team Leader liaised weekly with City of Oxford Licensed Taxi Association (COLTA) and the Private Hire Trade Association, in order to provide a fully workable, sustainable, and forward thinking Taxi Licensing function.
11. At the Trade Meeting held on 26<sup>th</sup> January 2011, COLTA and the Private Hire Trade Association gave their full approval to all of the changes detailed in this report and in the appended application packs.

### **ADMINISTRATION AND ENFORCEMENT**

12. In order to be able to provide a fully effective enforcement service it is necessary to completely overhaul to current procedures and processes employed by the Taxi Licensing administrative function.
13. By implementing a "one-stop shop" taxi licensing administrative function, the enforcement officers will be able to better allocate their own workloads, and provide both daytime and night time enforcement cover.

### **PROCEDURAL CHANGES**

14. Purely for the benefit of the Committee and those viewing this report, new comprehensive information provided within these Application Pack includes full details on:
  - Guidance for New Applicants
  - Fees and Charges
  - Procedures for obtaining and renewing a licence
  - Conditions, Criteria, Bylaws, First Schedule, Second Schedule
  - Knowledge Test
  - Limiting the number of Hackney Carriage Vehicles
  - Exemption from displaying plates on Private Hire Vehicles
  - Carrying Passengers with Disabilities
  - Restricted Roads
  - Offences
  - Completing the Enhanced CRB Disclosure Form

- Prevention of Illegal Working: Right To Work
- Policy on the Relevance of Offences, Cautions and Convictions
- Guidelines relating to the Relevance of Offences, Cautions and Convictions
- Table of Rehabilitation of Offenders Act
- Simplified and multi-purpose Application Forms

## **LICENSING OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS**

### **AMENDMENTS TO REGULATIONS AND GUIDELINES**

15. Having reviewed the current procedures, and having regard to the nature of complaints made by the public regarding current licensed drivers, the current options available to the Enforcement Officers, and the role of the Hackney Carriage & Private Hire Licensing Sub-Committee, the following improvements to current criteria are sought:
- Driver Standards Agency Test for Taxis and Private Hire Vehicles undertaken by all new applicants prior to applying to be a licensed driver with this Authority in order to ensure they have met a Minimum Requirement Standard.
  - All new applicants to undertake a Disability Awareness Course (to be approved by Committee to take effect of the start of the 2011/2012 financial year.
  - All new applicants to provide a certificate or qualification illustrating proof of their competency in the English language both written and oral. If no proof can be provided, the applicant can be advised to visit Oxfordshire County Council Adult Learning where an assessment of his or her current proficiency will be carried out, and then the applicant can be placed on the necessary "Skills For Life Course" (already endorsed by Oxford City Council), to meet a Minimum Requirement Standard for Basic English Comprehension both written and oral.
  - The criteria for the meaning of new applicant to either be someone who has never held a licence with this Authority, or someone who has not held a licence with this Authority for a period of 12 months since last holding such a licence.
  - The conditions added to both Hackney Carriage and Private Hire driver's licence permitting the carriage of animals at the discretion of the driver.
16. The Hackney Carriage and Private Hire Drivers Application Pack is attached as Appendix 1, and the new and amended regulations, criteria, conditions and policies are highlighted to Members for easy identification.

## **LICENSING OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES**

### **AMENDMENTS TO REGULATIONS AND GUIDELINES**

17. There are no new regulations or guidelines applicable to the licensing of vehicles, however the Taxi Licensing Policy that is currently under construction will provide Officers the opportunity to review the current regulations and guidelines, and put forward any amendments at a future General Purposes Licensing Committee.
18. Permission is sought for the deletion of the bylaw relating to the drivers asking permission from the hirer of the vehicles to smoke. This deletion has been implemented following the introduction of the ban on smoking in the work place as brought about by The Health Act 2006, and is therefore redundant.
19. The Hackney Carriage and Private Hire Vehicle Licensing Application Pack is attached at Appendix 2.

## **LICENSING OF PRIVATE HIRE OPERATORS**

### **AMENDMENTS TO REGULATIONS AND GUIDELINES**

20. Any changes to the regulations and guidelines have been referred to under the earlier heading relating to Private Hire drivers.
21. The Private Hire Operators Application Pack is appended as Appendix 3. The new and amended regulations, criteria, conditions and policies are highlighted to Members for easy identification.

## **THE POLICY ON THE RELEVANCE OF OFFENCES, CAUTIONS AND CONVICTIONS AND THE GUIDELINES RELATING TO THE RELEVANCE OF OFFENCES, CAUTIONS AND CONVICTIONS**

### **AMENDMENTS TO REGULATIONS AND GUIDELINES**

22. As highlighted previously in this report, in order to ensure this Authority has a transparent and robust Policy to regulate those applying for a licence and those who already hold a licence, and having regard to the nature of complaints made by the public regarding current licensed drivers, the Committee is asked to give it's approval to the following amendments to the current Policy:
  - The words "offence" and "caution" have been inserted with a full definition of their meaning. Their use within this Policy with regard to Verbal, Written and Final Warnings will allow the Enforcement Officers a wider scope within which to undertake appropriate measures.
  - A full definition of the phrase "fit and proper" has been included in the Policy. Many complaints are received regarding alleged unacceptable behaviour by licensed drivers. By having such a definition Enforcement Officers are able to have a transparent means of rectifying licensed drivers found to be in breach of this definition.

- Reducing the definition of a new applicant to being someone who either never held a licence in the City, or a person who has not held such a licence for a period of 12 months (previously this was set at 24 months for Private Hire drivers and 12 months for Hackney Carriage drivers).
- Traffic Offences: A period of 24 months following the restoration of the licence must have elapsed before a Hackney Carriage or Private Hire driving licence application may be considered. This is to replace the current period of 12 months, to put it in line with the offence of plying for hire, which includes driving without valid insurance.
- Plying For Hire: This is allegedly very prevalent in the City, and presently unless the offender is caught by means of Test Purchase operations, the current regulations prevent Officers from seeking prosecution and revocation of the drivers licence unless more than one offence of plying for hire has occurred. The proven threat to members of the public when no prior booking has been made, the over riding duty to increase public safety, the very nature of Oxford's late night economy, and promoting Oxford as a safe city to live, work and visit would be enhanced by adopting a stronger approach to such offences.
- Indecency Offences: Whilst this has not been a known issue in the City, it is prudent to exercise a cautious approach toward any applicant who has been found guilty of such an offence. Promoting Oxford as a safe city for people to live, work and visit, and removing any uncertainty that may lead to public concern regarding the holder of a drivers licence requires a minor amendment to the Policy.
  - A) It is requested that any applicant with a caution or conviction for a single indecency offence have their application determined by the Hackney Carriage and Private Hire Licensing Sub-Committee, and that any person with more than one caution or conviction for such an offence be considered an unsuitable applicant. Any person convicted of such an offence whilst already licensed.
  - B) It is requested that delegated authority be given to the Head of Environmental Development to immediately suspend the licence of any driver charged with an indecency offence, and such suspension to be in force until the case is resolved either by the Police or the Courts.

23. The relevant changes in the Policy have been highlighted at Appendix 4, for Members to easily identify.

#### **FINANCIAL IMPLICATIONS**

24. Full details of the charges to be increased and implemented to ensure a full cost recovery for the service provided by the Taxi Licensing function can be found in the appended application packs.
25. Another report being presented to the General Purposes Licensing Committee provides full details of these charges, which the Committee will decide on.

## **LEGAL IMPLICATIONS**

26. Any delegation of authority granted by the Committee will require the Constitution to be amended.

## **RECOMMENDATIONS**

27. Committee is recommended to:
- i) agree to the additions and amendments to the regulations, guidelines, criteria relating to the licensing of Hackney Carriage and Private Hire Vehicles, Drivers and Operators.
  - ii) agree to the additions and amendments to the Policy on the Relevance of Offences, Cautions and Convictions relating to licensing of Hackney Carriage and Private Hire Drivers and Operators
  - iii) agree to the amended Policy on the Relevance of Offences, Cautions and Convictions to be incorporated into the forthcoming Taxi Licensing Policy, and grant delegated authority to the Head of Environmental Development to immediately suspend any driver charged with any indecency offence, and that suspension to be in force until the case is resolved by either the Police or the Courts.
  - iv) recommend that the amended Policy on the Relevance of Offences, Cautions and Convictions be adopted by Full Council;and
  - v) delegate authority to the Head of Environmental Development and the Head of Law & Governance to make any textual changes to the Regulations and Guidelines put forward in this Report and authorise the Head of Law & Governance to amend the Constitution accordingly.

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**Background papers:**  
**Version: 1.0**

# APPENDIX 1

## OXFORD CITY COUNCIL

### HACKNEY CARRIAGE & PRIVATE HIRE DRIVERS LICENCE APPLICATION PACK

CONTAINED WITHIN THIS APPLICATION PACK YOU WILL FIND:

**1. INTRODUCTION AND CONTACTS:**

- INTRODUCTION
- OXFORD CITY COUNCIL LICENSING TEAM DETAILS
- NEW APPLICANT INFORMATION

**2. FEES & CHARGES:**

- CURRENT LEVELS OF FEES AND CHARGES

**3. PROCEDURES TO OBTAIN A VEHICLE LICENCE:**

- PROCEDURE FOR THE GRANT OF A NEW HACKNEY CARRIAGE OR PRIVATE HIRE DRIVERS LICENCE
- PROCEDURE FOR THE RENEWAL OF A HACKNEY CARRIAGE OR PRIVATE HIRE DRIVERS LICENCE

**4. DRIVER CONDITIONS & CRITERIA:**

- HACKNEY CARRIAGE DRIVER KNOWLEDGE TEST, CONDITIONS, CRITERIA
- INFORMATION OF CARRYING PERSONS WITH DISABILITIES
- PRIVATE HIRE DRIVER KNOWLEDGE TEST, CONDITIONS, CRITERIA
- RESTRICTED ROADS
- OFFENCES

**5. CRIMINAL RECORDS BUREAU DISCLOSURE / RIGHT TO WORK IN U.K.**

- A GUIDE FOR COMPLETING THE ENHANCED CRB MANDATE
- PREVENTION OF ILLEGAL WORKING: RIGHT TO WORK

**6. CAUTIONS & CONVICTIONS**

- POLICY ON THE RELEVANCE OF CONVICTIONS AND CAUTIONS
- GUIDELINES RELATING TO THE RELEVANCE OF CONVICTIONS & CAUTIONS
- APPENDICES: TABLE OF REHABILITATION OF OFFENDERS ACT

**7. APPLICATION FORMS:**

- APPLICATION FORM FOR THE GRANT / RENEWAL FOR A HACKNEY CARRIAGE OR PRIVATE HIRE DRIVER LICENCE
- MEDICAL QUESTIONNAIRE
- DVLA MANDATE
- CRB MANDATE



## INTRODUCTION

It is important that you read this application pack in full before applying for a Hackney Carriage or Private Hire Drivers Licence. This application pack should be kept for future reference so that you are fully aware of the procedures in obtaining or renewing your licence, and the criteria and conditions of the licence.

The grant / renewal of a licence is subject to an Enhanced Criminal Records Bureau (CRB) check. **The CRB check is carried out every 3 years, or sooner if the Licensing Officer has reason to believe that it should be.** In addition to this, a check will be made with the Driver & Vehicle Licensing Agency (DVLA) in respect of any relevant driving convictions. **This DVLA check is carried out annually, or sooner if the Licensing Officer has reason to believe that it should be.** The Licensing Authority may get information about you from third parties, or give information to them to check the accuracy of information. This is to prevent or detect crime, or to protect public funds in other ways, permitted by legislation. These third parties include other local authorities and government departments.

### Licence

Licences are currently issued annually.

### Medical Certificate

Before a licence can be issued the applicant must be certified fit to be a Hackney Carriage or Private Hire driver by his or her GP/Doctor. The approved form to be used for this purpose is included in this pack (printed on yellow paper). A fee for this examination may be charged by your GP/Doctor. Applicants are required to undergo a medical examination for periods according to the following age groups: **Aged 21 – 55: every 6 years; Aged 55 – 65: every 5 years; Aged 65 or over: annually**

### Driver Standards Agency Assessment for Taxis and Private Hire Vehicles:

Before any application for a Hackney Carriage or Private Hire Drivers Licence will be considered, new applicants must undertake this Assessment. Full details as to what the assessment consists of, how to book your assessment, the cost of the test, and where it can be taken, can be found online at: <http://www.dft.gov.uk/dsa/>

### Disability Awareness Course

New applicants are requested to attend a "Disability Awareness" training course or demonstrate that they have attended a similar course prior to any licence being issued. The cost of this course is £45.00. Existing licensed drivers are able to take this training course free of charge.

### New Applicants

A new applicant is a person who has not previously held a licence with this Licensing Authority. Also a person whose licence has expired for 12 months or more before the application form was received in the Taxi Licensing Office. First time applicants must at the time of application be:

- 19 years of age
- Have held a current licence to drive a motor vehicle (not a provisional licence) issued in accordance with the Road Traffic Act 1972, (Check this maybe 1988?) for a period of not less than 24 months prior to the date of application
- Have undertaken and are able to provide evidence that they have passed the **Driver Standards Agency assessment for Hackney Carriage and Private Hire vehicles.**
- On 1<sup>st</sup> March 2011 the General Purposes Licensing Committee resolved the following: That the existing pre-licensing requisite requirements be amended to include a condition that applicants are required to demonstrate competency in written and oral comprehension of the English Language before the grant of a Hackney Carriage or Private Hire Drivers Licence. This must include a recognised qualification in the English language.

### What happens if my licence has not been issued 6 months after I apply?

You will have to apply for another CRB and DVLA check at your own expense.

### What happens if my licence hasn't been issued 12 months after I apply?

Your application will be null and void and you will need to reapply.

### Appointments

Due to the high volume of drivers, vehicles, and new applicants, all applications to obtain or renew a licence must be made by an appointment **only** with the Licensing Officer.

### Renewal of Licence

It is the responsibility of the licence holder to apply for the renewal of the licence at the appropriate time. Licence renewals will not be granted until all of the relevant checks have been completed. To avoid delay, applicants are advised to submit an application at least 2-3 months before the expiry of their current licence.

### Issuing / Suspending / Revoking / Withdrawing or Refusing to Renew a Licence

It must be clearly understood that the Hackney Carriage / Private Hire Drivers Licence is issued in good faith, and should any information supplied by the applicant prove to be false or misleading, the licence may be suspended. The licence will be suspended if the drivers Department of Transport drivers licence is suspended or revoked by a Magistrates Court. Any conviction or pending prosecution of any nature must be immediately reported to the Taxi Licensing Authority regardless of nature, penalty or outcome. The attention of drivers and applicants for a Drivers Licence is drawn to Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, whereby a District Council may suspend, revoke, or refuse the renewal of a licence where the driver has been convicted of any offence involving dishonesty, indecency, violence or any other reasonable cause.

### Ability to Work in the UK

Oxford City Council has a duty to ensure that only those persons who are entitled to work in the UK are issued a licence to drive a licensed vehicle. All applicants (new and those applying to renew their existing licence) must provide evidence to show that they are entitled to work in the UK (those persons who have restricted ability to work in the UK will NOT be granted a licence). If you are granted full entitlement to work for 12 months at a time, you will be required to resubmit your documents every 12 months to show that your entitlement has been renewed/extended. If, at any time, your entitlement is removed, your licence to drive a licensed vehicle will be revoked.

Further information regarding what documents you can submit with your application to show your entitlement are given later in this document, 'Prevention of Illegal Working', and can be obtained from the website: <http://www.bia.homeoffice.gov.uk/>

## CONTACT DETAILS

OXFORD CITY COUNCIL: Licensing Team, Oxford City Council, Ramsay House, 10 St. Ebbe's Street, Oxford, OX1 1PT.  
Tel: 01865 252115. Fax: 01865 252115. Email: [taxilicensing@oxford.gov.uk](mailto:taxilicensing@oxford.gov.uk) Website: <http://www.oxford.gov.uk/taxilicensing>

## NEW APPLICANT INFORMATION

A new applicant is a person who has not previously held a licence with this authority or whose licence had expired for 12 months or more before the application form was received in the Taxi Licensing Office. **First time applicants must at the time of application be:**

- 19 years of age
- Have held a current licence to drive a motor vehicle (not being a provisional licence) issued in accordance with the Road Traffic Act 1972, for a period of not less than 24 months prior to the date of application.
- Have undertaken and are able to provide evidence that they have passed the **Driver Standards Agency assessment for taxis and Private Hire vehicles.**
- On 1<sup>st</sup> March 2011 the General Purposes Licensing Committee resolved the following: That the existing pre-licensing requisite requirements be amended to include a condition that applicants are required to demonstrate competency in written and oral comprehension of the English Language before the grant of a Hackney Carriage or Private Hire Drivers Licence. Such competency must include a recognised qualification in the English language.

New Applicants include Hackney Carriage drivers whose licence has expired for more than 12 months and Private Hire drivers whose licence has expired for more than 12 months

A Hackney Carriage or Private Hire Drivers Licence will not be issued to any new applicant who has not held a full United Kingdom driving licence carrying the applicant's current address, for a minimum of 24 months, or held a licence from another EEA state for a minimum of 24 months together with a DVLA counterpart showing the applicants current address.. You must also provide a copy of your driving record in English to include motoring convictions. Applicants who hold a DVLA driving licence are required to agree to the provision of a check on their driving history.

It is a requirement that all new applicants pass the Driver Standards Agency Assessment for Taxis and Private Hire Vehicles prior to submitting an application to the Council to become a licensed driver. The standard of the Hackney Carriage (taxi) or Private Hire vehicle assessment is set at a level suitable for a full driving licence holder. It is therefore higher than the learner driver test. Full details as to what the assessment consists of and how to book your assessment and where it can be taken, can be found online at: <http://www.dft.gov.uk/dsa/>

If the DVLA driving licence of an applicant is revoked with six or more penalty points during the first two years of passing the driving test, then a period of 24 months following the restoration of the licence must have passed before a Hackney Carriage or Private Hire driving licence can be considered.

Applicants who have been resident in the UK for less than five years from the date of application are required to provide a CRB, Certificate of Good Conduct or an equivalent document from all countries in which they have lived within the previous five years, this is to be in English, at their own expense and in addition the CRB check.

Any documentation produced must be verifiable, and sufficient to enable the Head of Environmental Development to make a decision in respect of the applicant's suitability to hold a Hackney Carriage or Private Hire drivers licence.

Oxford City Councils prime consideration must be the safety of the travelling public and part of the enquiries that the Licensing Office is required to make before a Hackney Carriage or Private Hire driving licence can be granted are checks both of your driving licence and of any previous criminal record. Having previous convictions for either criminal or motoring offences will not necessarily bar you from obtaining a licence, it will depend upon what the offences are and how long ago.

You should also note that new applicants are normally not considered if they have more than 3 penalty points in the previous 12 months or in the previous 2 years have been convicted of a single offence carrying 5 points or more or offences totalling more than 6 points. Licences will not normally be granted until 2 years after any period of disqualification has expired.

Before a licence can be issued the applicant must be **certified fit by your GP/Doctor** to be a Hackney Carriage / Private Hire driver. The approved form to be used for this purpose is included in this pack (printed on yellow paper).

In addition to the Council's forms for **NEW APPLICANTS**, you are required to complete a disclosure form from the Criminal Records Bureau. If you have not been a resident in the UK for 5 years you will need to provide proof that you do not have a criminal record, such as a Certificate of Good Conduct from the country in which you have been resident (which must be in English) for the period you lived outside the UK

The Criminal Records check can take up to six weeks even when all the forms are correctly completed. The DVLA check usually takes approximately 2 weeks. Oxford City Council has a Code of Practice in respect of checks made through the Criminal Records Bureau which will be made available upon request.

