



# **Private Hire Driver and Vehicle Rule Book**

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# CITY OF GLOUCESTER

## PRIVATE HIRE RULE BOOK

### 1. Drivers Licences

#### New Applications

- 1.1 A** The applicant must have been the holder of a valid driving licence (NOT being a provisional licence) authorising him/her to drive a motor car in the UK for at least 12 continuous months immediately prior to the date of application.
- B** Licensed drivers must be able to communicate effectively with customers, Police or authorised officers and other road users. The applicant is expected to have a good command of the English language, both verbal and written.
- 1.2** The applicant must be 21 years of age or over.
- 1.3** An application will not be granted unless the Licensing Authority is satisfied that the applicant is a fit and proper person to hold a Private Hire Driver's licence.
- 1.4** Applicants for new licenses should have no more than three current penalty points on their DVLA licence.
- 1.5** To make an application, the applicant must:
- A.** complete and submit to the Licensing Authority the appropriate application form
  - B.** ensure the private hire operator has signed the application **to which the driver will work for.**
  - C.** pay the appropriate fee
  - D.** Take a photograph at the Council offices upon application as follows:
    - Be taken against a light background so that the applicants features are distinguishable and contrast against the background.
    - Show the full face, uncovered, without sunglasses. Head coverings are NOT allowed unless due to religious beliefs.
  - E.** complete a Private Hire Knowledge Test (basic literacy and numeracy test) as set by the Licensing Authority. If applicants are concerned about the standard of literacy and numeracy required to successfully complete the test then applicants will be directed to attend a course in either literacy or numeracy or both before taking the test. Applicants who fail 3 times will not be allowed to re-sit the test until they can demonstrate that they have improved their literacy and numeracy skills.
  - F.** produce for examination a current valid DVLA driving licence photocard or paper licence (if issued pre 1998), authorising him/her to drive a motor vehicle in the UK, showing his/her current home address. A licence check must be generated and provided on the application form.
  - G.** complete an enhanced Disclosure and Barring Service application form and provide appropriate identity documentation. Please note that the applicant must visit the Licensing Authority in person when submitting their enhanced Disclosure and Barring Service application.

All applicants must sign up to the DBS online update service. If you've not yet applied for a DBS check, you can [register for the update service](#) using your application reference number (the 'form ref' on your application form). DBS must receive your application form within 28 days.

If you've already applied, you can register for the update service using your DBS certificate number. You must do this within 30 days of the certificate being issued.

- H. provide a satisfactory group 2 medical certificate from a GP that is no more than 3 months old on initial application.
  - I. provide evidence of successful completion of the Driving Assessment for Hackney Carriage and Private Hire vehicles from ~~the Council's approved list which are currently from the Driver and Vehicle Standards Agency (DVSA)~~ **Diamond Advance Test, Green Penny or The Blue Lamp Trust (this needs to be the pass certificate and not the booking form)** or equivalent driving test as approved by the Council. If it is your intention to drive a wheelchair accessible vehicle then you would need to complete the enhanced driving assessment as this includes the wheelchair exercise or equivalent wheelchair accessible driving test as approved by the Council. If you have completed the enhanced driving assessment then you would need to produce both pass certificates. (Please note you will be required to take the Driving Assessment every ten years).
  - J. Provide Safeguarding Awareness training certificate
  - K. Undertake the English proficiency test as approved by the Council and achieve a satisfactory score.
- 1.6 Applicants are required to notify the Licensing Authority of any convictions, cautions, fixed penalties or pending court cases during the application process (i.e. the time between the application being submitted and the licence being granted).