It is a requirement of the Licensing Authority that you have an adequate knowledge of both written and spoken English, and must show proof of your competency by means of a relevant certificate / qualification. For example a GCSE English Examination Certificate, a Certificate from a Language School, etc. However, if the Licensing Officer is not satisfied with your spoken and written standard of the English language during your appointment, this may require you to gain a further certificate of competency from an English Language School, before your application can be considered further.

New applicants are requested to attend a "Disability Awareness" training course or demonstrate that they have attended a similar course. The cost of this course is £45.00. This course must be attended prior to any licence being granted.

New applicants must also undertake a Knowledge Test. Details as to what information you may be tested on are found throughout this application pack. Questions asked will relate to a list of roads and buildings, disability awareness, rules and regulations, conditions of a drivers licence and how to get from one location to another etc. All of the answers to the questions set in the test can be found by reading and studying this application pack.

The Local Knowledge test is in a multiple-choice format. No assistance is permitted during the test. You will be given 90 minutes to complete the test and must obtain 80% in each section to pass. If you fail, you will be given the option to resit another Knowledge Test at a future date.

Upon the return from the DVLA and CRB satisfactory checks, and passing the Knowledge Test, undertaken the Disability Awareness Course, paid the full fee at your appointment with the Licensing Officer, and all of your other documents were found to be satisfactory, you will be issued with a licence and badge (posted to your home address).

If any information that you have not previously declared on your application form is found to have come to light upon receipt of the DVLA and / or CRB check, you will be refused a licence. It is advisable should you have ever received a caution or conviction for any offence, to take time to read the section within this application pack relating to the relevance of cautions and convictions.

A Hackney Carriage/Private Hire drivers licence must be taken up within six months of a candidate being informed that he has successfully passed the Local Knowledge test.

Applicants must satisfy the criteria within six months of the date of their application. If more than six months has elapsed from the date of application the Authority will normally expect a new application to be made including a new and up to date Criminal Records Bureau disclosure check and DVLA check (save for exceptional circumstances).

Should you wish to proceed with your application to become a licensed driver, you should refer to the section "Procedure for new Hackney Carriage / Private Hire drivers licence" which will give further information on what to do next.

## FEES AND CHARGES

Fees once paid will on no account be refunded, and fees may also be amended from time to time to meet the reasonable cost of issue and administration.

DRIVERS	
HACKNEY CARRIAGE LICENCE FEE: 1YR	£115.00
PRIVATE HIRE LICENCE FEE: 1YR	£101.00
DVLA MANDATE (annually)	£8.00
CRB MANDATE (when applicable)	£43.00
BADGE / REPLACEMENT BADGE	£10.00
DUPLICATE PAPER LICENCE	£2.00
KNOWLEDGE TEST	£75.00
KNOWLEDGE RETEST	£75.00
DISABILITY AWARENESS COURSE	£45.00

### FEES FOR NEW APPLICANTS

NEW HACKNEY CARRIAGE DRIVER LICENCE	
DVLA MANDATE	£8.00
CRB MANDATE	£43.00
DISABILITY AWARENESS COURSE	£45.00
KNOWLEDGE TEST	£75.00*
HACKNEY CARRIAGE DRIVER LICENCE FEE	£115.00
DRIVERS BADGE	£10.00
<b>TOTAL</b>	<b>£296.00</b>
NEW PRIVATE HIRE DRIVER LICENCE	
DVLA MANDATE	£8.00
CRB MANDATE	£43.00
DISABILITY AWARENESS COURSE	£45.00
KNOWLEDGE TEST	£75.00*
PRIVATE HIRE LICENCE FEE	£101.00
DRIVERS BADGE	£10.00
<b>TOTAL</b>	<b>£282.00</b>

\* additional £75.00 per retest

## PROCEDURE FOR NEW HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE

1. You will then need to book an appointment with the Licensing Team, Ramsay House, 10 St. Ebbe's Street, Oxford, OX1 1PT. Tel. No.: 01865 252115.
2. **At this appointment, you must bring with you:** (if you fail to bring any of the following, you will need to rebook your appointment. If you arrive late for your appointment you will not be seen and you will need to make another appointment.):
  - **The necessary documents to complete the CRB check**
    - Passport
    - DVLA licence
    - National Insurance number card or other document
    - 2 x proofs of address
  - **Proof that you understand written and spoken English (new applicants)**
  - **Proof that you have passed the Driver Standards Agency assessment for taxis and Private Hire vehicles.**
  - **The completed application form**
  - **The completed DVLA mandate**
  - **The completed CRB mandate**
  - **The completed medical certificate \***
  - **4 x passport standard sized photographs**
  - **Evidence that you are entitled to work in the UK (unrestricted) usually passport or visa**
  - **Payment for the full application fees**

\* (The medical certificate can be one of the last documents you provide with reference to your application. It does not have to be submitted on the day of application but in the case of a new applicant must be submitted before a licence could be issued.)
3. If all of the above documents are valid, and you make your payment in full, you will be booked on the next available Knowledge Test and Disability Awareness Course. You will be given confirmation of the time and date for the Test and Course at your appointment.
4. The Licensing Team will send your completed DVLA Mandate and CRB Disclosure to the relevant authorities to carry out their necessary checks.
5. It may be that you take the Knowledge Test and Disability Awareness Course before these checks are returned to us. However, the grant of a licence is dependent upon the Licensing Officer being satisfied with the results of the CRB and DVLA checks. Should you not pass the Knowledge Test, you are able to apply to retake the test (please be aware that questions set for the Tests are changed monthly).
6. Upon receipt of your satisfactory DVLA and CRB checks, and upon the passing of the Knowledge Test and sitting of the Disability Awareness Course, your licence will be granted for a maximum period of one year. Should the Licensing Officer have any concerns over you being deemed "fit and proper" to hold a licence, the matter will be referred to the Hackney Carriage and Private Hire Licensing Sub-Committee to be determined. The Sub-Committee may determine that the licence not be granted, or that it be granted for a period of less than one year.
7. If you are granted a licence, your licence and badge will be posted by First Class post to your home address.

## PROCEDURE FOR RENEWING A HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE

1. You will be sent a "Reminder Letter" approximately 3 months before the expiry of your current drivers licence. The letter will include an application pack. You will then need to book an appointment with the Licensing Team, Ramsay House, 10 St. Ebbe's Street, Oxford, OX1 1PT. Tel. No.: 01865 252115.
2. **At this appointment, you must bring with you:** you fail to bring any of the following, you will need to rebook your appointment. If you arrive late for your appointment you will not be seen and you will need to make another appointment.):
  - **The necessary documents to complete the CRB check (if applicable)**
    - Passport
    - DVLA licence
    - National Insurance number card or other document
    - 2 x proofs of address
  - **The completed application form**
  - **The completed DVLA mandate**
  - **The completed CRB mandate (if applicable)**
  - **The completed medical certificate \* (if applicable)**
  - **2 x passport standard sized photographs**
  - **Evidence that you are entitled to work in the UK (unrestricted) usually passport or visa**
  - **Payment for the full application fees**

\* (The medical certificate can be one of the last documents you provide with reference to your application. It does not have to be submitted on the day of application but in the case of a new applicant would be required before a licence could be issued.)
3. If all of the above documents are valid, and you make your payment in full, the Licensing Team will send your completed DVLA Mandate and CRB Disclosure to the relevant authorities to carry out their necessary checks.
4. Upon receipt of your satisfactory DVLA and CRB checks, your licence will be granted for a maximum period of one year. Should the Licensing Officer have any concerns over you being deemed "fit and proper" to hold a licence, the matter will be referred to the Hackney Carriage and Private Hire Licensing Sub-Committee to be determined. The Sub-Committee may determine that the licence not be granted, or that it be granted for a period of less than one year.
5. If you are granted a licence, your licence and badge will be posted by First Class post to your home address.

## HACKNEY CARRIAGE DRIVER'S LICENCE

### THE HACKNEY CARRIAGE KNOWLEDGE TEST

The test is devised so that applicants can prove that they have sufficient knowledge of the City of Oxford, the conduct required of licensed drivers and local traffic regulations. You are required to obtain a minimum mark of 80%

The test contains six sections:-

A. Identification of roads and streets.	20 questions
B. Identification of Buildings and locations	15 questions
C. Rules and regulations	10 questions
D. Correct routes	5 questions
E. Equal opportunities awareness	5 questions
F. Disability awareness	5 questions
TOTAL	60 questions

A minimum of 80% in each section is required to pass the test. The test last for 90 minutes and sections C,E and F are multiple choice. This means that you are given a number of possible answers to each question and you must decide the correct answer. If you fail the test you will be invited to take the test again after a further test fee has been paid, and then allocated a retest date.

### LEARNING THE KNOWLEDGE

The City Council conducts the tests, it does not teach the knowledge, however to assist you a list of all rules and regulations and a summary of other law applicable to taxis and Private Hire vehicles, is set out below.

### CONDITIONS ATTACHED TO A HACKNEY CARRIAGE & PRIVATE HIRE DRIVER'S LICENCE

The Council attaches the following conditions to a driver's license: In these conditions "the Council" means the Oxford City Council, "Driver" means a person holding a drivers licence issued by the Council. "Vehicle" means a vehicle licensed by the Council.

1. The Driver shall behave in a civil and orderly manner and shall take reasonable precautions to ensure the safety of passengers. Must not act in a manner that the passenger, general public or other drivers would find offensive or subject anyone to racial or sexual harassment.
2. The Driver shall be clean and tidy in appearance.
3. The Driver shall wear the badge issued by the Council for that purpose in a position clearly visible to passengers.
4. At all times you must drive in such a manner to ensure the safety of your passengers and not drive at excess speed having regard to the maximum speed limit in force and the road conditions.
5. The Driver shall not carry more people in the Vehicle than the number of persons specified on the plate on the rear of the Vehicle.
6. A Driver who has agreed, or whose employer has agreed, to attend a certain time and place, shall (unless delayed or prevented by some reasonable cause) attend with the Vehicle as agreed.
7. The Driver of a Vehicle equipped with a taximeter shall ensure that the table of fares is displayed in a clearly visible position in the vehicle.
8. The Driver of a Vehicle equipped with a taxi-meter shall ensure that during any hiring the face of the taxi-meter is at all times plainly visible to the passengers.
9. The Driver of a Vehicle equipped with a taxi-meter shall set the meter into operation when the hirer starts her or his journey unless the hirer asks the hiring to engage the vehicle by time, or at the time pre-arranged for the journey to start as requested by the hirer. A driver of a Hackney Carriage does not have to accept journeys that end outside the City of Oxford boundaries. If the journey is accepted the fare or rate for the journey has to be agreed between the driver and the hirer before the start of the journey. Where no such agreement takes place the charge should be the correct tariff for the time of day.
10. The driver of a vehicle which has been hired, by or on behalf of a blind or partially sighted person, or a disabled person who is accompanied by his / her assistance dog, or by a person who wishes such a blind or partially sighted person, or a disabled person to accompany him / her in the vehicle shall, carry the passenger and his dog, allow it to remain with the passenger and **not make** any additional charge for doing so. If the Licensing Authority is satisfied that it is appropriate on medical grounds to exempt the person from the above requirement it shall issue a certificate of exemption. The driver is not compelled to convey any other type of animal.
11. If the hirer of a Hackney Carriage vehicle is accompanied by any animal(s) that is securely contained to the satisfaction of the driver, the driver shall if he deems fit, carry the passenger and his animal(s) and not make any additional charge for doing so. If the Licensing Authority is satisfied that it is appropriate on medical grounds to exempt the person from the above requirement it shall issue a certificate of exemption.
12. Any animal(s) transported in the licensed vehicle must be placed in the rear seating compartment of the vehicle.
13. In the case of hirers who are confined to wheelchairs the meter should be set in to operation at or after the time of the agreed hire. The driver should prepare the vehicle during the elapsed time between the agreed hire time and when the hirer is ready to enter the vehicle. At the destination the meter should be stopped on arrival.
14. If a taxi rank is occupied by the full number of Carriages authorised to do so, proceed to another stand.
15. On arriving at a rank that is not fully occupied station the Carriage immediately behind the last Carriage so as to face in the same direction. When the Carriage immediately in front of your vehicle moves forward you must also move forward to allow more Carriages to join the rank.
16. When driving a Hackney Carriage you must not park on or near a taxi rank that is full.

17. When driving a Hackney Carriage you must not cause an obstruction when parked on a taxi rank and when the vehicle is the first vehicle on the rank you must constantly attend and be ready to hire at once by any person.
18. A Hackney Carriage must not be parked on a taxi rank for purposes other than for standing for hire.
19. When asked by a passenger, indicate the route they are going to take.
20. The Driver shall: -
  - Take a reasonable amount of luggage including wheelchairs and children's pushchairs;
  - Give reasonable assistance in loading and unloading luggage;
  - Give reasonable assistance in removing luggage to or from the entrance of any building, station or place at which he or she takes up or sets down passengers.
21. If any property is left in the Vehicle the Driver shall deliver it as soon as possible and in any event within 24 hours to a Police Station in the Council's district and if required to do so leave it in the custody of a Police Officer having obtained a receipt for it.
22. Whenever driving the Vehicle the Driver shall carry a copy of these conditions and make them available for inspection by the hirer or any passenger upon request.
23. If the Driver is convicted of an offence or accepts a caution, he or she must (within seven days of the conviction) give full details of it to the Council in writing.

**THE FOLLOWING IS A BRIEF SUMMARY OF OTHER REGULATIONS**

1. When you arrive at an address to pick up passengers, you must NOT sound the horn of your vehicle to attract their attention.
2. You should provide assistance with luggage to all passengers, particularly ensuring that elderly or disabled passengers are assisted from the vehicle and to their destination if required.
3. If a passenger chooses not to engage in conversation, you should respect their privacy and not talk or ask them why they are quiet.
4. You should maintain a clean and smart appearance and not smoke, drink, or without the express permission of the Hirer, play any radio or other sound reproducing equipment in the vehicle, except for the purpose of sending or receiving messages.
5. If a passenger were racially or sexually abusive to you, you may choose to ignore it, drive immediately to the police station, or report the incident to the Licensing Officer. Any of the above may be the correct action, or depending upon the circumstances you may wish to challenge it. You should be particularly careful if you choose to take this course.
6. You should provide a written receipt to the hirer if requested to do so.
7. You must notify the Licensing Office, in writing, *within 7 days* of any change of address.
8. If you are involved in an accident that causes damage to your vehicle you must inform the licensing office within 72 hours. If the accident involves another vehicle, which is damaged, you must give the driver your name and address, the owners name and address and the number of the car. If anyone (other than yourself) is injured, you must also give him or her the details of your insurance, which you must carry in your car. If you fail to do any of the above you must report the accident in person to the police as soon as possible and in any case within 24 hours.

**THE FOLLOWING IS A BRIEF SUMMARY OF REGULATIONS SHOULD YOU DRIVE A PRIVATE HIRE VEHICLE**

1. You shall not whilst driving or in charge of a Private Hire vehicle ply for Hire or otherwise tout or solicit on a road or other public place any person to hire or be carried in any Private Hire vehicle; or cause or procure any other person to do so.
2. You must not offer the vehicle for immediate hire whilst the driver is on a road or other public place (**STALKING**) except where such offer is first communicated from the operator to the driver by telephone or radio apparatus fitted to the vehicle. **In simple terms, it means you can only pick up jobs given to you by your operator, entered in his log in the office and entered in your record book in the car.**
3. The law requires that you do not use a mobile 'phone whilst you are driving and you may **NEVER** under any circumstances accept bookings over a mobile 'phone, all must go through a licensed Operator. The only exemption for using a mobile phone would be in case of an emergency when carrying passengers.
4. Any driver found accepting a hiring in the street and requesting the operator to log it as a prior booking will be referred to the Licensing Sub-Committee, as will the operator entering the booking.
5. It is an **offence** to park on a taxi rank. You also should not park near a rank or in any position that might lead a member of the public to believe that you are for hire. This includes parking outside nightclubs and bars awaiting custom.
6. Children aged 1 to 14 years should be transported in the rear of your vehicle, using a child seat or booster cushion, together with a seat belt as appropriate.
7. **The law requires you as the driver of a Private Hire vehicle, to wear a seat belt at all times** and you are only exempt whilst actually carrying passengers for hire or reward. You may feel that any advantage there may be in not wearing a belt is far outweighed by the possibility of injury if the vehicle is involved in an accident. **Your passengers must wear a seat belt.**
8. A driver driving a Private Hire vehicle shall record in a suitable book, with bound consecutively numbered pages, provided by the proprietor of that Private Hire vehicle, the following particulars: -
  - (i) At the start of each shift: her/his name and badge number.
  - (ii) Prior to the commencement of each hiring:
    - (a) the date and time the hiring was allocated to that vehicle;
    - (b) the name and address of the hirer;

- (c) the time and place of pick-up;
  - (d) the destination.
  - (iii) On completion of each hiring: the fare charged, and shall make such book available for inspection on request by an authorised officer of the Council or a Police Officer and shall keep such records for a minimum period of 12 months.
9. If you are asked to transport an unaccompanied child or if a passenger requests that you wait until they are safely inside the house, you should in both cases wait until they have safely gained access to the building.

## TRANSPORTING DISABLED PASSENGERS

Customer Care starts from the moment that the customer Hires the vehicle. There should be good customer relations between the driver and the customer. Talking to the customer to check what they require will make it quick and easy to give them a better service. Many disabled people have at some time experienced well intentioned but clumsy assistance that has caused them discomfort and pain. The way a driver gives the best possible service to each customer will vary for each customer and the type of disability that they have. **Always** ask what help (if any) a customer may need. Make sure you are familiar with any access and safety equipment in your vehicle. **Ask the customer if they are all right before you start the journey.**

If the passenger is in a wheelchair you should always:-

- Pull up as close as possible to the kerb;
- Always use the ramps;
- If necessary, tip up the back seat to give more space to manoeuvre the wheelchair;
- Insist that the passenger travels in the correct position as recommended by the vehicle manufacture. In the case of a London type cab this position will be facing the rear of the vehicle. **The wrong travelling position is unsafe;**
- Always make sure that the brakes of the wheelchair are on;
- Be polite and ask before touching or moving a passenger;
- **Always secure** the wheelchair and ask if the passenger needs help to fasten the seat belt provided;
- If it has been raised, lower the back seat if the passenger would prefer it;
- Avoid sudden braking or acceleration;
- Bring the wheelchair out of the vehicle backwards down the ramp and ask if the passenger would like the brakes on once they have been unloaded;
- Leave the passenger in a safe and convenient place, which enables them to move away independently.

When taking a person in a wheelchair up a kerb you should place your foot on one of the tipping levers (which project from the back of the wheelchair at ankle height) and pull the wheelchair onto its back wheels. Pull the wheelchair onto its back wheels so that its front wheels are level with the kerb and follow with the back.

When taking a person in a wheelchair down a kerb, again place your foot on the tipping lever and pull the wheelchair onto its back wheels. Gently lower the wheelchair down the kerb so that both of the rear wheels touch the ground at the same, then lower the front wheels.

This method should only be used for kerbs and single steps; where there is a flight of steps, two people are needed for safety.

Although all Oxford City Council Hackney Carriages are wheelchair accessible you should be aware that they are not accessible to all wheelchair users. There are a number of wheelchair designs that are either too large for the ramps and to fit through the doorway or are unable to be manoeuvred when inside the vehicle. There are also some passengers whose size and build, or nature of disability (i.e. those passengers requiring extended leg rests) that precludes them from safely using a Hackney Carriage. **However you cannot refuse to take a passenger in a wheelchair if your vehicle can safely take it. It is against the law and the conditions attached to a drivers licence to refuse a wheelchair passenger. It could lead to prosecution and your Hackney Carriage driver's licence being revoked.**

## HOW TO ENSURE THE SAFETY OF WHEELCHAIR USERS

Both the restraint system for the wheelchair and the safety belt for the passenger **must be used on every occasion.** Failure to do so may render you liable in the event of an accident and could affect your insurance cover.

- In the interest of the comfort and safety of both the passenger and yourself, the ramps must be used to board a passenger using a wheelchair.
- Passengers using wheelchairs must **never** travel facing sideways or forward. It is not possible to secure the wheelchair or adequately protect the passenger in either position. They should always travel in the recess of the passenger bulkhead, facing towards the rear of the vehicle.
- The wheelchair restraint mechanism must always be attached to the rearmost main upright tubes on opposite sides of the wheelchair frame in a position that does not allow it to fall off or slide down. The restraint must never be attached to wheels, spokes or footplates.
- The brakes on the wheelchair must always be applied during the journey. You should remember that the brakes alone are not sufficient for wheelchair restraint. They do however give a little lateral stability during the journey, which provides reassurance for passengers.
- The wheelchair restraint mechanism isolating switch must always be in the "off" position before the journey begins. If it is left in the "on" position the wheelchair is still unrestrained.
- It is important to remember that the wheelchair restraint mechanism offers no security to the passenger. It is a legal requirement for passengers to wear seatbelts provided. Unless they hold a medical exemption certificate.
- Wheelchairs must always be taken out of the vehicle backwards.

## PRIVATE HIRE DRIVER'S LICENCE

### THE PRIVATE HIRE KNOWLEDGE TEST

The test is devised so that applicants can prove that they have sufficient knowledge of the City of Oxford, the conduct required of licensed drivers and local traffic regulations. You are required to obtain a minimum mark of 80%

The test contains five sections:-

A. Identification of roads and streets.	20 questions
B. Identification of Buildings and locations	15 questions
C. Rules and regulations	5 questions
E. Equal opportunities awareness	5 questions
F. Disability awareness	5 questions
TOTAL	50 questions

A minimum of 80% in each section is required to pass the test. The test last for 90 minutes and sections C,E and F are multiple choice. This means that you are given a number of possible answers to each question and you must decide the correct answer. If you fail the test you will be invited to take the test again after a further test fee has been paid.

### LEARNING THE KNOWLEDGE

The City Council conducts the tests, it does not teach the knowledge, however to assist you a list of all the roads, streets and buildings you may be asked to identify, together with a copy of the rules and regulations and a summary of other law applicable to taxis and Private Hire vehicles, is set out below.

You will be asked the location of various buildings and roads in and around the City. You should ensure that you know where the following are:-

Abingdon Road	Donnington Bridge Road	Marston Road	St. Aldates
All Souls College	Examination School	Morrell Avenue	St. Catherine's College
Ashmolean Museum	Exeter College	New College	St. Cross Road
Balliol College	George Street	New Road	St. Ebbe's Street
Banbury Road	Gipsy Lane	Nuffield College	St. Edmund Hall
Barns Road	Headington Road	Old Bodleian Library	St. Giles Street
Bayswater Road	Headley Way	Old Road	St. Hilda's College
Beaumont Street	High Street	Oriel College	St. John's College
Between Towns Road	Hollow Way	Park End Street	The Bate Collection
Blackbird Leys Road	Howard Street	Parks Road	The Slade
Botanic Gardens	Hythe Bridge Street	Pembroke College	Town Hall
Botley Road	Ice Rink	Pitt Rivers Museum	Trinity College
Broad Street	Iffley Road	Queen Street	University College
Castle Street	Jesus College	The Queen's College	University Museum
Christ Church College	Keble College	Rhodes House	Wadham College
Church Cowley Road	London Road	Rose Hill	Walton Street
Cornmarket Street	Longwall Street	Ruskin College	Windmill Road
Corpus Christi College	Magdalen College	Sheldonian Theatre	Wood Farm Road
Cowley Road	Magdalen Road	Somerville College	Woodstock Road
Cuddesdon Way	Mansfield College	South Parks Road	Worcester College
Divinity Road	Marsh Lane	Speedwell Street	Worcester Street
Divinity School	Marston Ferry Road		

### CONDITIONS ATTACHED TO A PRIVATE HIRE DRIVER'S LICENCE

The Council attaches the following conditions to Private Hire driver's licenses: In these conditions "the Council" means the Oxford City Council, "Driver" means a person holding a Private Hire drivers licence issued by the Council and acting as a Private Hire driver "Vehicle" means a Private Hire vehicle licensed by the Council.

1. The Driver shall behave in a civil and orderly manner and shall take reasonable precautions to ensure the safety of passengers.
2. The Driver shall be clean and tidy in appearance.
3. The Driver shall wear the badge issued by the Council for that purpose in a position clearly visible to passengers.
4. The Driver shall not carry out more people in the Vehicle than the number of persons specified on the plate on the rear of the Vehicle.
5. A Driver who has agreed, or whose employer has agreed, to attend a certain time and place, shall (unless delayed or prevented by some reasonable cause) attend with the Vehicle as agreed.
6. The driver of a vehicle which has been hired, by or on behalf of a blind or partially sighted person, or a disabled person who is accompanied by his assistance dog, or by a person who wishes such a blind or partially sighted person, or a disabled person to accompany him in the vehicle shall, carry the passenger and his dog, allow it to remain with the passenger and **not make** any additional charge for doing so. If the Licensing Authority is satisfied that it is appropriate on medical grounds to exempt the person from the above requirement it shall issue a certificate of exemption. The driver is not compelled to convey any other type of animal.
7. If the hirer of a Private Hire vehicle is accompanied by any animal(s) that is securely contained to the satisfaction of the driver, the driver shall if he deems fit, carry the passenger and his animal(s) and not make any additional charge for doing so. If the Licensing Authority is satisfied that it is appropriate on medical grounds to exempt the person from the above requirement it shall issue a certificate of exemption. Any animal(s) transported in the licensed vehicle must be placed in the rear seating compartment of the vehicle
8. Any animal(s) transported in the licensed vehicle must be placed in the rear seating compartment of the vehicle.

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9. The Driver of a Vehicle equipped with a taxi-meter shall set the meter into operation when the Hirer starts her or his journey unless the Hirer asks the hiring to engage the vehicle by time, or at the time pre-arranged for the journey to start as requested by the Hirer. Formatted: Bullets and Numbering
10. The Driver of a Vehicle equipped with a taximeter shall ensure that the table of fares is displayed in a clearly visible position in the vehicle. Formatted: Bullets and Numbering
11. The Driver of a Vehicle equipped with a taxi-meter shall ensure that during any hiring the face of the taxi-meter is at all times plainly visible to the passengers. Formatted: Bullets and Numbering
12. The Driver shall: - Formatted: Bullets and Numbering
- Take a reasonable amount of luggage including wheelchairs and children's pushchairs;
  - Give reasonable assistance in loading and unloading luggage;
  - Give reasonable assistance in removing luggage to or from the entrance of any building, station or place at which he or she takes up or sets down passengers.
13. If any property is left in the Vehicle or is found by her or him or handed to her or him, the Driver shall deliver it as soon as possible and in any event within 24 hours to a Police Station in the Council's district and if required to do so leave it in the custody of a Police Officer having obtained a receipt for it. Formatted: Bullets and Numbering
14. Whenever driving the Vehicle the Driver shall carry a copy of these conditions and make them available for inspection by the hirer or any passenger upon request. Formatted: Bullets and Numbering
15. If the Driver is convicted of an offence, he or she must (within seven days of the conviction) give full details of it to the Council in writing. Formatted: Bullets and Numbering
16. A Private Hire driver shall record in a suitable book, with bound consecutively numbered pages, provided by the proprietor of that Private Hire vehicle, the following particulars: - Formatted: Bullets and Numbering
- (i) At the start of each shift: her/his name and badge number.
  - (ii) Prior to the commencement of each hiring:
    - (a) the date and time the hiring was allocated to that vehicle;
    - (b) the name and address of the Hirer;
    - (c) the time and place of pick-up;
    - (d) the destination.
  - (iii) On completion of each hiring: the fare charged.
- and shall make such book available for inspection on request by an authorised officer of the Council or a Police Officer and shall keep such records for a minimum period of 12 months.

#### THE FOLLOWING IS A BRIEF SUMMARY OF OTHER REGULATIONS

1. You shall not whilst driving or in charge of a Private Hire vehicle ply for hire or otherwise tout or solicit on a road or other public place any person to Hire or be carried in any Private Hire vehicle; or cause or procure any other person to do so.
2. You must not offer the vehicle for immediate hire whilst the driver is on a road or other public place (**STALKING**) except where such offer is first communicated from the operator to the driver by telephone or radio apparatus fitted to the vehicle. *In simple terms, it means you can only pick up jobs given to you by your operator, entered in his log in the office and entered in your record book in the car.*
3. The law requires that you do not use a mobile 'phone whilst you are driving and you may **NEVER** under any circumstances accept bookings over a mobile 'phone, all must go through a licensed Operator. The only exemption for using a mobile phone would be in case of an emergency when carrying passengers.
4. Any driver found accepting a hiring in the street and requesting the operator to log it as a prior booking will be referred to the Licensing Panel as will the operator entering the booking.
5. It is an offence to park on a taxi rank. You also should not park near a rank or in any position that might lead a member of the public to believe that you are for hire. This includes parking outside nightclubs and bars awaiting custom.
6. Children aged 1 to 14 years should be transported in the rear of your vehicle, using a child seat or booster cushion, together with a seat belt as appropriate.
7. **The law requires you as the driver of a Private Hire vehicle, to wear a seat belt at all times** and you are only exempt whilst actually carrying passengers for hire or reward. You may feel that any advantage there may be in not wearing a belt is far outweighed by the possibility of injury if the vehicle is involved in an accident. **Your passengers must wear a seat belt.**
8. If you are asked to transport an unaccompanied child or if a passenger requests that you wait until they are safely inside the house, you should in both cases wait until they have safely gained access to the building.
9. When you arrive at an address to pick up passengers, you must **NOT** sound the horn of your vehicle to attract their attention.
10. You should provide assistance with luggage to all passengers, particularly ensuring that elderly or disabled passengers are assisted from the vehicle and to their destination if required.
11. If a passenger chooses not to engage in conversation, you should respect their privacy and not talk or ask them why they are quiet.
12. You should maintain a clean and smart appearance and not smoke, drink, or without the express permission of the Hirer, play any radio or other sound reproducing equipment in the vehicle, except for the purpose of sending or receiving messages.

13. If a passenger were racially or sexually abusive to you, you may choose to ignore it, drive immediately to the police station, or report the incident to the Licensing Officer. Any of the above may be the correct action, or depending upon the circumstances you may wish to challenge it. You should be particularly careful if you choose to take this course.
14. You should provide a written receipt to the Hirer if requested to do so.
15. You must notify the Licensing Office *within 7 days* of any change of address.
16. If you are involved in an accident that causes damage to your vehicle you must inform the licensing office. If the accident involves another vehicle, which is damaged, you must give the driver your name and address, the owners name and address and the number of the car. If anyone (other than yourself) is injured, you must also give them the details of your insurance which you must carry in your car. If you fail to do any of the above you must report the accident in person to the police as soon as possible and in any case within 24 hours.

## RESTRICTED ROADS

Private Hire Vehicles have been granted access to a number of roads in the City centre which Private cars are prohibited. You should particularly note that most if not all the exemptions which have been granted to Private Hire vehicles say:-

1. Whilst carrying a passenger
2. Travelling to answer a call for hire

It is in your own interest to ensure that as soon as you receive the booking from your operator you make an entry in the book you are required to carry with you in your car to prove that you are either carrying a paying passenger or answering a call. It may save you from getting a fixed penalty ticket.

All prohibitions should be clearly signed but may be changed from time to time, particularly in areas covered by the **OXFORD TRANSPORT STRATEGY**. You should take time to walk around the City centre to look at all the restrictions and be aware and take notice of changes.

Roads that currently have road restrictions include :- High Street, Queen Street, Cornmarket Street, Market Street, Ship Street, St. Michael Street, George Street, Broad Street, Turl Street, St Aldate's.

## OFFENCES

### OFFENCES UNDER SECTIONS 37-68 TOWN POLICE CLAUSES ACT 1847

1. Plying for Hire without Licence. **STALKING (this can even be parking near a rank or in a prominent position)**
2. Driving Hackney Carriage without Hackney Carriage driver's licence.

### OFFENCES UNDER LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

1. Owning unlicensed vehicle used as Private Hire vehicle.
2. Driving a Private Hire vehicle without a Private Hire driver's licence.
3. Owning licensed Private Hire vehicle driven by unlicensed driver.
4. Operating Private Hire vehicles without operator licence.
5. Operating unlicensed Private Hire vehicles.
6. Operating unlicensed Private Hire vehicles driven by unlicensed drivers
7. Failure to exhibit vehicle licence plate.
8. Failure to notify (in writing within 14 days) transfer of Hackney Carriage or Private Hire vehicle.
9. Failure to produce Hackney Carriage or Private Hire vehicle for testing when required.
10. Failure to report (within 72 hours) accident involving Hackney Carriage or Private Hire vehicle.
11. Failure to produce Hackney Carriage or Private Hire vehicle licence and insurance when requested.
12. Failure to produce Hackney Carriage or Private Hire driver's licence when requested.
13. Failure to wear Private Hire driver's badge.
14. Failure of Private Hire operator to keep record of bookings
15. Failure to produce such record when requested.
16. Failure of Private Hire operator to keep records required by local authority
17. Failure to produce such records when requested.
18. Failure to produce Private Hire operator's licence when requested.
19. Making of false statement or omission of material information in application for any licence.
20. Failure to return, after due notice, licence plate issued in respect of revoked, expired or suspended Hackney Carriage or Private Hire vehicle licence
21. Failure to return, after due notice, driver's badge issued in respect of suspended or revoked Hackney Carriage or Private Hire drivers licence
22. Unauthorised parking on Hackney Carriage stand
23. Unreasonable prolongation of journeys.
24. Misuse of taximeters.
25. Obstruction of authorised officers.

## CRIMINAL RECORDS BUREAU ENHANCED DISCLOSURE FORM

The CRB Disclosure form must be completed before your appointment. However it will be checked at your appointment and you are free to ask any questions that you may have at the appointment.

### Confirming your identity

Your identity needs to be confirmed. You need to provide original documentation (no photocopies) to the Licensing Officer.

### Which documents do you need to provide?

You must bring to the appointment documents (from the list below) to verify:

- Your name
- Date of birth
- National insurance number
- Driving licence number
- Passport number
- Current address

### Acceptable identity documents

#### Group A

- Valid passport (any nationality)
- UK Driving Licence (either photo card or paper)
- Original UK Birth Certificate (issued within 12 months of the date of birth) (full or short form acceptable)
- Valid photo identity card (EU countries only)
- UK Firearms Licence

#### Group B

- P45/P60 statement\*
- Bank or building society statement\*\*
- Utility Bill\*
- Valid TV licence
- Credit Card Statement\*
- Store Card Statement\*
- Mortgage Statement\*\*
- Valid insurance certificate
- Certificate of British nationality
- British work permit/visa\*\*
- Connexions card
- Child benefit book \*\*
- Exam certificate (e.g. GCSE, NVQ)
- Correspondence or a document from: the Benefits Agency, the Employment Service, the Inland Revenue, or a Local Authority\*
- Financial statement\*\*
- Valid vehicle registration document
- Mail order catalogue statement\*
- Court summons\*\*
- Valid NHS Card
- Addressed payslip\*
- National insurance number card

\*less than 3 months old

\*\*issued within past 12 months

Please note that these documents must be from different sources e.g. one bank statement and one Council Tax Bill, not, one bank statement and one credit card bill from the same bank.

## PREVENTION OF ILLEGAL WORKING: RIGHT TO WORK IN U.K.

The Council has a duty to ensure that all those individuals it grants a licence to are entitled to work in the UK. For this reason the following documentation must be provided.

**List A – documents which show an ongoing right to work. If you can provide documents from list A, you do NOT need to provide any from list B.**

1. A passport showing that the holder is a British citizen
2. A passport showing that the holder is a citizen of the UK and Colonies having the right to abode in the UK – passport has a 'certificate of entitlement to the right of abode' in it.
3. A passport showing that the holder is a national of a European Economic Area (EEA) country or Switzerland
4. A residence permit, registration certificate or document certifying or indicating permanent residence issued by the Home Office (HO), the Border and Immigration Agency (BIA), a national of a EEA or Switzerland
5. A permanent residence card issued by the HO or BIA to the family member of a national of EEA or Switzerland
6. A Biometric Immigration Document issued by the BIA to the holder which indicates that the person named in it is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK
7. A passport or other travel document endorsed to show that the holder is allowed to stay indefinitely in the UK, has the right of abode in the UK or has no time limit to their stay in the UK

**Document combinations – one of the following:**

8. An official document issued by a previous employer or Government agency i.e. HM Revenue and Customs, Department for Work and Pensions, Jobcentre Plus, the Employment Service, the Training and Employment Agency (Northern Ireland) or the Northern Ireland Social Security Agency, which contains the permanent National Insurance number and name of the person  
**Plus:**
  - a. An Immigration Status Document issued by the HO or the BIA to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK  
**Or:**
  - b. A full birth certificate/full adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents  
**Or:**
  - c. A birth certificate/adoption certificate issued in the Channel Islands, the Isle of Man or Ireland  
**Or:**
  - d. A certificate of registration or naturalisation as a British citizen  
**Or:**
  - e. A letter issued by the HO or the BIA to the holder which indicates that the person named

**List B – Documents which show a right to work for up to 12 months (where this is applicable the applicant will have to prove their right to work annually otherwise their licence will be revoked) (If you can provide documents from list B, you do NOT need to provide any from list A). You will need to provide either 1 or 2, with a combination of the following i.e. 3 + a or 3 + b; 4 or 5; 6; 7 or 8.:**

1. A passport or travel document endorsed to show that the holder is allowed to stay in the UK and is allowed to do the type of work in question, provided that it does not require the issue of a work permit
2. A Biometric Immigration Document issued by the BIA to the holder which indicates that the person named in it can stay in the UK and is allowed to do the work in question.

**Document combinations – first combination:**

3. A work permit or other approval to take employment issued by the HO or BIA with:
  - a. A passport or another travel document endorsed to show the holder is allowed to stay in the UK and is allowed to do the work in question  
**Or:**
  - b. A letter issued by the HO or the BIA to the holder or the employer or prospective employer confirming the same

**Second combination – must be checked by the BIA Employer Checking Service:**

4. A certificate of application issued by the HO or the BIA to or for a family member of a national of a EEA country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old  
**Or:**
5. An application registration card issued by the HO or the BIA stating that the holder is permitted to take employment

**Third combination:**

6. A document issued by a previous employer or Government agency e.g. HM Revenue and Customs, the Department for Work and Pensions, Jobcentre Plus, the Employment Service, the Training and Employment Agency (Northern Ireland) or the Northern Ireland Social Security Agency, which contains the National Insurance number and name of the holder

**One of the following must be provided, if a document showing your National Insurance number has previously been provided:**

7. An Immigration Status Document issued by the HO or the BIA to the holder with an endorsement indicating that the person named in it can stay in the UK and is allowed to do the type of work in question  
**Or:**
8. A letter issued by the HO or BIA to the holder or the employer or prospective employer, which indicates that the person named in it can

## POLICY ON THE RELEVANCE OF OFFENCES, CAUTIONS AND CONVICTIONS

### Consideration of the Grant, Renewal, Suspension or Revocation of Hackney Carriage and Private Hire Driver's Licences, Vehicle Operators and Vehicle Proprietors

#### Definitions

**Appeal:** A means by which a decision under delegated authority can be reviewed by the Magistrates Court or the Crown Court. The decision of the Council may be upheld or overturned.

**Offence:** means an action or behaviour in direct violation of an Act of the Legislature or under a regulation or by-law made under the authority of an Act of the Legislature.

**Caution:** A caution is a formal warning that is given to an adult who has admitted the offence. If the person refuses the caution then they will normally be prosecuted through the normal channels for the offence.

**Conviction:** Judicially determining that someone is guilty of a crime

**Free of convictions:** This means a period since your last conviction in which you remain free of any further convictions. In the case of a custodial sentence this means the periods given will run from the date that the full sentence awarded by the court would have been completed.