#### **Additional Application Requirements for Foreign Nationals and Persons that have resided outside of the UK**

- 1.7 The Licensing Authority must be satisfied that the applicant is a fit and proper person. In order to determine this, an applicant who is a foreign national or has resided outside of the UK must also do the following:
- A. complete an enhanced Disclosure and Barring Service application form (as detailed in the new applicant section above). To complete this application, the applicant must provide all addresses for the past 5 years including any addresses that are outside of the UK. The enhanced criminal record check will show any convictions that have been committed in the UK.
  - B. in addition to the enhanced Disclosure and Barring Service application, the applicant must provide the Licensing Authority with a criminal record check from all countries outside of the UK that they have resided in from the age of 18 or, if those countries do not provide such information, a certificate of good conduct from the Embassy or Diplomatic Mission from all countries that they have resided in from the age of 18. This certificate must be an original and if in a foreign language must be accompanied by an original certified translation from a sworn translator. Any costs incurred to obtain such certification must be paid for by the applicant.
  - C. the Licensing Authority must be satisfied that the applicant holds an appropriate driving licence to drive in the UK. If the applicant has an exchangeable drivers licence for a non-EU/EEA designated country they need to convert it to a GB DVLA Licence prior to applying for a Private Hire Drivers Licence. The convertible licence can be used to demonstrate they have been driving for 1 year before applying for a Private Hire Drivers Licence.
  - D. an applicant must be eligible to work in the UK and, if appropriate, will need to provide evidence of this.
  - E. Foreign Nationals that hold a Student Visa, are only permitted to work for up to 20 hours during term time (depending on the course studied). The private hire operator may be liable if

the driver breaches the limitations of the student. Information may be shared with the Border Agency.

## Renewal Applications

- 1.8** A renewal application must be completed prior to the expiry date of the Private Hire driver's licence. Drivers will be sent a reminder around 6 weeks before their licence is due to expire. Applications should be submitted at least 14 days prior to expiry, to ensure it can be assessed and issued on time. There is no period of grace if a renewal is submitted after the expiry date; failure to renew on time will require a new application being made including a criminal record check and medical report. It is an offence to drive a Private Hire Vehicle without the appropriate Private Hire driver's licence. A licence can be renewed up to one month before the current expiry date and the new licence will be post-dated to the expiry date.
- 1.9** A licence will not be renewed without all supporting documentation being received. A Licence renewed after the expiry date will run from the date the new licence is issued. The period from expiry to actual renewal date will be unlicensed, and the driver may not drive a licensed vehicle during these periods.
- 1.10** To make a renewal application, the applicant must:
- A.** complete and submit to the Licensing Authority the appropriate renewal application form.
  - B.** ensure the private hire operator has signed the application **to which the driver will work for.**
  - C.** pay the appropriate fee.
  - D.** Take a photograph at the Council offices upon application as follows:
    - Be taken against a light background so that the applicants features are distinguishable and contrast against the background.
    - Show the full face, uncovered, without sunglasses. Head coverings are NOT allowed unless due to religious beliefs.
  - E.** produce for examination a current valid DVLA driving licence photocard or paper licence (if issued pre 1998), authorising him/her to drive a motor vehicle in the UK, showing his/her current home address. A licence check must be generated and provided on the application form.
  - F.** complete an enhanced Disclosure and Barring Service application form and provide appropriate identity documentation where appropriate.
  - G.** If appropriate, provide a satisfactory group 2 medical certificate from a GP that is no more than 3 months old from the date of renewal.
  - H.** an applicant must be eligible to work in the UK and, if appropriate, will need to provide evidence of this.
  - ~~**I.** If appropriate, provide a DVSA driving assessment or equivalent driving test (as approved by the Council) pass certificate.~~

## 2. Vehicle Licences

- 2.1** Gloucester City Council does not grant a private hire vehicle licence for any vehicle already licensed by another authority.