**Fit and Proper Person:** A person who is of no threat to the general public, has a good city knowledge, is healthy, is of a good character (including driving record) and is therefore deemed fit and able to hold a licence.

**Hackney Carriages:** A vehicle that can carry passengers for hire or reward, can be hailed by a prospective passenger and can park on a rank to await the approach of passengers; a vehicle available for public Hire.

**Mitigating Circumstances:** The circumstances surrounding an offence, caution or conviction. These may alter the seriousness of a crime.

**Private Hire Vehicles:** A vehicle which must be pre-booked with a Private Hire operator. This type of vehicle cannot stand in a rank or ply for Hire.

**Proprietor:** The person in possession of a Hackney Carriage or Private Hire vehicle licence.

**Operator:** This means a business that makes provision for the invitation or acceptance of bookings for a Private Hire vehicle.

**Refuse:** To decide not to give something

**Within this Policy any reference to refusal will also be a reference to revocation or suspension.**

**Revoke:** To take something away permanently.

**Suspend:** To take something away temporarily.

**Verbal Warning:** Verbally advising that although an offence, caution or conviction was not serious enough to have warranted a written warning, the offence committed is unacceptable and has caused concern to the Council as to the suitability to hold such a licence. If, in the future, similar behaviour is illustrated, the consequences could be much more severe, possibly leading to the suspension of the licence

**Written Warning:** A letter advising that although an offence, caution or conviction was not serious enough to have warranted the refusal, suspension or revocation of the licence, the offence committed is unacceptable and has caused concern to the Council as to the suitability to hold such a licence. If, in the future, similar behaviour is illustrated, the consequences could be much more severe, possibly leading to the suspension of the licence.

**Final Warning:** A letter advising that although an offence, caution or conviction was not serious enough to have warranted the refusal, suspension or revocation of the licence, the offence committed is unacceptable and has caused concern to the Council as to the suitability to hold such a licence. If, in the future, similar behaviour is illustrated, the licence holder should expect the matter to be met with the suspension / revocation of his/her licence.

#### Introduction to the Guidelines Relating to the Relevance of Convictions Powers and Duties

The Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847 (as amended), Road Safety Act 2006 (Sections 52-53) places on Oxford City Council (the "Authority") the duty to carry out its licensing functions in respect of Hackney Carriage and Private Hire vehicles. The Rehabilitation of Offenders Act 1974 is summarised at Appendix 1.0. However, Hackney Carriage and Private Hire drivers are listed as regulated occupations within the Rehabilitation of Offenders Act 1974 (Exceptions) Order (Amendment) (No2) 2002. No conviction is categorised as spent under this Order. All categories that criminal offences fall into are deemed to be relevant to the role of a Private Hire and Hackney Carriage driver.

Therefore the Authority will take into account all convictions and cautions when considering an application for a driver's licence, irrespective of offence, sentence imposed or age when the offence is committed. All motoring and criminal offences must be declared on the application form.

#### Background

Hackney Carriage and Private Hire have a specific role to play in an integrated transport system. They are able to provide services in situations where public transport is either not available (for example in rural areas, or outside "normal hours" of operation such as in the evenings or on Sundays), or those with mobility difficulties. The Hackney Carriage/Private Hire vehicles play an integral part in the dispersal of people to support the night time economy.

#### Best Practice Guidance

In formulating this policy, advice contained in the Taxi And Private Hire Vehicle Licensing Best Practice Guidance issued by the Department for Transport has been taken into account.

## Status

In exercising its discretion in carrying out its regulatory functions, the Council will have regard to this policy document.

**Notwithstanding the existence of this policy, each application will be considered on its own merits. Where it is necessary for the Authority to depart substantially from its policy, clear and compelling reasons will be given for doing so. The purpose of this document is to formulate guidelines which detail the Council's current stance on the relevance of convictions and cautions in respect of applications for the grant of new licences, and the renewal of existing Hackney Carriage and Private Hire vehicle driver's, operator's and proprietor's licences.**

The aim of the licensing regime to which these guidelines relate is not to punish the applicant twice for an offence (which includes a conviction or caution), but to ensure that public safety is not compromised. The objective of the licensing regime is to ensure that, so far as possible, those licensed to drive Hackney Carriages and Private Hire vehicles are suitable persons to do so, namely that they are safe drivers with good driving records and adequate experience, sober, mentally and physically fit, and honest; and that they are persons who would not take advantage of their position to abuse, assault or defraud customers. These guidelines will be taken into account by the Licensing Officers when dealing with new applications as well as renewal applications for an existing Private Hire/Hackney Carriage driver's licence, Private Hire/Hackney Carriage vehicle licence, and a Private Hire operator's licence, and also, when considering whether to suspend or revoke an existing licence.

## Suitability

The legislation states that the Council may grant a licence **ONLY** if it is satisfied that the person is fit and proper – **the onus is on the applicant to prove this, NOT the Council to demonstrate that they are not.**

## Convictions

The Licensing Officer is required to look at any past indicators (convictions, including formal cautions, fixed penalties, speeding offences, etc) that may affect a person's suitability to hold a Hackney Carriage/Private Hire driver's licence and consider the possible implications of granting such a licence to that person.

The imposition of a fixed penalty in place of a prosecution under any enactment may be considered a relevant indicator of suitability. In addition, applicants must disclose any recent formal cautions they have received and any pending matters. The disclosure of any conviction will not necessarily prevent an applicant from being issued a licence. However, all convictions, spent or live, will be assessed.

Cautions are included under the definition of 'convictions' and they will also be taken into consideration. Although these are generally not as serious as convictions, they can give some indication as to an applicant's character and whether they are a fit and proper person to hold or be granted a licence. The Licensing Officer will bear in mind that a caution is given where there is sufficient evidence for a prosecution and guilt has been admitted. Cautions will be taken into consideration for a period of five years.

Penalty notices are similar to fixed penalties, but are issued for a wide range of offences of an anti social nature, including behaviour likely to cause harassment, alarm or distress to others, drunk and disorderly behaviour in a public place, destroying or damaging property up to the value of £500, retail theft under £200, sale of alcohol to a person under 18 years of age, selling alcohol to a drunken person or using threatening words or behaviour. This will be viewed in an appropriate light given the nature of the offence.

The Licensing Officer may refer to the Rehabilitation of Offenders Act 1974 as part of their assessment of the convictions. A summary of the Act is provided at Appendix 1.0. The fact that a conviction is not yet spent under the Act may be relevant in the determination. However, the Exemption Order means that for all practical purposes, it is as if the Rehabilitation of Offenders Act had never been passed for licensed drivers. Therefore Licensing Officers may disregard the Act if they consider it necessary in a particular case.

If a Court has found as a matter of fact that a person has committed an offence, that person cannot then say to the Licensing Officer that he / she did not commit the offence; and if they seek to do so, their representations will not be taken into consideration. The applicant can, however, explain any mitigating factors that led to them committing the offence and the Licensing Officer can take these into account in deciding whether the applicant is a fit and proper person to hold or be granted a licence. Such cases may be referred to the Licensing Sub-Committee for determination. **In the case of offences that have led to a term of imprisonment, the periods given will run from the date that the full sentence awarded by the court would have been completed.**

## A "Fit and Proper Person"

When considering whether someone should serve the public, the range of passengers that a driver may carry should be borne in mind for example, elderly people, unaccompanied children, the disabled, those who have had too much to drink, lone women, foreign visitors and unaccompanied property. Some areas give rise to particular concern, including –

- **Honesty and trustworthiness** – drivers often have knowledge that a customer is leaving a house empty; they have opportunities to defraud drunken, vulnerable or foreign people or to steal property left in cars. They must not abuse their position of trust. *For example, any passenger would expect to be charged the correct fare for a journey and then be given the correct change; they would also expect a driver to hand in any article left by a passenger in a vehicle; and also to maintain confidentiality between driver and passenger.*
- **Not abusive** – drivers are often subject to unpleasant or dishonest behaviour. The Council does not consider that this excuses any aggressive or abusive conduct on the part of the driver. Drivers are expected to avoid confrontation, and to address disputes through the proper legal channels. In no circumstances should they take the law into their own hands.
- **A good and safe driver** – Passengers paying for a transport service rely on their driver to get them to their destination safely. They are professional drivers and should be fully aware of all Road Traffic legislation and conditions attached to the licence. A person who has committed an offence and has to wait a period of time before being accepted as a Hackney Carriage or Private Hire driver is more likely to value his/her licence and act accordingly.

## Protecting the Public

The over-riding consideration for the Licensing Officer is to protect the public. Having considered and applied the appropriate guidelines, the Licensing Officer will determine **each case on its own merits.**

## History

The Licensing Officer may take into account a person's history whilst holding a licence, from this or any other authority. The Licensing Officer may take into account, in deciding whether a person is a fit and proper person to hold (or to continue to hold) a licence, such matters as the record of complaints about them, also their compliance with Licence conditions and their willingness to co-operate with the reasonable requests of Licensing Officers.

# GUIDELINES RELATING TO THE RELEVANCE OF OFFENCES, CAUTIONS AND CONVICTIONS

## GENERAL POLICY

1. Each case will be decided on its own merits.
2. A person with a current conviction for serious crime need not be permanently barred from obtaining a licence but should be expected to remain free of conviction for 3 to 5 years, according to the circumstances, before an application is entertained. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. However, the overriding consideration must be the protection of the public.
3. In the case of offences that have led to a term of imprisonment, whether or not suspended, the periods given will run from the date that the full sentence awarded by the court would have been completed.
4. Cautions will be taken in to consideration for a period of five years.
5. A new applicant is a person who has not previously held a licence with this authority or whose licence had expired for 12 months before the application form was received in the Taxi Licensing Office.

The following examples afford a general guide on the action to be taken where convictions are admitted.

### Driving Offences

Private Hire and Hackney Carriage drivers are considered professional drivers and must be aware of the safety of their passengers and the safety of their vehicles at all times.

Any traffic offences show a lack of responsibility whilst driving either due to the maintenance and safety of their vehicle or in the manner of their driving.

Convictions for traffic offences should not necessarily prevent a person from proceeding with an application. However, the number, type and frequency of an offence will be taken into account. In some cases it may be appropriate to issue a licence together with a strong warning as to future driving conduct. If a significant history of offences is disclosed, an application may be refused.

Whilst the imposition of a Fixed Penalty Notice does not lead to a conviction, it never the less attracts penalty points to a DVLA licence. We consider 'death by careless driving' or 'death by dangerous driving' to be a very serious and you should therefore refer to the **Major Traffic Offences** section.

For information on alcohol and drug related offences see **Drunkenness & Drugs** sections.

**5 or less penalty points:** For 5 or fewer points on an applicant's driving licence, a licence will usually be granted, with a verbal warning.

**6 or more penalty points:** Where any applicant has 6 or more penalty points on their driving licence the Licensing Officer will usually consider granting the licence with a written warning unless exceptional circumstances justify a refusal.

**"Totting Up" under S35 Road Traffic Offenders Act 1988:** Where an applicant has been disqualified under the "totting up" procedures, the Licensing Officers will normally consider refusal until there has been a **period of 12 months** free of relevant convictions. If an applicant has agreed "exceptional hardship" and avoided disqualification, refusal will still be considered and a **period of 12 months** free of relevant convictions required.

### Motor Insurance Offences

An isolated incident in the past should not necessarily bar an applicant from being issued a licence; however, the Council takes a serious view of motor insurance offences. More than one conviction for these offences should raise serious doubts as to an applicant's suitability to hold a Hackney Carriage or Private Hire licence. In this instance, at **least 3 years** after restoration of the DVLA driving licence should elapse before an applicant, who has been disqualified from driving for an insurance offence, can be considered.

### Traffic Offences

New applicants should not normally be considered if they have acquired more than three penalty points within the twelve months prior to the grant of a licence, they have in the previous two years, been convicted of any single offence which resulted in a points penalty of five or more points, or offences totalling more than six points.

If sufficient points have been accrued or offences committed resulting in a period of disqualification of the applicant's DVLA driving licence then an application for a Hackney Carriage or Private Hire driver licence may not normally be considered until a period of twenty-four months has elapsed following its restoration and a warning should be issued as to future conduct.

If the DVLA driving licence of an applicant or an existing driver is revoked following the acquisition of six or more points during the first two years since passing the DVLA driving test, then a period of 24 months following the restoration of the licence must have elapsed before a Hackney Carriage or Private Hire driving licence can be granted

Drivers already licensed who are convicted any single offence which results in a penalty of five or more points or acquires nine or more penalty points, should be interviewed and may be referred to the Licensing Sub-Committee.

When a driver who is already licensed with this authority is disqualified from holding or obtaining a DVLA driving licence, the licence will be suspended. A period of 24 months following the restoration of the licence must have elapsed before a Hackney Carriage or Private Hire driving licence application may be considered. The driver may be required to appear before the Hackney Carriage and Private Hire Licensing Sub-Committee before the licence is reinstated.

Drivers already licensed and applicants awaiting the grant of a licence must inform the Taxi Licensing office within 7 days of any conviction.

### **Major traffic offences**

E.g. dangerous driving, drive whilst disqualified, fail to stop after an accident, using a handheld mobile telephone whilst driving, no insurance, careless driving, using vehicle with defective brakes/tyres/steering wheel etc. If the applicant has been convicted of one isolated major traffic offence a **period of 12 months** free of convictions will usually be expected prior to consideration of grant.

If the applicant has been convicted of two or more major traffic offences then a licence will not normally be granted until the applicant has completed at least a **period of 2 years** free from conviction. This period may increase where the combination of offences are considered to increase the risk to the public.

We consider 'death by careless driving' or 'death by dangerous driving' to be a very serious offence. If the applicant has been convicted of such an offence a **period of 3 years** free of convictions will usually be expected prior to consideration of an application. In all such cases, the matter will be determined by the Hackney Carriage & Private Hire Licensing Sub-Committee.

### **Plying for Hire**

A serious view is taken of this offence, particularly since the vehicle will almost certainly have been carrying fare-paying passengers whilst uninsured.

One conviction for the offence of plying for hire, and the licence holder will be required to appear before the Hackney Carriage and Private Hire Licensing Sub-Committee, where if found guilty of the offence then the licence holder should expect to receive a revocation of their licence.

If a licence is revoked a period of twenty-four months should have elapsed before any application is considered.

### **Drunkenness (With Motor Vehicle)**

A serious view should be taken of convictions of driving or being in charge of a vehicle while under the influence of alcohol. A conviction for this offence should raise grave doubts as to the applicants' fitness to hold a licence and at least 3 years should elapse (after the restoration of the driving licence) before an application for a licence is considered.

If there is any suggestion that the applicant is an alcoholic, a special medical examination should be arranged before the application is entertained. If the applicant is found to be an alcoholic a period of 5 years should elapse after treatment is complete before a further licence application is considered.

### **Drunkenness (Not in Motor Vehicle)**

An isolated conviction for drunkenness need not debar an applicant from gaining a licence. However, more than one conviction for drunkenness could indicate a medical problem necessitating critical examination.

### **Drugs**

A serious view should be taken of this type of offence. An applicant with a conviction or caution for any drug related offence should be required to show a period of at least 3 years free of conviction or caution before an application is entertained, or 5 years after detoxification treatment if he/she was an addict.

Any person convicted of supplying drugs should not be considered for the grant of a licence for at least 5 years following conviction. If the applicant has received a custodial sentence, the 5 years should be counted from the completion of the full sentence. If a licence is granted, the applicant should be warned of the serious consequences of driving a motor vehicle whilst under the influence of drugs.

### **Indecency Offences**

As Hackney Carriage and Private Hire vehicle drivers often carry unaccompanied passengers. Applicants with any cautions or convictions for indecent exposure, indecent assault, importuning, or any of the more serious sexual offences, should be refused a Hackney Carriage or Private Hire drivers licence until they can show a substantial period (at least 5 years) free of such offences before being considered to hold a licence. Any applicant with a single caution or conviction of this kind should expect to have their application determined by the Hackney Carriage and Private Hire Licensing Sub-Committee. A person with more than once caution or conviction for any indecency offence would not normally be considered to be a suitable applicant.

A person who already holds a licence with this Authority, if charged with any indecency offence may expect to have their licence immediately suspended until the case is resolved by either the Police or by the Courts.

**No application will be considered from a person currently on the Sex Offender's Register.**

### **Violence**

As Hackney Carriage and Private Hire vehicle drivers maintain close contact with the public, a firm line should be taken with applicants who have convictions for grievous bodily harm, wounding or assault.

At least 3 years free of such convictions should be shown before an application is entertained and even then a strict warning should be given.

Offences involving breaches of public order should be treated seriously even if the case resulted in the applicant being bound over. More than one offence of this nature may indicate a propensity for this type of behaviour and at least three years free of conviction should be shown before an application is entertained.

### **Dishonesty**

Hackney Carriage and Private Hire vehicle drivers are expected to be persons of trust. The widespread delivery of unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare etc.

Overseas visitors can be confused by the change in currency and become "fair game" for an unscrupulous driver. For these reasons a serious view should be taken of any conviction involving dishonesty. In general, a period of 3 to 5 years free of conviction or if a custodial sentence, 3 to 5 years from the completion should be required before entertaining an application.

### **Complaints Against Drivers**

Complaints are frequently made against Hackney Carriage and Private Hire drivers. Such complaints include refusal to assist a disabled passenger, use of abusive language or refusal to accept a fare. Such complaints should be investigated and dealt



with by the Licensing Officer, and if the complaint is serious enough, the applicant may be invited to make representations. At the Officer's discretion the applicant may be requested to attend an interview.

The Licensing Officer will consider the conduct of licence holders, taking into account the circumstances surrounding any alleged incident, and the realities of the profession, where drivers are often the subject of unwarranted abuse from members of the public.

The Licensing Officer will consider the history of all complaints made against the driver to assess any patterns. If a pattern is identified, then the Officer will consider whether the driver is fit and proper person to hold such a licence, and the matter referred to the Licensing Sub-Committee for determination.

#### Conclusion

Any applicant having a previous or current conviction should not necessarily prevent them from obtaining a Hackney Carriage or Private Hire licence.

A person who has committed an offence and who is made to wait for a rehabilitation period to lapse prior to their application being accepted, is more likely to value their licence and act accordingly. However, there are certain offences that are considered so serious that they will usually prevent a person obtaining or keeping a licence.

It is this Authority's policy to consider the safety, protection and well being of the general public by ensuring all licensed drivers are safe and competent drivers and are able to maintain their vehicles to an acceptable standard.

The main purpose of the Licensing Officer's assessment is to ensure the public safety; not to punish or financially penalise licence holders. By applying these guidelines, the Council is seeking to maintain the high standard of quality of Hackney Carriage and Private Hire drivers, operators and proprietors in the City, which in turn maintains the good reputation of the taxi industry and the high quality of service to the travelling public.

Any applicant refused a licence on the grounds that the Licensing Officer is not satisfied he/she is a fit and proper person to hold such a licence, or who has had their licence suspended or revoked and disagrees with that decision, has a right of appeal by way of written complaint, to the Magistrates' Court within **21 days of the notice of decision**.

## APPENDICES

### Appendix 1.0: Table of Rehabilitation of Offenders Act

The Rehabilitation of Offenders Act 1974 provides that after a certain lapse of time, convictions for offences are to be regarded as "spent". Set out below are some examples of when convictions become "spent". Please note that it is from **the date of conviction** that the time commences for the Rehabilitation of Offenders Act.

#### Adult

	Sentence	Rehabilitation Period
1.	2 ½ years (30 months) imprisonment and over whether sentence was suspended or not	Never spent
2.	6 months imprisonment/youth custody and over but under 30 months whether sentence was suspended or not	10 years
3.	Under 6 months imprisonment/youth custody whether sentence was suspended or not	7 years
4.	A Fine, Compensation or Community Service Order	5 years
5.	Conditional Discharge, Bound Over or Probation Order. (Also includes Fit Person, Supervision and Care Orders)	1 year or period of probation sentence, whichever is longer
6.	Absolute Discharge	6 months
7.	Disqualification, disability or prohibition	Period of sentence unless a longer period as above (e.g. disqualification and a fine – 5 years)
8.	Remand Home/Approval School/ Attendance Centre Orders	1 year after Order expires
9.	Hospital Order Under Mental Health Acts	The period of the Order plus a further 2 years after Order expires (with a minimum of 5 years from the date of the conviction)

#### Youths

For applicants aged under 17 when the date of conviction took place 2, 3 and 4 above of the fixed rehabilitation periods are halved. Sentences which can only be passed on young offenders remain **fixed** and cannot be halved, i.e.

	Sentence	Rehabilitation Period
10.	Borstal	7 years
11.	6 months – 2 ½ years detention in a place determined by the Secretary of State	5 years
12.	6 months detention and less as above	3 years
13.	Detention Centre Orders	3 years

The period of time which must elapse in other cases before the conviction becomes "spent" may vary considerably according to the nature of the offence and other circumstances. **The rehabilitation period may, for example, be extended by the commission of a further offence during the rehabilitation period**

**APPLICATION FORM: HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE**

**Preamble:** We may get information about you from certain third parties, or give information to them, to check the accuracy of information, to prevent or detect crime, or to protect public funds in other ways, as permitted by law. These third parties include other local authorities and Government departments.

To: The Head of Environmental Development, Oxford City Council, Ramsay House, St Ebbe's Street, Oxford, OX1 1PT

**ALL QUESTIONS BELOW MUST BE ANSWERED AND NOT CROSSED OUT. PLEASE COMPLETE THIS FORM IN BLOCK CAPITALS**

**THIS APPLICATION FORM MUST BE COMPLETED BY THE APPLICANT.**

<b>NAME:</b>	
<b>ADDRESS:</b>	
<b>HOME TELEPHONE:</b>	<b>MOBILE TELEPHONE:</b>
<b>EMAIL ADDRESS:</b>	
I am applying to: <b>GRANT / RENEW</b> (delete as applicable)	
a: <b>HACKNEY CARRIAGE / PRIVATE HIRE</b> (delete as applicable) drivers licence	
<b>CURRENT BADGE NUMBER:</b>	<b>NATIONAL INSURANCE NO.:</b>
<b>NUMBER OF YEARS YOU HAVE HELD A UK DRIVING LICENCE:</b>	
<b>PROOF OF ENTITLEMENT TO WORK:</b>	<b>YES / NO</b> (delete as applicable)
<b>PROOF OF COMPETENCY IN ENGLISH LANGUAGE:</b> (New applicants only)	<b>YES / NO</b> (delete as applicable)
<b>WHICH PRIVATE HIRE OPERATOR DO / WILL YOU WORK FOR?</b>	
<b>HAS THERE BEEN ANY CHANGE IN YOUR HEALTH OR EYESIGHT SINCE THE GRANT OF YOUR PREVIOUS LICENCE:</b>	
<b>YES / NO</b> (delete as applicable) IF YOU HAVE ANSWERED YES, PLEASE GIVE DETAILS:	
<b>HAS YOUR DRIVER'S LICENCE BEEN SUSPENDED / REVOKED / ENDORSED FOR ANY OFFENCE IN THE LAST 3 YEARS?</b>	
<b>YES / NO</b> (delete as applicable)	
<b>IF YOU HAVE ANSWERED YES, PLEASE GIVE DATES AND FULL DETAILS:</b>	
<b>HAVE YOU EVER BEEN CONVICTED, OR ARE ANY PROCEEDINGS PENDING FOR ANY OFFENCE (INCLUDING SPENT OFFENCE CAUTIONS, REPRIMANDS &amp; WARNINGS)?</b>	
<b>YES / NO</b> (delete as applicable)	
<b>IF YOU HAVE ANSWERED YES, PLEASE GIVE DATES AND FULL DETAILS:</b>	

**PLEASE TURN OVER AND SIGN AND DATE YOUR APPLICATION**

**DECLARATION:**

I am aware that if any person knowingly or recklessly makes a false statement or omits any material particular in giving information on this form that person shall be guilty of an offence. This means that if you as the applicant, or anyone else gives false information or leaves out any information to help you get a licence, you and/or they can be prosecuted in court. I declare that I have checked the details given and to the best of my knowledge and belief they are correct. I am entitled to the licence for which I apply.

DATE:..... SIGNATURE:.....

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see <http://www.oxford.gov.uk/websitetools/privacy.cfm>.

**FOR OFFICE USE ONLY:**

NAME:		BADGE NO.:	
NEW LICENCE:	YES / NO	RENEWAL LICENCE:	YES / NO
APPLICATION FORM		YES / NO	
4 X PASSPORT PHOTOS (2 x PHOTOS IF RENEWAL)		YES / NO	
DVLA MANDATE		YES / NO	
CRB MANDATE (IF APPLICABLE)		YES / NO	NOT APPLICABLE
PROOF OF ENTITLEMENT TO WORK		YES / NO	(INSERT PROOF)
MEDICAL CERTIFICATE (IF APPLICABLE)		YES / NO	NOT APPLICABLE
EVIDENCE OF ENGLISH LANGUAGE (NEW APPLICANTS ONLY)		YES / NO	(INSERT PROOF)
FEE PAID		YES / NO	(INSERT AMOUNT)
DATE OF KNOWLEDGE TEST		(INSERT DATE)	
DATE OF DISABILITY AWARENESS COURSE		(INSERT DATE)	
IDENTIFICATION PROVIDED:	(INSERT PROOF)		
NOTES:			

PARIS INCOME CODE: K9571  
COST CENTRE: ED26

**TO BE ADDED TO THIS APPLICATION PACK  
BEFORE SENDING OUT:**

- 1. MEDICAL QUESTIONNAIRE**
- 2. DVLA MANDATE**
- 3. CRB MANDATE**

## OXFORD CITY COUNCIL

### HACKNEY CARRIAGE & PRIVATE HIRE VEHICLE LICENSING APPLICATION PACK

CONTAINED WITHIN THIS APPLICATION PACK YOU WILL FIND:

**1. INTRODUCTION & CONTACTS:**

- INTRODUCTION
- OXFORD CITY COUNCIL LICENSING TEAM DETAILS
- OXFORD CITY COUNCIL'S MOTOR TRANSPORT SECTION DETAILS
- CITY OF OXFORD LICENSED TAXICAB ASSOCIATION DETAILS

**2. FEES & CHARGES:**

- CURRENT LEVELS OF FEES AND CHARGES

**3. PROCEDURES TO OBTAIN A VEHICLE LICENCE:**

- PROCEDURE FOR NEW VEHICLE LICENCE
- PROCEDURE FOR INTERIM INSPECTIONS
- PROCEDURE FOR RENEWING EXISTING VEHICLE LICENCE
- PROCEDURE FOR CHANGE OF VEHICLE
- PROCEDURE FOR TRANSFER OF OWNERSHIP OF VEHICLE
- PROCEDURE FOR REPLACEMENT VEHICLE FOLLOWING AN ACCIDENT

**4. VEHICLE BYELAWS, CONDITIONS, CRITERIA:**

- BYELAWS RELATING TO HACKNEY CARRIAGE
- FIRST SCHEDULE: STANDS FOR HACKNEY CARRIAGES IN THE CITY OF OXFORD
- SECOND SCHEDULE: FARES AND CHARGES
- LIMITING THE NUMBER OF LICENSED HACKNEY CARRIAGE VEHICLES
- EUROPEAN EMISSIONS STANDARDS INFORMATION APPLICABLE TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES
- CONDITIONS APPLICABLE TO THE LICENSING OF HACKNEY CARRIAGE VEHICLES
- CONDITIONS APPLICABLE TO THE LICENSING OF PRIVATE HIRE VEHICLES
- PRIVATE HIRE VEHICLE CONDITIONS
- EXEMPTION FROM DISPLAYING PLATES ON PRIVATE HIRE VEHICLE

**5. APPLICATION FORM:**

- APPLICATION FORM FOR THE GRANT / RENEWAL / CHANGE OF VEHICLE / TRANSFER OF OWNERSHIP / TEMPORARY REPLACEMENT VEHICLE FOR A HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLE

## **INTRODUCTION**

**It is important that you read this application pack in full before purchasing a vehicle for licensing. This application pack should be kept for future reference so that you are fully aware of the conditions of licensing.**

**Appointments:** An appointment with the Licensing Officer must be booked in advance. To book an appointment please ring: 01865-252115.

**Change of Address:** You must notify the Council within 7 days of any change of address. The notification must be in writing.

**Transfers of Ownership – Registered Holder of Licence:** You have a legal obligation under Section 49 of the Local Government (Miscellaneous Provisions Act) 1976 to notify the licensing authority of a transfer of ownership. The notification must be in writing sent within 14 days of the transfer. Failure to comply may result in the Council taking legal action against you.

**Interpretation:** For the purpose of the conditions detailed in this application pack, **The Licensing Officer** means an officer of Oxford City Council for the time being authorised in writing by the council for the purposes of part II of the Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847, The Transport Act 1985 and the bye laws made thereunder.

**NOTE:** The council being in possession of a certificate of exemption granted by the Secretary of State for Transport is required to issue a certificate of compliance in respect of each licensed Private Hire Vehicle operating within the district. By virtue of the said certificate of exemption, the council may not accept anything other than a certificate of compliance as evidence of the satisfactory condition of the vehicle which is to be licensed. The test may only be carried out at a testing station appointed by the council and authorised by the Department of Transport. The test must be at least to M.O.T. standard before the certificate can be issued. When presenting the vehicle for licensing or re-licensing you must ensure that the date of issue of the certificate of compliance is not more than 28 days prior to the date of issue of the licence.

The approved testing station is the Cowley Marsh Depot, who can also provide further details to the compliance test carried out on the vehicle. Details of the testing station can be found elsewhere on this page.

**Nothing in this document shall be interpreted as over riding the provisions of the part II of the Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847, The Transport Act 1985 and the byelaws made thereunder.**

## **CONTACT DETAILS:**

### **OXFORD CITY COUNCIL LICENSING TEAM**

Licensing Team, Oxford City Council, Ramsay House, 10 St. Ebbe's Street, Oxford, OX1 1PT

Tel: 01865 252115. Fax: 01865 252115. Email: [taxilicensing@oxford.gov.uk](mailto:taxilicensing@oxford.gov.uk) Website: <http://www.oxford.gov.uk/taxilicensing>

### **OXFORD CITY COUNCIL'S MOTOR TRANSPORT SECTION**

Cowley Marsh Depot, Marsh Road, Cowley, Oxford, OX4 2HH.

Tel: 0800 227676

### **CITY OF OXFORD LICENSED TAXICAB ASSOCIATION**

67 Bulan Road, Headington, Oxford, OX3 7HZ

Tel: 01865 760113 or Mob: 07877 175988 (9am to 6pm Monday to Friday)

Email: [agw.woodward@btinternet.com](mailto:agw.woodward@btinternet.com) or [alanwoodward67@aol.com](mailto:alanwoodward67@aol.com)

## FEES & CHARGES

Full fees are required upon application or renewal. Fees once paid are not refundable and may be varied from time to time to meet the cost of issue and administration.

VEHICLES FEES AND CHARGES	
HACKNEY CARRIAGE LICENCE FEE: 1YR	£400.00
PRIVATE HIRE LICENCE FEE: 1YR	£262.00
PLATE DEPOSIT – NEW VEHICLE	£50.00
TRANSFER OF OWNERSHIP	£100.00
CHANGE OF VEHICLE HACKNEY CARRIAGE	£100.00
CHANGE OF VEHICLE PRIVATE HIRE	£100.00
CHANGE OF NAMED DRIVER TEMPORARY REPLACEMENT VEHICLE	£75.00
REPLACEMENT EXTERNAL PLATE	£25.00
REPLACEMENT INTERNAL STICKER PHV	£5.00
REPLACEMENT DOOR STICKERS PHV(PAIR)	£35.00
REPLACEMENT EXEMPT STICKERS / PLATE	£25.00
REPLACEMENT INTERNAL PLATE HCV	£5.00
REPLACEMENT QUARTER PANEL NUMBERS HCV	£10.00
REPLACEMENT NO-SMOKING SIGNS	£1.00
DUPLICATE FARE CHART	£2.00
DUPLICATE PAPER LICENCE	£2.00

### FEES AND CHARGES APPLICABLE TO ALL NEW VEHICLE APPLICATIONS

NEW HACKNEY CARRIAGE VEHICLE LICENCE	
PLATE DEPOSIT	£50.00
INTERNAL PLATE & EXTERNAL PLATE	INCLUDED IN FEE
REAR QUARTER NUMBERS	INCLUDED IN FEE
C.O.C.	DIRECT TO WORKS
HACKNEY CARRIAGE LICENCE FEE	£400.00
<b>TOTAL</b>	<b>£450.00</b>
NEW PRIVATE HIRE VEHICLE LICENCE	
PLATE DEPOSIT	£50.00
INTERNAL PHV STICKER	INCLUDED IN FEE
EXTERNAL PLATE	INCLUDED IN FEE
DOOR STICKERS	INCLUDED IN FEE
C.O.C.	DIRECT TO WORKS
PRIVATE HIRE LICENCE FEE	£262.00
<b>TOTAL</b>	<b>£312.00</b>

### FEES PAID DIRECTLY TO THE COWLEY MARSH DEPOT

HACKNEY CARRIAGE VEHICLE COMPLIANCE TEST	£66.20
PRIVATE HIRE VEHICLE COMPLIANCE TEST	£61.20
HACKNEY CARRIAGE VEHICLE RETEST	£30.00
PRIVATE HIRE VEHICLE RETEST	£30.00
DUPLICATE CERTIFICATE OF COMPLIANCE	£15.00
NON-SCHEDULED METER TESTING AND SEALING	£15.00
DOOR STICKERS (PAIR) / REPLACEMENT STICKERS	£35.00
REAR QUARTER NUMBERS HCV / REPLACEMENT QUARTER NUMBERS	£10.00

## PROCEDURE FOR A NEW HACKNEY CARRIAGE / PRIVATE HIRE VEHICLE LICENCE

It is your responsibility to ensure that the vehicle meets the conditions and criteria detailed in this document relating to Hackney Carriage and Private Hire vehicles. The full specifications are contained within this document. Therefore you should ensure that any vehicle you wish to purchase is suitable to be licensed before you buy it.

You will see from the full licensing conditions that the maximum age for a new vehicle is five years when it is licensed (not when the application is made).

No allowance is made for the vehicle's age when it is and as it must be in an "as new" condition.

The procedure below relates to the licensing of all new vehicle licences, renewing a vehicle licence, and interim inspections:

1. You will need to contact the Council's Motor Transport Section, Marsh Road, Cowley, Oxford, OX4 2HH. Tel. No. 0800 2227676 to book an appointment for the vehicle to undergo a Compliance Test (M.O.T.).
2. If the vehicle passes the test, the Testing Station will issue a **CERTIFICATE OF COMPLIANCE** for the vehicle.
3. You will then need to book an appointment with the Licensing Team, Ramsay House, 10 St. Ebbe's Street, Oxford, OX1 1PT. Tel. No.: 01865 252115, informing them of the make, model, colour, registration number, passenger seating capacity of the vehicle.
4. You must then attend this appointment, and bring with you (if you fail to bring any of these documents, you will need to rebook your appointment):
  - **COMPLETED APPLICATION FORM**
  - **INSURANCE CERTIFICATE OR COVER NOTE (ORIGINAL, NOT A PHOTOCOPY)**
  - **VEHICLE OWNERSHIP DOCUMENT / LOG BOOK**
  - **CERTIFICATE OF COMPLIANCE**
  - **PAYMENT FOR THE FEE (DEBIT / CREDIT CARD, CHEQUE, POSTAL ORDER) (SEE FEES & CHARGES)**
5. If all of the above documents are valid, and you make your payment in full, you will be issued with a licence plate\*. The paper licence will be posted to your home address.
6. Upon receipt of your licence plate, you will need to contact the Testing Station, who will affix the licence plate\* to the vehicle, and issue you with the relevant new stickers for your vehicle (if applicable).

## PROCEDURE FOR INTERIM INSPECTION OF LICENSED VEHICLE

This procedure relates to the 6 monthly Certificate of Conformity that must be submitted to the Licensing Team. This process is known commonly as the "Interim Inspection".

1. Approximately 4 months in to your vehicle licence, the Licensing Team will send you a "Reminder Letter" (there is no legal obligation on the Council to do this, and it is your responsibility to ensure that the conditions of the vehicle licence are complied with) that the vehicle is due an "INTERIM INSPECTION". This is because the conditions applicable to vehicle licences state that your vehicle will need to be re-tested every 6 months. It is advisable to book this test before leaving the Testing Station at your original Test. The new Certificate of Conformity must not be dated any earlier than 28 days prior to the 6 month anniversary of your vehicle licence.
2. You will need to contact the Licensing Team, in order to book an appointment to submit your Interim Inspection Certificate of Conformity.
3. You must then attend this appointment, and bring with you (if you fail to bring any of these documents, you will need to rebook your appointment):
  - **INSURANCE CERTIFICATE OR COVER NOTE (ORIGINAL, NOT A PHOTOCOPY)**
  - **VEHICLE OWNERSHIP DOCUMENT / LOG BOOK**
  - **CERTIFICATE OF COMPLIANCE**

## PROCEDURE FOR RENEWING AN EXISTING VEHICLE LICENCE

1. Approximately 2 months before the annual vehicle licence is due to expire, the Licensing Team will send you a "Reminder Letter". There is no legal obligation on the Council to do this, and it is your responsibility to ensure that the vehicle licence is renewed in a timely manner.
2. Upon receipt of the reminder letter, you should put in place your arrangements (if had have not already done so) with the Testing Station for the next Compliance Test. The new Certificate of Conformity must not be dated any earlier than 28 days prior to the expiry of your vehicle licence.
3. You will then need to contact the Licensing Team to book an appointment to renew the vehicle licence.
4. You must then attend this appointment, and bring with you (if you fail to bring any of these documents, you will need to rebook your appointment):
  - **COMPLETED APPLICATION FORM**
  - **INSURANCE CERTIFICATE OR COVER NOTE (ORIGINAL, NOT A PHOTOCOPY)**
  - **VEHICLE OWNERSHIP DOCUMENT / LOG BOOK**
  - **CERTIFICATE OF COMPLIANCE**
  - **PAYMENT FOR THE FEE (DEBIT / CREDIT CARD, CHEQUE, POSTAL ORDER) (SEE FEES & CHARGES)**
5. If all of the above documents are valid, and you make your payment in full, you will be issued with your new licence plate\*. The paper licence will be posted to your home address.

\* **LICENCE PLATES:** Plates are made at the licensing office and you will get a new one each year, but you must surrender your old plate in exchange for a new one, so make sure you bring it with you to the office at your appointment.

## PROCEDURE FOR CHANGING AN EXISTING LICENCE TO A NEW VEHICLE

The procedure below relates to the licensing of a vehicle when the proprietor purchases a vehicle to replace his current licensed vehicle:

1. You will need to contact the Council's Motor Transport Section, Marsh Road, Cowley, Oxford, OX4 2HH. Tel. No. 0800 227676 to book an appointment for the vehicle to undergo a Compliance Test.
2. If the vehicle passes the test, the Testing Station will issue a **CERTIFICATE OF COMPLIANCE** for the vehicle.
3. You will then need to book an appointment with the Licensing Team, Ramsay House, 10 St. Ebbe's Street, Oxford, OX1 1PT. Tel. No.: 01865 252115, informing them of the make, model, colour, registration number, passenger seating capacity of the vehicle.
4. You must then attend this appointment, and bring with you (if you fail to bring any of these documents, you will need to rebook your appointment):
  - **COMPLETED APPLICATION FORM**
  - **INSURANCE CERTIFICATE OR COVER NOTE (ORIGINAL, NOT A PHOTOCOPY)**
  - **VEHICLE OWNERSHIP DOCUMENT**
  - **CERTIFICATE OF COMPLIANCE (ISSUED NO MORE THAN 28 DAYS PRIOR TO YOUR APPOINTMENT)**
  - **PAYMENT FOR THE FEE (DEBIT / CREDIT CARD, CHEQUE, POSTAL ORDER) (SEE FEES & CHARGES)**
5. If all of the above documents are valid, and you make your payment in full, you will be issued with a licence plate. The paper licence will be posted to your home address.