### New Applications

- 2.2** To make an application the applicant must:
- A.** complete and submit to the Licensing Authority the appropriate application form.
  - B.** pay the appropriate fee.
  - C.** **Provide proof of ownership, for example bill of sale, i.e. receipt for the money paid for the vehicle, invoice for the vehicle or hire purchase agreement in applicants' name.**

- ~~C.D.~~ Produce a V5 Registration document (or new keepers supplement).
- ~~D.E.~~ produce an appropriate insurance certificate or cover note for Private Hire purposes in accordance with the requirements of current legislation. If a cover note is offered, the full insurance certificate or further cover note should be presented within 2 working days of the cover note expiry date. Failure to do so will result in the licence being suspended.
- ~~E.F.~~ produce a current MOT certificate (unless the vehicle is less than 1 year old).
- ~~F.G.~~ produce a current Licensing Authority vehicle inspection certificate that is no more than 2 months old from date of application.
- ~~G.H.~~ Where a meter is fitted, produce proof of a meter inspection certificate **from an approved installer that is dated to the Councils current tariff.** ~~of no more than 2 months old from date of application.~~

## Renewal Applications

- 2.3** A renewal application must be completed prior to the expiry date of the Private Hire vehicle licence. Drivers will be sent a reminder around weeks before their licence is due to expire. Applications should be submitted at least 14 days prior to expiry, to ensure it can be assessed and issued on time. There is no period of grace if a renewal is submitted after the expiry date. **If the vehicle then does not meet any of the conditions in particular the age criteria then the vehicle will not be relicensed.** It is an offence to drive a Private Hire vehicle without the appropriate Private Hire vehicle licence. A Licence can be renewed up to 1 month before the current expiry and the new licence will be post-dated to the expiry date.
- 2.4** **A Licence will not be renewed without all supporting documentation being received. An application to renew a licence that is submitted before expiry date but does not have all the supporting documentation will not be renewed, The licence will not be issued until such time that all documentation has been received. The period from expiry to actual issue date will be unlicensed, and the vehicle may not be used for Private Hire purposes.**
- ~~A Licence will not be renewed without all supporting documentation being received. A Licence renewed after the expiry date will run from the date the new licence is issued. The period from expiry to actual renewal date will be unlicensed, and the vehicle may not be used for Private Hire.~~
- 2.5** To make a renewal application the applicant must:
- A.** complete and submit to the Licensing Authority the appropriate renewal application form.
  - B.** pay the appropriate fee.
  - C.** produce a V5 registration certificate in the applicants name.
  - D.** produce an appropriate insurance certificate or cover note for Private Hire purposes in accordance with the requirements of current legislation. If a cover note is offered, the full insurance certificate or further cover note should be presented within 2 working days of the cover note expiry date. Failure to do so will result in the licence being suspended.
  - E.** produce a current MOT certificate and advisory notice if applicable.
  - F.** produce a current Licensing Authority vehicle inspection certificate that is no more than 2 months old from date of application. Where an MOT has been carried out within the last two months without the added vehicle inspection checks, a Licensing and Enforcement Officer can then check the cosmetic elements for an appropriate fee.
  - G.** Where a meter is fitted, produce proof of a meter inspection certificate ~~of no more than 2 months old~~ from date of application.

## Transfer of Ownership Applications

- 2.6** To make a transfer application the applicant must:
- A.** complete and submit to the Licensing Authority the appropriate transfer application form.

- B. pay the appropriate fee.
- C. Produce a letter from the previous owner stating that they are no longer using the vehicle as private hire vehicle.
- D. Produce a V5 Registration document (or new keepers supplement).
- E. produce an appropriate insurance certificate or cover note for Private Hire purposes in accordance with the requirements of current legislation. If a cover note is offered, the full insurance certificate or further cover note should be presented within 2 working days of the cover note expiry date. Failure to do so will result in the licence being suspended.
- F. produce a current MOT certificate and advisory notice if applicable.
- G. Where a meter is fitted, produce proof of a meter inspection certificate ~~of no more than 2 month~~ old from date of application.