**LICENCE PLATES:** Plates are made at the licensing office and you will get a new one each year, but you must surrender your old plate in exchange for a new one, so make sure you bring it with you to the office.

## PROCEDURE FOR TRANSFER OF OWNERSHIP OF A LICENSED VEHICLE

The procedure below relates to the licensing of a vehicle when the proprietor sells a vehicle to another licensed driver for his / her use:

1. You (the new owner) will need to book an appointment with the Licensing Team, Ramsay House, 10 St. Ebbe's Street, Oxford, OX1 1PT. Tel. No.: 01865 252115.
2. You must then attend this appointment, and bring with you (if you fail to bring any of these documents, you will need to rebook your appointment):
  - **COMPLETED APPLICATION FORM**
  - **LETTER FROM THE PREVIOUS PROPRIETOR STATING THE DETAILS OF THE VEHICLE AND THE DATE THE VEHICLE WAS SOLD TO YOU**
  - **INSURANCE CERTIFICATE OR COVER NOTE (ORIGINAL, NOT A PHOTOCOPY)**
  - **VEHICLE OWNERSHIP DOCUMENT (LOG BOOK OR OTHER PROOF OF OWNERSHIP)**
  - **CERTIFICATE OF CONFORMITY (PASSED ON TO YOU BY THE PREVIOUS PROPRIETOR)**
  - **PAYMENT FOR THE FEE (DEBIT / CREDIT CARD, CHEQUE, POSTAL ORDER) (SEE FEES & CHARGES)**
3. If all of the above documents are valid, and you make your payment in full, you will be issued with a paper licence posted to your home address. The licence plate will not need to be changed.

## PROCEDURE FOR REPLACEMENT VEHICLE FOLLOWING AN ACCIDENT

The procedure below relates to the licensing of a vehicle that will be used as a replacement vehicle should your current vehicles not be useable following an accident.

1. You will need to contact the Licensing Team, Ramsay House, 10 St. Ebbe's Street, Oxford, OX1 1PT. Tel. No.: 01865 252115 to advise us that you have been involved in an accident. You must report this within 72 hours of the accident and provide a letter confirming this and give the vehicle licence plate back to the Licensing Team.
2. You must give the Licensing Team details of the company that will be providing you with a replacement vehicle. The Licensing Team will liaise directly with the company providing you with a replacement vehicle.
3. The replacement vehicle company will complete an application form to licence the replacement vehicle.
4. They will need to contact the Council's Motor Transport Section, Marsh Road, Cowley, Oxford, OX4 2HH. Tel. No. 0800 227676 to book an appointment for the vehicle to undergo a Compliance Test.
5. If the vehicle passes the test, the Testing Station will issue a **CERTIFICATE OF COMPLIANCE** for the vehicle.
6. The replacement vehicle company then need to book an appointment with the Licensing Team, Ramsay House, 10 St. Ebbe's Street, Oxford, OX1 1PT. Tel. No.: 01865 252115.
7. When they then attend this appointment, they will need to bring with them:
  - **COMPLETED APPLICATION FORM**
  - **INSURANCE CERTIFICATE OR COVER NOTE (ORIGINAL, NOT A PHOTOCOPY)**
  - **VEHICLE OWNERSHIP DOCUMENT**
  - **CERTIFICATE OF COMPLIANCE**
  - **PAYMENT FOR THE FEE (DEBIT / CREDIT CARD, CHEQUE, POSTAL ORDER) (SEE FEES & CHARGES)**
8. If all of the above documents are valid, and payment has been made in full, the paper licence will be posted to the Replacement Vehicle Company, and they will contact you to inform you that the vehicle is now licensed.
9. Upon receiving this confirmation, you will need to book an appointment with the Licensing Team to obtain the vehicle plate (and to surrender your original plates). Upon receipt of your vehicle plate, you will need to book an appointment with the Testing Station to collect and affix any additional stickers / livery required).



## BYELAWS RELATING TO HACKNEY CARRIAGES

Made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875, by the Lord Mayor, Alderman and Citizens of Oxford, acting by the Council, with respect to Hackney Carriages in Oxford.

### INTERPRETATION

1. Throughout these byelaws "the Council" means the Lord mayor, Alderman and Citizens of Oxford, acting by the Council, and "the district" means the City of Oxford.

### PROPRIETORS AND DRIVERS

2. Every proprietor or driver of a Hackney Carriage shall, at times, when standing, plying, or driving for hire, conduct himself in an orderly manner. He shall also conduct himself with civility and propriety towards every person seeking to hire or hiring or being conveyed in such carriage, and shall comply with every reasonable requirement of any person hiring or being conveyed in such carriage.
3. Every driver of a Hackney Carriage shall be clean in person and shall, when standing, driving, or plying for hire, wear clean and respectable clothes.
4. Every driver of a Hackney Carriage of a description for which stands are fixed by any byelaw in that behalf shall:
  - a. if a stand, at the time of his arrival is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
  - b. on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand so as to face in the same direction;
  - c. 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;
  - d. whilst his carriage is the first carriage stationed on a stand constantly attend such carriage and be ready to be hired at once by any person.
5. Every proprietor or driver of a Hackney Carriage who shall agree or shall have 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.
6. A driver of a Hackney Carriage shall not carry more than the number of passengers for which his carriage is licensed to carry.
7. Every driver of a Hackney Carriage shall at all times when standing, plying, or driving for hire, wear attached to his outer clothing in such a manner as to be clearly visible a badge to be provided by the Council. He shall not permit any other person to wear such badge.
8. Every driver of a Hackney Carriage shall when requested by any person hiring or seeking to hire the carriage:
  - a. convey a reasonable quantity of luggage;
  - b. afford reasonable assistance in loading and unloading;
  - c. afford reasonable assistance in removing it to or from the entrance of any house, station, or place at which he may take up or set down such person.
9. Every proprietor or driver of a Hackney Carriage who shall knowingly convey in the carriage the dead body of any person shall, immediately thereafter, notify the fact to the Medical officer of Health of the Council.
10. Every driver of a Hackney Carriage provided with a taximeter shall:
  - a. when standing or plying for hire keep the flag or other device of the taximeter bearing the words "FOR HIRE" locked in the position in which the words are horizontal and legible;
  - b. as soon as the carriage is hired by distance and before commencing the journey bring the machinery of the taximeter into action by moving the flag or other device so that the words are not conveniently legible.
12. A proprietor or driver of a Hackney Carriage shall not, with intent to deceive, tamper with or permit any person to tamper with any taximeter with which the carriage is provided.

### HACKNEY CARRIAGES

13.
  - a. Every proprietor of a Hackney Carriage shall cause to be fixed to the rear of such carriage in such a manner as to be at all times plainly visible a metal plate bearing the number of such Hackney Carriage corresponding to its licence.
  - b. The proprietor or driver shall not wilfully or negligently cause such number to be concealed from the public view when such carriage is standing, driving or plying for hire.
14. Every proprietor of a Hackney Carriage shall cause such carriage to be fitted with a taximeter so constructed, attached, and maintained as to comply with the following rules, viz:
  - i. The taximeter shall be fitted with a flag or other device bearing the words "FOR HIRE" on each side thereof in plain letters at least 2 inches in height, and the flag or other device shall be capable of being locked in a position in which the words are horizontal and legible;
  - ii. when the flag or other device is so locked the machinery of the taximeter shall not be in action, and the means of bringing it into action shall be by moving the flag or other device so that the words are not conveniently legible.
  - iii. when the flag or other device is so locked that the aforesaid words are horizontal and legible no fare shall be recorded on the face of the taximeter.
  - iv. when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the byelaw in that behalf;
  - v. 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;
  - vi. the taximeter shall be so placed that all letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be suitably illuminated when the carriage is in use during the hours of darkness.
  - vii. 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.

15. No advertisements or written matter of any kind shall be exhibited on the inside or outside of any Hackney Carriage, except by special permission of the Council. Provided that this byelaw shall not apply to any sign which is required by law to be displayed in or upon such carriage.

#### STANDS

16. Each of the several places specified in the First Schedule to these byelaws shall be a stand for such number and description of Hackney Carriages as are specified in that said Schedule.

#### FARES AND OTHER CHARGES

17. 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 in the table set out in the Second Schedule to these byelaws, the rate or fare being calculated by distance unless the hirer express at the commencement of the hiring his desire to engage by time. Provided always that where a Hackney Carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the table in the said Schedule which it may not be possible to record on the face of the taximeter.
18. 1) Every proprietor of a Hackney Carriage plying for hire of a description for which any fares are fixed by any byelaw in that behalf shall:
- cause a statement of such fares to be displayed on the inside of the carriage, or on a plate affixed thereto, in clearly distinguishable letters and figures;
  - renew such letters and figures as often as is necessary to keep them clearly visible.
- 2) 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.
19. In the case of journeys which end or start outside the City boundary, the driver of every Hackney Carriage shall before starting the journey inform his passengers that the fares laid down in these byelaws do not apply and shall state the manner in which he proposes to assess the fare or quote the fare for the whole journey.

#### LOST PROPERTY

20. Every proprietor or driver of a Hackney Carriage shall, immediately after the termination of any hiring, carefully search the carriage for any property which may have been accidentally left therein.
21. Every 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:
- carry it within 24 hours, if not sooner claimed by or on behalf of its owner, to a Police Station, and leave it in the custody of the Police on obtaining a receipt for it;
  - be entitled to receive from any person to whom the property shall be redelivered an amount equal to one shilling in the pound of its estimated value but not more than five pounds or less than one shilling.

#### PENALTIES

22. Every proprietor or driver of a Hackney Carriage who shall offend against any of the foregoing byelaws shall be liable for every such offence to a penalty of twenty pounds and in the case of a continuing offence to a further penalty of two pounds for each day after written notice of the offence from the Council: Provided, nevertheless, that the justices or court before whom any complaint may be made or any proceedings may be taken in respect of any such offence may, if they think fit, adjudge the payment, as a penalty, of any sum less than the full amount of the penalty imposed by this byelaw.

#### REPEAL OF BYELAWS

23. The byelaw relating to Hackney Carriages in the City of Oxford which were made by the Council:
- on the third day of June 1929, allowed by the Minister of Health on the first day of August 1929;
  - on the seventh day of June 1937, and confirmed by the Minister of Health on the fourth day of August 1937;
  - on the twenty-first day of April 1958, and confirmed by the Secretary of State on the ninth day of June 1958;
  - on the sixteenth day of May 1964, and confirmed by the Secretary of State on the fourth day of June 1964; are hereby repealed.

### FIRST SCHEDULE: STANDS FOR HACKNEY CARRIAGES IN THE CITY OF OXFORD

- High Street:** On the north side of the road from a point 35 feet east of the east kerbline of Turl Street extending in an easterly direction for a distance of 36 feet. **For 2 carriages.**
- St. Giles' Street:** In the centre of the road, immediately to the north of the public lavatory. **For 20 carriages.**
- Gloucester Green:** On the south perimeter road, from a point 155 feet east of the east kerbline of Worcester Street, extending in an easterly direction for a distance of 76 feet. **For 12 carriages.**
- Cowley Place:** On the west side of the road, from a point 76 feet south of the south kerbline of The Plain roundabout, extending in a southerly direction for a distance of 45 feet. **For 3 carriages.**

#### OTHER STANDS FOR HACKNEY CARRIAGES IN THE CITY OF OXFORD

- Barns Road:** For 4 carriages
- Between Towns Road:** For 2 carriages
- London Road** For 1 carriage (South East Side) For 1 carriage (North West Side)
- Oakthorpe Road:** For 2 carriages
- Park End Street:** For 3 carriages
- Queen Street:** For 3 carriages
- Oxford Rail Station:** Subject to the consent of the land owner

## SECOND SCHEDULE: FARES AND OTHER CHARGES

Fares for Distance Travelled and time		
Tariff 1	For the first 80 metres or part thereof	£2.45
06.00 - 22.00	Each subsequent 80 metres or part thereof until 1600 metres	£0.10
Monday to Saturday	each subsequent 125 metres or part thereof	£0.10
Waiting Time: For each period of 20.3 seconds or part thereof	£0.10 For each trunk carried	£1.00
Tariff 2	For the first 53 metres or part thereof	£2.50
22.00 - 06.00 Monday to Saturday all day Sunday	each subsequent 53 metres or part thereof until 2120 metres	£0.10
All Public Holidays (except Tariff 3) from 00.01 until 06.00 the following day	each subsequent 130 metres or part thereof	£0.10
WAITING TIME For each period of 18.9 seconds or part thereof	£0.10 For each trunk carried	£1.00
Tariff 3	For the first 80 metres or part thereof	£2.65
Christmas From 20.00 24th Dec Until 06.00 27th Dec	each subsequent 80 metres or part thereof until 1600 metres	£0.15
New Year From 20.00 31st Dec Until 06.00 2nd Jan	each subsequent 125metres or part thereof	£0.15
WAITING TIME For each period of 20.3 seconds or part thereof	£0.15 For each trunk carried	£1.50
For each passenger in excess of one		£0.20
For each article of baggage carried outside the passenger compartment of the cab		£0.10
For each adult pedal cycle carried (except folding)		£1.00
For each wheeled vehicle carried (except mobility impaired persons vehicle)		£0.10
PAYMENT by cheque credit card or debit card		£0.50
SOILAGE CHARGE * To cover cleaning and loss of income, where the interior of the vehicle is soiled due to the excessive consumption of alcohol etc. or by the carriage of an animal, excluding guide dogs.		£30.00

## LIMITING THE NUMBER OF LICENSED HACKNEY CARRIAGE VEHICLES

Full Council has decided that the Council's policy of quantity control on the number of Hackney Carriage vehicle licences should be maintained. It considers that the Council is best placed to determined local transport needs and that those needs must be determined in the context of the (long standing and consistent) traffic and transport policies in Oxford.

The City Council has maintained quantity control over the numbers of Hackney Carriage licences it issues for well over twenty years. However, it commissions regular surveys, conducted by independent specialist consultants, into whether there is, at the time of the survey, unmet demand for the services of Hackney Carriages in Oxford. Where the survey has found that there is unmet demand, the Council has issued additional licences so that supply equates with demand. In addition, both in connection with the survey and at other times, the Council has reviewed the amount and location of taxi stands. The Council has both full-time and part-time taxi stands, in the City centre and elsewhere.

In terms of quality control, the Council has driven up the quality of Hackney Carriages and Private Hire vehicles, and their drivers, so that the Council believes the quality and safety of the services provided by Hackney Carriages and Private Hire vehicles in Oxford is that of other leading local authorities. All Oxford's Hackney Carriages are wheelchair accessible. The Council is not complacent however, and continually reviews quality control, by enforcement and by other means.

At present there are 107 Oxford City licensed Hackney Carriages. An independent "unmet demand" survey is commissioned every 3 years, and it's results are presented to the Full Council to determine whether the number of licensed Hackney Carriages in Oxford should be increased.

## EUROPEAN EMISSION STANDARDS INFORMATION FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

On 15<sup>th</sup> June 2009 the General Purposes Licensing Committee approved the adoption of the European Emissions Standards in the City, this regulation determines the maximum age for vehicles permitted to be licensed by this Authority. European emission standards define the acceptable limits for exhaust emissions of new vehicles sold in EU member states. The emission standards are defined in a series of European Union directives staging the progressive introduction of increasingly stringent standards.

**New Vehicle Licences:** Following the adoption of the European Standards on vehicle emissions, at present any vehicle not already licensed by this Authority, in order to meet the current regulations, must not be older than 5 years of age at the date of the grant of the vehicle licence. Further changes to the Euro Emissions standards are expected to come in to force on 1<sup>st</sup> October 2012, which will mean that any person applying for a new vehicle licence after that date, will need to purchase a vehicle registered no earlier than 1<sup>st</sup> October 2009.

**Renewal of existing Vehicle Licences:** Following the adoption of the European Emissions Standard, all vehicles that are currently licensed must meet Euro 3 Emissions regulations. From 1<sup>st</sup> January 2013, all vehicles submitted for a licence renewal will need to be Euro 4 Emissions compliant, which in effect means that any vehicle first registered prior to 1<sup>st</sup> January 2005 will not meet current regulations.

Further information relating to the European Emissions Standards can be found European Commission website.

# CONDITIONS APPLICABLE TO THE LICENSING OF HACKNEY CARRIAGE VEHICLES

No vehicle shall be licensed as a Hackney Carriage unless it complies with the Council's Conditions of Fitness.

No vehicle shall be relicensed as a Hackney Carriage unless it complies with the Council's Conditions of Fitness. Exempt from this regulation will be those vehicles already licensed with this authority as Hackney Carriages, which are not fitted with a swivel seat. This exemption will apply only until the Government's specifications in respect of disability access and swivel seats are published.

It must be understood that although the conditions of fitness set out may have been complied with, approval will be withheld if the Council is of the opinion that the vehicle is unsuitable for use as a Hackney Carriage,

## CONDITIONS OF FITNESS

### 1. Age of Vehicle

- a. No vehicle will be first licensed as a Hackney Carriage unless it is less than five years of age from the date of first registration.
- b. Date of first registration will mean the date of first registration in the UK, or the date of manufacture in the case of vehicles first registered outside the UK.
- c. For vehicles older than the maximum age for first licensing, the application formalities and payment of fees must be fully completed within eight weeks of any expired licence.
- d. The minimum engine size for a vehicle is 1975cc
- e. All vehicles re-licensed after the 1<sup>st</sup> September 2010 must be Euro 3 emissions compliant (this will affect vehicles registered before 1<sup>st</sup> January 2000). All vehicles re-licensed after 1<sup>st</sup> January 2013 must be Euro 4 emissions complaint (This will affect vehicles registered after 1<sup>st</sup> January 2005). **If an Emissions System is fitted :-**
  - Only companies on an up to date list from the Public Carriage Office can supply an Emissions System. Each approved supplier provides an agreed and recognised certificate as to the correct fitting of the system to the proprietor of the vehicle.
  - The proprietor of a licensed vehicle that has a system fitted provide a copy of the certificate issued by the company to the Taxi Licensing Office to be recorded and kept on file.
  - If the Council have any concerns at any time as to the effectiveness of an Emissions System fitted to a licensed vehicle that licence may be suspended or revoked by an authorised officer.
- f. For vehicles older than the maximum age for first licensing, the application formalities and payment of fees must be fully completed within eight weeks of any expired licence.

### 2. General Construction

- a. Every Hackney Carriage must comply in all respects with the requirements of any Acts and Regulations relating to motor vehicles in force at the time of licensing and must, in all respects, be in exceptionally well maintained condition.

#### "Exceptionally well maintained" means:

- The vehicle to be in excellent mechanical condition.
  - The vehicle to be in all respects, safe and roadworthy, with no signs of corrosion to the mechanical parts, chassis, underside or body work.
  - The exterior of the vehicle to be clean and in excellent condition with no dents or damage of significance.
  - The paintwork to be in excellent condition, of professional standard and consistent with the colour scheme of the vehicle.
  - The interior of the vehicle to be in good condition. The upholstery, linings, seats and floor coverings to be clean with no holes, tears or signs of wearing.
  - The boot and luggage compartment to be in good condition, clean and uncluttered.
- b. Every Hackney Carriage must have been granted a whole vehicle type approval certificate.
  - c. Hackney Carriages offered for type approval must be so constructed as to be capable of admitting, with assistance from the driver only, a person in a wheelchair without that person having to vacate the wheelchair and convey them in their wheelchair in comfort and safety.

### 3. Steering

- a. The steering wheel must be on the offside of the vehicle.
- b. The steering mechanism must be so constructed or arranged that NO over-lock is possible and the road wheels do not in any circumstances foul any part of the vehicle.
- c. The steering arms and connections must be of adequate strength and, as far as possible, protected from damage by collision.

### 4. Brake and Steering Connections

Where brake and steering connections are secured with bolts or pins, the bolts or pins must be fitted with approved locking devices and they must be so placed that, when in any position other than horizontal, the head of the bolt or pins must be uppermost.

### 5. Wheels and Tyres

- a. All wheels and the tyres fitted, must be of the correct type, size and at the correct pressure for the vehicle they are fitted to. The spare wheel and tyre, which must be carried must also be of the same type and be at the correct pressure. Tools sufficient to allow the wheel to be changed during a journey will be carried in the vehicle in a safe and secure position.
- b. All tyres, at normal pressure under load, must be approved as having a suitable minimum circumference for correct operation of the taximeter.

### 6. Brakes

- a. All brakes must act directly on the wheels of the vehicle.
- b. The brakes of one of the braking systems must be applied by pedal.
- c. The pedal operated braking system must be 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.
- d. Cable connections are not permitted in the pedal operated system.

### 7. Suspension

- a. Every vehicle must be fitted with an efficient suspension system so designed and constructed that there is no excessive roll or pitch.
- b. Every vehicle must be so constructed or adapted that a failure of a spring, torsion bar or other similar component of the suspension system is not likely to cause the driver to lose control of the vehicle.

**8. Transmission**

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.

**9. Nuts or Bolts**

All moving parts subject to severe vibration connected by bolts or studs and nuts must be fitted with an approved locking device.

**10. Fuel Tanks**

- a. Fuel tanks must not be placed under the bonnet and must be adequately protected from damage by collision.
- b. All fuel tanks and all apparatus supplying fuel to the engine must be so placed or shielded that no fuel overflowing or leaking there from can fall or accumulate upon any part or fitting where it is capable of being readily ignited or can fall into any receptacle where it might accumulate.
- c. 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 form an adequate seal to prevent leakage and cannot be dislodged by accident.
- d. A device must be provided by means of which the supply of fuel to the engine can be immediately cut off. Its situation together with the means of operation and 'OFF' position must be clearly marked on the outside of the vehicle. In the case of an engine powered by L.P.G. or petrol the device must be visible and readily accessible at all times from outside the vehicle.

**11. Interior Lighting**

Adequate lighting must be provided for the driver and passengers. Separate lighting controls for both passengers and driver must be provided. In the case of the passengers compartment an illuminated switch must be fitted in an approved position. Lighting must also be provided at floor level to every passenger door and be actuated by the opening of those doors.

**12. Electrical Equipment**

- a. All leads and cables must be adequately insulated and where liable to be affected by exposure to water, petrol or oil must be adequately protected.
- b. All electrical circuits must be protected by a suitable fuse.
- c. Batteries must be so placed, secured, protected that they cannot be a source of danger.

**13. Fire Appliances**

A fire extinguisher which complies with EN 3 (formerly B.S.I. 5423) and has a minimum capacity of 1.0 kg must be carried securely in such a position as to be readily available for use.

**14. First Aid Equipment**

- i) A first aid kit must be carried securely in the vehicle and maintained at all times. The contents must be within the manufacturer's expiry date. It must be carried in such a way as to be readily available for immediate use by a qualified person or volunteer in an emergency.
- ii) The first aid kit, which complies with the table set out below, must be carried securely in the vehicle and a first aid window sticker must be prominently displayed on the vehicle.

Contents of First Aid Kit	Requirements for Vehicle Licensed to Carry Passengers
	Minimum number of
Individually wrapped sterile plasters, assorted sizes	20
Sterile eye pads	2
Sterile individually wrapped triangular bandages	4
Safety pins	6
Large sterile individually wrapped wound dressing	2
Medium sterile individually wrapped wound dressing	6
A pair of disposable gloves	1

**15. Exhaust Pipe**

The exhaust pipe must be so fitted or shielded that no inflammable material can be 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 so placed at the rear of the vehicle on the offside and in such a position as to prevent fumes from entering the vehicle.

**16. Body**

- a. The body must be of the fixed head type with a partially glazed partition separating the passenger compartment from the driver.
- b. Outside Dimensions
  - i. The overall width of the vehicle exclusive of driving mirrors must not exceed 1.8 metres.
  - ii. The overall length of the vehicle must not exceed 4.75 metres.
- c. Internal Dimensions of Passengers Compartment
  - i. The vertical distance between the point of maximum deflection of the seat cushion to the roof immediately above that point must not be less than 96.5 cm.
  - ii. Any curvature of the floor of the passengers' compartment must be continuous and must not exceed 2 cm at the partition and 5 cm at the base of the rear seat when measured between the centre line and sills.
  - iii. The door and doorway must be so constructed as to permit an unrestricted opening across the doorway of at least 75 cm.
  - iv. The minimum angle of the door when opened must be 90 degrees.
  - v. The clear height of the doorway must not be less than 1.195 metres.
  - vi. Grab handles must be placed at door entrances to assist the elderly and persons with disabilities.
  - vii. Where a boot lid is hinged at the bottom a restriction must be fitted to prevent the boot lid serving as a luggage platform.

#### 17. Steps

- a. The top of the tread for any entrance must be at the level of the floor of the passenger compartment and must not exceed 38 cm above ground level when the vehicle is unladen.
- b. The outer edge of the floor at each entrance must be fitted with non-slip treads and must be colour contrasted to an approved type to aid partially sighted persons.
- c. An additional, if standard step height is more than 19 cm, removable step must be provided which must not exceed 19 cm above ground level when the vehicle is unladen. The step must be fitted with non-slip treads and must be colour contrasted to an approved type to aid persons with disabilities to enter the vehicle. The step must be of an approved design and be designed in such a way as to make it impossible for the door to be closed when the step is in place.

#### 18. Wheelchair Facilities

- a. Approved anchorages must be provided for the wheelchair. These anchorages must be either chassis or floor linked. If floor linked they must be affixed in such a manner that the forces are distributed evenly throughout the floor area by means of a suitable galvanised plate of minimum dimensions 200 x 200 mm which must be used beneath the floor.
- b. Approved restraints must be provided for the wheelchair and the person using the wheelchair. These restraints must be independent of each other.
- c. Approved anchorages must also be provided for the safe storage of a wheelchair when not in use whether folded or otherwise if carried within the passenger compartment.
- d. All anchorages and restraints must be so designed that they do not cause a foreseeable danger to other passengers.
- e. An approved ramp or ramps or other apparatus for the loading and unloading of a wheelchair and occupant must be available at all times for use at an approved position. An adequate locating device must be fitted to ensure that the ramp(s) do not slip or tilt when in use. The ramp(s) must be capable of being stowed safely when not in use.
- f. Only in exceptional circumstances will a vehicle with rear loading wheelchair access be granted a licence.

#### 19. Seat Belts

Every vehicle must be fitted with seat belts of a type that conform to the British Standards Institution standards. A seat belt must be provided for every passenger and the driver.

#### 20. Passenger Seats

- a. The measurements from the upholstery at the back to the front edge of the back seat must be at least 40 cm and for each person carried a minimum of 40 cm must be available when measured along the front parallel edge of the seat cushion.
- b. The width of each front seat must not be less than 40 cm and such seats must be at least 35.5 cm when measured from the back to the front of the upholstery.
- c. The vertical distance between the highest point of the undeflected seat cushion and the top of the floor covering must not be less than 35.5 cm.
- d. Where seats are placed facing each other there must be a clear space of 48 cm between any part of the front of a seat and any part of any other seat that faces it. This measurement may be reduced to 43.5 cm provided adequate foot room is maintained at floor level. Where seats are placed facing to the front of the vehicle there must be a clear space of at least 66 cm in front of every part of each seat squab.
- e. Front seats (rear facing) must be so arranged as to rise automatically when not in use. They must be symmetrically placed and at least 4 cm apart.
- f. When not in use, seats must not obstruct doorways.
- g. Suitable means must be provided to assist persons to rise from the rear seat with particular attention to the needs of elderly people and people with disabilities.
- h. The nearside front seat must be capable of swivelling on its axis to a position where a person with disabilities or an elderly person may seat themselves prior to entering the vehicle. The seat should be capable of resting securely in its travelling position with minimum effort from the passenger or minimum assistance from the driver only.
- i. Every vehicle must carry a booster cushion of a type that conforms to BSI standards, for use when carrying a child.

#### 21. Driver's Compartment

- a. 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.
- b. The controls must be so placed as to allow reasonable access to the driver's seat and, when centrally placed, must be properly protected from contact with luggage.
- c. The driver's seat must be designed to accommodate the driver only and be adjustable for height and reach.
- d. The vehicle must be fitted with adequate devices for demisting, defrosting and washing the windscreen and with a sun visor adjustable by the driver.
- e. Direction indicators of an approved type must be fitted.
- f. Every vehicle must be provided with an approved means of communication between the passengers and the driver.
- g. 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 cm.

#### 22. Windows

- a. Windows must be provided at the sides and at the rear of the vehicle. The light transmission of any window in any position must not be less than that currently required of the front windscreen and side windows by The Road Vehicles (Construction & Use) Regulations 1986.
- b. Passenger door windows must be capable of being opened easily by passengers when seated. The control for opening a door window must be easily identified so as not to be mistaken for any other control.
- c. The light transmission through the windows of vehicles, including those licensed prior to the introduction of this regulation may not be reduced in any way from that present when the vehicle was approved for licensing.
- d. Passenger door windows must be capable of being opened easily by passengers when seated. The control for opening a door window must be easily identified so as not to be mistaken for any other control.
- e. Where electrically operated windows are fitted they must be approved and comply with the following:-
  - i. Switches must be available for passengers to operate the windows as required, but the driver's controls must be capable of overriding and locking out the passengers' controls when unescorted children are being carried.
  - ii. An approved sensing device must be fitted that will stop the window closing when an obstruction is present.

#### 23. Heating and Ventilation

An adequate heating and ventilation system must be fitted for the driver and passengers. The driver and passengers must be provided with means for independent control.

#### 24. Glass

The windscreen must be of laminated construction and not be tinted. All other windows and glass must be an approved safety type.

- 25. Door Fittings**  
a. An approved type of automatic door locking device must be fitted to passenger doors. When the vehicle is stationary the passenger doors must be capable of being readily opened from the inside and outside of the vehicle by one operation of the latch mechanism. The interior door handle must be easily identifiable so as not to be mistaken for any other control.  
b. Double catches of approved type must be fitted to all doors.
- 26. Fare Table Frame**  
A frame must be provided for the fare table that must be fitted in an approved position.
- 27. Floor Covering**  
The flooring of the passengers' compartment must be covered with non-slip material which can easily be cleaned.
- 28. Horn**  
A horn of approved pattern must be fitted.
- 29. Taximeter**  
a. A taximeter, which conforms to the Council's criteria for taximeters must be fitted in an approved position.  
b. Criteria for Taximeters Fitted in Hackney Carriages in Oxford  
i. Taximeters must:-  
ii. Conform to the standards set by the EU/ British Standards Institution for taximeters.  
iii. Be approved by the licensing Authority for the Metropolitan area.  
iv. Only display tariff rates or other charges set by the Council.  
v. Be tested and approved prior to usage.  
vi. Not be used for any reason, the seal has been removed or the meter tampered with until such time as the meter has been re-tested, resealed and approved for use.
- 30. "TAXI" Signs**  
A "TAXI" sign of approved pattern, must be fitted and must be an integral part of the original construction of the vehicle. It must be clearly visible, both by day and night, when the Hackney Carriage is not hired,
- 31. Radio Apparatus**  
a. Where apparatus for the operation of a two-way radio system is fitted to a vehicle, no part of the apparatus may be fixed in the passengers' compartment or in the rear boot compartment if L.P.G. tanks are situated therein.  
b. Any other radio equipment either in the passenger or driver compartment, must be approved.
- 32. Luggage**  
Provision must be made for carrying luggage and an efficient method of securing it must be provided.
- 33. Fittings**  
No fitting other than those approved may be attached to or carried upon the inside or outside of the vehicle.
- 34. Certificate of Insurance and Form of Holder**  
A current certificate of insurance as required by an Acts or Regulations relating to motor vehicles and as required by any Acts or Regulations relating to Hackney Carriages, must be carried in a holder securely affixed to the vehicle in an approved position and be positioned in the holder in such a manner that the details of commencement, expiry and details of cover are clearly visible.
- 35. Licence Plates**  
A plate, as supplied by the Council, must be securely affixed to the vehicle in approved position, at the rear of the vehicle. The plate will bear the following information:-  
i. The number of the licence issued in respect of the vehicle.  
ii. The maximum number of passengers allowed to be carried.  
iii. The registration number of the vehicle to which the licence has been issued.  
iv. The expiry date of the licence.
- 36. Additional Number Identification**  
The Hackney Carriage licence number, in a form prescribed by the Business Manager responsible for the licensing of Hackney Carriages, will be displayed on both rear side windows.
- 37. Advertisements**  
a. Advertisements concerning a radio circuit or taxi business to which the proprietor belongs may be displayed on the rear window of the vehicle only measuring a maximum of 4" x 48". It must not obscure the driver's view to the rear.  
b. Suitable commercial advertisements may be allowed on the inside and outside of the vehicle subject to the approval of the Business Manager responsible for the licensing of Hackney Carriages  
c. Interior advertisements may be displayed only on the bulkhead on top of the passenger/driver partition or on the base of the front seats. All such advertisements must be encapsulated in clear non-flammable plastic.  
d. Exterior advertisements may be displayed on a purpose-built taxi only:-  
e. As a full-livery advertisement.  
f. On the lower panels of the front two or all four doors, or on the full side lower panels and doors of the vehicle as a continuous item.  
g. On the rear window subject to the advertisement being of such a form as not to obscure the driver's view to the rear. If such advertisements are displayed, no other matter may be displayed.  
h. Mixtures of advertisers or subject matter are not permitted.  
i. Advertisements must be of such a form as not to become easily soiled or detached.  
j. All materials and adhesives used in the manufacture of and for the purpose of affixing advertisements to vehicles must be non-flammable.  
k. Applications for approval of advertisements must be made in writing to Business Manager responsible for the licensing of Hackney Carriages and, if approval is granted, the approval will be for the duration of the Hackney Carriage licence and such shorter time, which may be decided at the time of the application.  
l. Business Manager responsible for the licensing of Hackney Carriages, is authorised to grant or refuse any such application provided he/she consults with the members of the Hackney Carriage and Private Hire Licensing Sub-Committee about any application he/she feels may be unsuitable.  
m. Permission will not be granted for the display of any advertisement that does not comply with the Council's criteria for the display of advertisements in or on Hackney Carriages.

**n. Criteria for Display of Advertisements on or in Hackney Carriages**

Advertisements displayed in or on Hackney Carriages licensed by Oxford City Council must not be, racist or sexist; and should not cause offence to persons with any form of disability, to the general public or any section of the community. Advertisements must not refer to tobacco or alcohol products unless as part of a health education or similar campaign.

## CONDITIONS APPLICABLE TO THE LICENSING OF PRIVATE HIRE VEHICLES

### A. General

1. It must be understood that although the conditions of fitness set out may have been complied with, approval will be withheld if the Council is of the opinion that the vehicle is unsuitable for use as a Private Hire vehicle.
2. Vehicles offered for licensing as Private Hire vehicles in Oxford must not be the subject of a Private Hire vehicle licence issued by another Licensing Authority or be the subject of a Hackney Carriage licence issued by this or another Licensing Authority.
3. It must be understood that although the conditions set out may have been complied with and a certificate of compliance and Private Hire vehicle licence issued, full payment of the current fee for the issue of a Private Hire vehicle licence must be made or the licence will cease to be valid.
4. It is the responsibility of the proprietor(s) of the Private Hire vehicle to ensure that all conditions of fitness are complied with at all times and that there is in existence for the vehicle a valid and current insurance policy, a current certificate of compliance and a current licence.
5. The Council does not accept responsibility for informing licence holders of the need to re-licence before a particular date nor for inspecting vehicles before a particular date, although every effort will be made to inspect vehicles prior to the expiry of the licence or certificate if an application is made in good time.
6. At all times, the vehicle should be maintained in exceptional condition. The bodywork should be kept in a clean condition and the interior, including the floor, seats and any covers must be in good condition, clean and tidy. Any damage caused to the vehicle materially affecting its safety performance or appearance must be notified to the Licensing Office within 72 hours.

### B Type of Vehicle and Conditions of Fitness

No vehicle will be licensed as Private Hire vehicle unless it complies with the Council's Conditions of Fitness

#### 1. Age of Vehicle

- a. No vehicle will be first licensed as a Private Hire vehicle unless it is less than five years of age from the date of first registration.
- b. "Date of first registration" will mean the date of first registration in the UK, or the date of manufacture in the case of vehicles first registered outside the UK.
- c. For vehicles older than the maximum age for first licensing, the application formalities and payment of fees must be fully completed within eight weeks of any expired licence.

#### 2. General Construction

- a. Every Private Hire vehicle must comply in all respects with the requirements of any Acts and Regulations relating to motor vehicles in force at the time of licensing and must, in all respects, be in exceptionally well maintained condition.
- b. "Exceptionally well maintained" means:
  - The vehicle to be in excellent mechanical condition;
  - The vehicle to be in all respects, safe and roadworthy, with no signs of corrosion to the mechanical parts, chassis, underside or body work;
  - The exterior of the vehicle to be clean and in excellent condition with no dents or damage of significance. The paintwork to be in excellent condition, of professional standard and consistent with the colour scheme of the vehicle;
  - The interior of the vehicle to be in good condition. The upholstery, linings, seats and floor coverings to be clean with no holes, tears or signs of wearing;
  - The boot or luggage compartment to be in good condition, clean and uncluttered.
- c. Vehicles offered for licensing as Private Hire vehicles must be:
  - Fitted with an engine of a cubic capacity of not less than 1375cc.
  - Fitted with a minimum of four passenger doors
  - Allow unrestricted access and egress for every passenger. (SEE NOTE AT END OF DOCUMENT)
  - Be safe and comfortable
  - Be suitable in type, size and design for use as a Private Hire vehicle.
  - Not of such design or appearance as to lead any person to believe that the vehicle is a Hackney Carriage.

#### 3. Colour of Vehicles

A vehicle submitted for licensing as a Private Hire Vehicle, to carry more than five passengers or of a non-saloon type will not be approved for licensing if it is black in colour.

#### 4. Alterations to vehicles

- a. All motor vehicles are required to have a type approval certificate before they can be licensed and used upon the public roads.
- b. No alterations to a vehicle as approved and granted the original manufacturers type approval certificate will be permitted, with the following exceptions.
- c. A conversion for which a whole vehicle type approval certificate has been granted.
- d. Following the grant of a whole vehicle type approval certificate, with the approval of the Council, the simple removal of a seat to allow the easy access to all seats, required by Council regulations

#### 5. Passengers

- a. Every passenger must have a minimum of 40cm seat space. (If it is intended to licence a vehicle to carry 4 passengers then the rear seat must be at least 120cm.
- b. The minimum leg-room, for passengers using the rear seats shall be 22cm. The measurement to be taken from the front edge of the rear seat to the rear of the front seat.
- c. The minimum clear space in front of every part of each seat squab, in the case of non-saloon car with forward facing seats, shall be 66cm.
- d. The minimum clear space in the case of non-saloon cars where seats are placed facing each other, between every part of the front of a seat and any part of any other seat with faces it shall be 48cm.
- e. Suitable measures must be provided to assist persons to rise from the rear seats with particular attention to the needs of elderly people and people with disabilities.



- 6. Seat Belts**

Every vehicle must be fitted with seat belts of a type that conform to the British Standards Institution standards. A seat belt must be provided for every passenger and the driver.
- 7. Steering**

The steering wheel must be on the offside of the vehicle.
- 8. Wheels and Tyres**
  - a. All wheels and the tyres fitted must be of the correct type, size and the correct pressure for the vehicle.
  - b. Unless the vehicle is supplied by the manufacturer with approved run-flat tyres or a spare wheel and tyre of a compact design as original equipment, a spare wheel and tyre of the same type as that fitted to the vehicle and at the correct pressure must be carried.
  - c. It is essential that vehicles with run flat tyres be fitted with a working tyre pressure monitoring system.
  - d. Where a wheel and tyre of compact design (space saver) is carried, tools sufficient to allow the spare wheel to be fitted during a journey will be carried in the vehicle in a safe and secure position.
  - e. The vehicle must only be used with a space saver tyre or when normal pressure has been lost from a run flat tyre to enable a hiring to be completed and then must only be used in accordance with the parameters prescribed by the manufacturer. The vehicle may not be used for any further hirings until the wheel and tyre has been replaced by a wheel and tyre of the correct type for the vehicle or the run-flat tyre has been replaced.
- 9. Windows**
  - a. Windows must be provided at the sides and at the rear of the vehicle. The light transmission of any window in any position must not be less than that currently required of the front windscreen and side windows by The Road Vehicles (Construction & Use) Regulations 1986.
  - b. The light transmission through the windows of vehicles, including those licensed prior to the introduction of this regulation may not be reduced in any way from that present when the vehicle was approved for licensing.
  - c. Passenger door windows must be capable of being opened easily by passengers when seated. The control for opening a door window must be easily identified so as not to be mistaken for any other control.
  - d. Where electrically operated windows are fitted they must be approved and comply with the following:
    - i. Switches must be available for passengers to operate the windows as required, but the driver's controls must be capable of overriding and locking out the passenger's controls when unescorted children are being carried.
    - ii. An approved sensing device must be fitted that will stop the window closing when an obstruction is present.
- 10. Glass**

The windscreen must be of laminated construction and not be tinted. All other windows and glass must be an approved safety type.
- 11. Luggage**

Provision must be made for carrying a reasonable amount of luggage and an efficient method of securing it must be provided.
- 12. Fittings**

No fitting other than those approved may be attached to or carried upon the inside or outside of the vehicle.
- 13. Certificate of Insurance and Form of Holder**

A current certificate of insurance as required by any Acts or Regulations relating to Private Hire Vehicles, must be carried in a holder securely affixed to the vehicle in an approved position and be positioned in the holder in such a manner that the details of commencement, expiry and details of cover are clearly visible.
- 14. Licence Plates**

A plate, as supplied by the Council, must be securely affixed to the vehicle in approved position, at the rear of the vehicle. The plate will bear the following information:

  - a. the number of the licence issued in respect of the vehicle.
  - b. the maximum number of passengers allowed to be carried.
  - c. the registration number of the vehicle to which the licence has been issued.
  - d. the expiry date of the licence.
- 15. Door stickers**

Door stickers in a form supplied by the council, identifying the vehicle and bearing the words 'Office and Telephone Bookings Only' shall be affixed directly to the front doors on both sides of the vehicle. No method of attachment to the vehicle other than that intended or supplied by the council shall be used.
- 16. Plying for Hire Sticker**

A sticker in a form supplied by the council, indicating that the Private Hire vehicle is not available for hire shall be affixed to the windscreen.
- 17. Operator's Sign**
  - a. A sign must be displayed on the rear doors on both sides of the vehicle containing details of the name of the Operator of the vehicle and any telephone number, fax number or email or web address of that firm.
  - b. The sign shall be no larger than the door sign supplied by the Council to identify the vehicle and required under condition introduced in April 1993 and amended in September 2000, to be fitted on the front doors of the vehicle.
  - c. The sign shall not contain the words "tax", "taxi", "cab", "taxi-cab" or "for hire", whether or not as part of another word.
  - d. Exemption for the display of the sign will be granted to those vehicles, which have been granted exemption for the display of a licence plate under s74 (3) Local Government (Miscellaneous Provisions) Act 1976 and with the same conditions contained in legislation for that exemption.
- 18. Steps (for non-saloon vehicles)**
  - a. The top of the tread for any entrance must be at the level of the floor of the passenger compartment and must not exceed 38cm above ground level when the vehicle is unladen.
  - b. The outer edge of the floor at each entrance must be fitted with non-slip treads and must be colour contrasted to an approved type to aid partially sighted persons.
  - c. An additional, if standard step height is more than 19cm, removable step must be provided which must not exceed 19cm above ground level when the vehicle is unladen. The step must be fitted with non-slip treads and must be colour

contrasted to an approved type to aid persons with disabilities to enter the vehicle. The step must be of an approved design and be designed in such a way as to make it impossible for the door to be closed when the step is in place.

**19. Wheelchair Facilities (where fitted)**

- a. Approved anchorages must be provided for the wheelchair. These anchorages must be either chassis or floor linked. If floor linked they must be affixed in such a manner that the forces are distributed evenly throughout the floor area by means of a suitable galvanised plate of minimum dimensions 200 x 200mm which must be used beneath the floor.
- b. Approved restraints must be provided for the wheelchair and the person using the wheelchair. These restraints must be independent of each other.
- c. Approved anchorages must also be provided for the safe storage of a wheelchair when not in use whether folded or otherwise if carried within the passenger compartment.
- d. All anchorages and restraints must be so designed that they do not cause a foreseeable danger to other passengers.
- e. An approved ramp or ramps or other apparatus for the loading and unloading of a wheelchair and occupant must be available at all times for use at an approved position. An adequate locating device must be fitted to ensure that the ramp(s) do not slip or tilt when in use. The ramp(s) must be capable of being stowed safely when not in use.

**20. Swivel Seat (where fitted)**

The nearside of the front seat must be capable of swivelling on its axis to a position where a person with disabilities or an elderly person may seat themselves prior to entering the vehicle. The seat should be capable of re-siting securely in its travelling position with minimum effort from the passenger or minimum assistance from the driver only.

**21. Accessories**

- a. **Fire Appliances:** A fire extinguisher which complies with E.E.C. Standard EN3, which has a minimum capacity of 1.0 Kg must be carried securely in such a position as to be readily available for use.
- b. **First Aid Equipment:**
  - i) A first aid kit must be carried securely in the vehicle and maintained at all times. The contents must be within the manufacturer's expiry date. It must be carried in such a way as to be readily available for immediate use by a qualified person or volunteer in an emergency.
  - ii) The first aid kit, which complies with the table set out below, must be carried securely in the vehicle and a first aid window sticker must be prominently displayed on the vehicle.

Contents of First Aid Kit	Requirements for Vehicle Licensed to Carry Passengers
	Minimum number of
Individually wrapped sterile plasters, assorted sizes	20
Sterile eye pads	2
Sterile individually wrapped triangular bandages	4
Safety pins	6
Large sterile individually wrapped wound dressing	2
Medium sterile individually wrapped wound dressing	6
A pair of disposable gloves	1

**c. Booster Cushion**

Every vehicle must carry a booster cushion of a type that conforms to BSI standards, for use when carrying a child.

**22. Taximeter (where fitted)**

- a. A taximeter, which conforms to the Council's criteria for taximeters may be fitted and if fitted must be fitted in an approved position.
- b. Taximeters fitted in Private Hire vehicles in Oxford must:
  - i. Conform to the standards set by the British Standards Institution and E.E.C. for taximeters and be certified by the manufacturers that it does conform.
  - ii. Be approved by the Public Carriage Office
  - iii. only display tariff rates or other charges set out in the table of fares which must be displayed in a clearly visible position in the vehicle.
  - iv. be tested, sealed and approved prior to usage.
  - v. not be used if, for any reason, the seal has been removed or the meter tampered with until such time as the meter has been retested, resealed and approved for use.

**C. DURATION OF CERTIFICATES OF COMPLIANCE**

- 1. Certificates of Compliance will be issued with duration of a minimum of four months and a maximum of six months. In general certificates will be issued with duration of six months.
- 2. Certificates of Compliance may be renewed up to 14 days in advance of expiry, when, and only upon immediate production of the expiring certificate by the person presenting the vehicle for testing, the new certificate will be dated to expire six months (four months) from the expiry date of the previous certificate.
- 3. The Council reserves the right to extend or shorten the above periods subject to a minimum and maximum durations given above. Each case will be decided upon its own merits.
- 4. It must be understood that it is unlawful for a Private Hire vehicle licensed by the Council to be driven on the highway without a current Certificate of Compliance.

**People carriers – ease of access:** In the same way that we do not licence two door saloon cars, access to the rear row of seats without tilting or moving a seat is required. In most people carriers this is normally achieved by the removal of the nearside seat of the middle row.

**Tinted windows: The regulation is imposed for safety reasons.**

Because 'that's how it came from the manufacturer', it does not mean that it is OK to be licensed. Our requirements for a vehicle carrying paying passengers are different than those applicable to a private car. In order to avoid unnecessary expenditure, you should ensure that windows have no tint darker than that permitted by legislation for front side windows.

**People carriers – colour:** In order that they are not mistakenly identified as hackneys - **Not black** (and preferably not any very dark colour which could be confused with black)

## PRIVATE HIRE VEHICLE CONDITIONS

In these conditions 'the Council' means the Oxford City Council, 'Operator' means the holder of a Private Hire operator's licence issued by the Council, 'Vehicle' means a Private Hire vehicle licensed by the Council, 'Proprietor' means the holder of a Private Hire vehicle licence. 'Driver's Licence' means a Private Hire vehicle driver's licence issued by the Council.

Conditions attached to Private Hire Vehicle Licences

1. Within the Council's district the following must not be displayed on or in any vehicle:
  - a) any sign, notice or advertisement on the roof;
  - b) any sign, notice or advertisement which is illuminated;
  - c) any sign, notice or advertisement whatsoever that includes the words, "tax", "taxi", "Cab", "taxi-cab" or "for hire" whether or not as part of another word.
2. A vehicle licensed by this Council as a Private Hire vehicle may not have displayed on or in that vehicle any advertisement or notice whatsoever except:
  - a) not more than one REAR window strip measuring a maximum 4" x 48" indicating only the name of the Private Hire operator and the corresponding telephone number;
  - b) on the outside of the rear off-side and near-side doors signs indicating only the name of the Private Hire operator and corresponding telephone number. The dimensions of such signs must not be greater than the dimensions of the signs described in paragraph 3(c) below;
  - c) notices or signs that are required to be displayed by this Council.
3. The proprietor shall securely affix in a conspicuous position:
  - a) outside the Vehicle at the rear a licence plate, which will be issued in respect of the vehicle by the Council;
  - b) inside the Vehicle a notice which will be issued in respect of the vehicle by the Council;
  - c) on the outside of the front off-side and near-side doors, signs, which will be issued in respect of the vehicle by the Council;
  - d) if the vehicle is equipped with a meter, a table of fares.
4. The proprietor shall ensure:
  - a) that the Vehicle is provided with sufficient means by which any person in the vehicle may communicate with the driver and that such means of communication is maintained;
  - b) that the vehicle is kept clean, safe, tidy and mechanically sound, and that all relevant statutory requirements including those contained in the Motor Vehicles (Construction and Use) Regulations 1978 or any statutory modifications or replacement of them are complied with;
  - c) that no material alteration or change in the specification, design, condition or appearance of the Vehicle is made without prior written approval of the Council; and
  - d) where a taxi-meter is fitted to the vehicle and is used to record the fare for hiring, the Proprietor shall ensure:
    - i) that a table indicating the fare scale is prominently displayed in the Vehicle;
    - ii) that the taxi-meter is fitted in such a position as to enable the fare recorded to be clearly visible to passengers.
5. The Proprietor of a Private Hire vehicle shall provide a suitable book, the pages of which are numbered consecutively, to enable the driver of that Private Hire vehicle to record the following particulars:
  - a) At the start of each shift - the driver's name and badge number;
  - b) Prior to commencement of each hiring:
    - i) The date and time the hiring was allocated that vehicle;
    - ii) The name and address of the hirer;
    - iii) The pick-up point and time;
    - iv) The destination;
  - c) On completion of each hiring - the fare charged; and shall make such book available for inspection on request by an authorised officer of the Council or a Police Officer and shall keep such records for a minimum of 12 months.

## EXEMPTION FROM DISPLAYING PLATES ON PRIVATE HIRE VEHICLE

In November 2006, section 75(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976 was abolished. This meant that all passenger vehicles carrying eight passengers or less and hired with a driver must be licensed for Private Hire.

Some customers prefer to be driven in executive vehicles that are low profile and represent their organisation - especially when meeting a client. Many chauffer companies and some Private Hire Operators employ section 75(3) of the Act, which states:

**75 (3) Where a licence under section 48 of this Act is in force for a vehicle, the council which issued the licence may, by a notice in writing given to the proprietor of the vehicle, provide that paragraph (a) of subsection (6) of that section shall not apply to the vehicle on any occasion specified in the notice or shall not so apply while the notice is carried in the vehicle; and on any occasion on which by virtue of this subsection that paragraph does not apply to a vehicle section 54(2)(a) of this Act shall not apply to the driver of the vehicle.**

Using this section of the law, allows for specific vehicles to be granted dispensation from displaying their Private Hire plates. If you believe that the work that you undertake is not conventional Private Hire work but is specific 'chauffeur-driven' work, you are able to write to the Licensing Officer to request that your vehicle is granted exemption from displaying its Private Hire licence plate and door stickers. Such an exemption must be reapplied for at the time of each vehicle licence renewal application. This exemption does not include school contracts or similar work for which a fully signed vehicle must be used.

If you are able to prove that the vehicle meets the criteria for an exemption to be granted, you will be issued with an Exemption Notice. If your vehicle is found not to be adhering to the following conditions, then the exemption will be fully withdrawn.

- A copy of the notice granting the exemption is kept in the vehicle at all times
- The Private Hire Vehicle Licence plates once issued, are to be kept inside the vehicle and must be produced on demand of a constable or an authorised officer.
- The vehicle is not used on conventional Private Hire work but is operated only on 'chauffeur-driven' work
- There is no change as to who the proprietor of the vehicle is
- The vehicle is only operated through the original operator
- The vehicle must display an internal plate issued by the Licensing Authority that indicates to an Authorised Officer that the vehicle is within a licensed vehicle.

## CONDITIONS FOR PRIVATE HIRE VEHICLES REQUESTING EXEMPTION

Standard private hire work means any bookings for a journey that does not have a written contract already in place. For the purpose of this condition a vehicle that has been granted exemption from having an identification plate and door stickers will be referred to as an 'Exempt' vehicle.

1. Application must be made to the Council for a Private Hire Vehicle to be considered for Exempt status and each case will be determined on its own merits. The decision to grant or refuse an exemption for the display of an identification plate and door stickers will be delegated to the Head of Environmental Services. To qualify as Exempt, the vehicle must be an executive type vehicle of a higher standard than a 'normal' vehicle used for private hire work.
2. Any bookings for an Exempt vehicle must be made by way of a written contract. Exempt vehicles may not undertake standard private hire work.
3. Vehicles that have been granted exemption will be issued with an identification plate that must be kept securely in the boot of the car.
4. The proprietor of the vehicle will be issued an exemption notice which should be kept in the vehicle. The notice will state :-
  - The expiry date of the licence
  - The licence number and registration of the vehicle
  - The name of the proprietor
  - The name of the operator
5. Exempt vehicles will be required to display two Oxford City Council vehicle internal plates showing that the vehicle is a licensed Private Hire Vehicle. Each internal plate must be displayed within its holder, one to be displayed at the top of the windscreen on the nearside and the second at the top of the rear window on the offside.
6. Exempt vehicles that undertake standard private hire work without a written contract in place (as per condition 2) may have their Exempt status withdrawn.
7. Exempt vehicles shall not display an Operators details in the vehicle.
8. The display of 'No Smoking' stickers inside the vehicle is still a condition of any exemption granted.

# APPLICATION FORM: HACKNEY CARRIAGE / PRIVATE HIRE VEHICLE LICENCE

**Preamble:** We may get information about you from certain third parties, or give information to them, to check the accuracy of information, to prevent or detect crime, or to protect public funds in other ways, as permitted by law. These third parties include other local authorities and Government departments.

To: The Head of Environmental Development, Oxford City Council, Ramsay House, St Ebbe's Street, Oxford, OX1 1PT

**ALL QUESTIONS BELOW MUST BE ANSWERED AND NOT CROSSED OUT. PLEASE COMPLETE THIS FORM IN BLOCK CAPITALS**

**THIS APPLICATION FORM MUST BE COMPLETED BY THE OWNER OF THE VEHICLE. IF THE VEHICLE IS OWNED BY MORE THAN ONE PERSON, PLEASE PROVIDE DETAILS OF ALL OTHER OWNERS OF THE VEHICLE ON THE NEXT PAGE.**

<b>NAME:</b>	
<b>ADDRESS:</b>	
<b>HOME TELEPHONE:</b>	<b>MOBILE TELEPHONE:</b>
<b>EMAIL ADDRESS:</b>	
I am applying to: <b>GRANT / RENEW / CHANGE VEHICLE / TRANSFER OWNER / TEMPORARY VEHICLE</b> (delete as applicable) a: <b>HACKNEY CARRIAGE / PRIVATE HIRE</b> (delete as applicable) vehicle	
<b>VEHICLE MAKE:</b>	<b>MODEL:</b>
<b>REGISTRATION NUMBER:</b>	<b>ENGINE CAPACITY (cc):</b>
<b>DIESEL / PETROL:</b>	<b>REGISTRATION DATE:</b>
<b>HACKNEY CARRIAGE / PRIVATE HIRE PLATE NO.:</b>	
<b>PASSENGER SEATING CAPACITY:</b>	
<b>WHEELCHAIR ACCESSIBLE?:</b>	<b>YES / NO</b> (delete as applicable)
<b>IS THE VEHICLE TO BE DRIVEN BY ANY OTHER LICENSED DRIVER(S)?:</b>	<b>YES / NO</b> (delete as applicable)
<b>IF YOU HAVE ANSWERED "YES" ABOVE, PLEASE GIVE DETAILS OF THE DRIVERS NAME, AND ADDRESS, &amp; BADGE NUMBER:</b>	
<b>DETAILS OF THE LICENCED OPERATOR FOR THIS VEHICLE (i.e. 001 Cars, ABC, Royal Cars, etc):</b>	

**PLEASE PROVIDE DETAILS OF ANY OTHER OWNERS OF THIS VEHICLE, IF NOT JUST YOURSELF**

<b>NAME:</b>	
<b>ADDRESS:</b>	
<b>HOME TELEPHONE:</b>	<b>MOBILE TELEPHONE:</b>
<b>EMAIL ADDRESS:</b>	

**Please continue on a separate sheet if there is more than 1 owner of the vehicle.**

I declare that I have read and understand the criteria and conditions of fitness for Hackney Carriage / Private Hire Vehicles in Oxford and the vehicle described above complies with those criteria and conditions. I am aware of and accept the duties and responsibilities in respect of the licensing and maintenance of the vehicle, the supervision of the driver, duty to provide information when required to do so and all other requirements under statute, byelaw and local regulations. I am aware that if any person knowingly or recklessly makes a false statement or omits any material particular in giving information on this form that person shall be guilty of an offence. I declare that I have checked the details given on this application form and to the best of my knowledge and belief they are correct. I am entitled to the licence for which I apply.

**DATE:**..... **SIGNATURE:**.....

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**FOR OFFICE USE ONLY**

NAME:		LICENCE NO.:	
NEW LICENCE:	YES / NO	RENEWAL LICENCE:	YES / NO
TRANSFER OF OWNERSHIP	YES / NO	CHANGE OF VEHICLE	YES / NO
TEMPORARY VEHICLE	YES / NO		
APPLICATION FORM	YES / NO		
INSURANCE CERTIFICATE	YES / NO		
OWNERSHIP DOCUMENT (V5)	YES / NO		
CERTIFICATE OF CONFORMITY	YES / NO		
FEE PAID	YES / NO		
NOTES:			

**PARIS INCOME CODE: K9571**  
**COST CENTRE: ED25**