### **Change of Vehicle Applications (*replacement vehicles licensed for less than 1 year*)**

2.7 To make a change of vehicle application the applicant must:

- A. complete and submit to the Licensing Authority the appropriate change of vehicle application form.
- B. pay the appropriate fee.
- C. provide proof of ownership, for example bill of sale, i.e receipt for the money paid for the vehicle, invoice for the vehicle or hire purchase agreement in applicants' name.
- ~~C.~~D. Produce a V5 Registration document (or new keepers supplement).
- ~~D.~~E. produce an appropriate insurance certificate or cover note for Private Hire purposes in accordance with the requirements of current legislation. If a cover note is offered, the full insurance certificate or further cover note should be presented within 2 working days of the cover note expiry date. Failure to do so will result in the licence being suspended.
- ~~E.~~F. produce a current MOT certificate and advisory notice if applicable (unless the vehicle is less than 1 year old).
- ~~F.~~G. produce a current Licensing Authority vehicle inspection certificate that is no more than 2 months old from date of application. Where an MOT has been carried out within the last two months without the added vehicle inspection checks, a Licensing and Enforcement Officer can then check the cosmetic elements for an appropriate fee.
- ~~G.~~H. Where a meter is fitted, produce proof of a meter inspection certificate **from an approved installer that is dated to the Councils current tariff.** ~~of no more than 2 months old from date of application.~~
- ~~H.~~I. return any plates previously issued by the Licensing Authority.

### **Change of Registration of Vehicle Applications**

2.8 To make a change of registration application the applicant must:

- A. complete and submit to the Licensing Authority the appropriate change of vehicle registration application form.
- B. pay the appropriate fee.
- C. produce confirmation of change of registration from DVLA.
- D. produce an appropriate insurance certificate or cover note for Private Hire purposes in accordance with the requirements of current legislation. If a cover note is offered, the full insurance certificate or further cover note should be presented within 2 working days of the cover note expiry date. Failure to do so will result in the licence being suspended.
- E. produce a current MOT certificate showing the new registration.

F. return any plates previously issued by the Licensing Authority.

### **Exemptions to display plates/signage**

- 2.9 Proprietors may request for an application to exempt the vehicle from the requirement to display identification licence plates and door panels through their private hire operator. Such applications are not considered lightly and more likely to be granted for high specification executive vehicles. Further details are provided in the Council's Private Hire Operators Rule Book.

## **3. General Conditions**

### **Delegated Powers**

- 3.1 Gloucester City Council will always have regard to this policy document and its objectives in exercising its taxi and private hire licensing functions. However, each application or enforcement measure will be considered on its own merits, and the Council has discretion to make exceptions to this policy. Where the Council makes exceptions to this policy, clear reasons will be given for the exception being made.
- 3.2 All matters under this policy that need to be decided urgently and are either sensitive or contentious will be considered by the Head of ~~Public Protection~~ **Place**.
- 3.3 All matters under this policy that need to be decided urgently that are non-sensitive or non-contentious will be considered by the ~~Food Licensing and Markets Service~~ **City Improvement and Environment** Manager.

### **Alteration of Existing Conditions**

- 3.4 A. The Council may alter these conditions upon the giving of 28 days notice in writing to the licence holder that any of these conditions are deleted, any new ones inserted or existing conditions altered.
- B. Any alteration of conditions under this condition will be consulted upon in the normal way and the licence holder will have the right to appeal to the Magistrates Court. The Licensing and Enforcement Committee will consider conditions, and any comments as a result of the consultation in the normal way.

### **Disciplinary Action**

- 3.5 A breach of any of these general conditions may result in disciplinary action in accordance with the Council's approved enforcement policy, Hackney Carriage and Private Hire Regulatory Guidelines and use of the penalty points totting up procedure.
- 3.6 The ~~Food Licensing and Markets Service~~ **City Improvement and Environment** Manager may at any time considered necessary, refer a driver or operator to the Council's Licensing and Enforcement Sub-Committee to assess their suitability to be licensed. Such matters may include: discovery of a conviction or caution, complaints against the person, accumulation of totting up penalty points on the Council's internal procedure, at least one warning within a 12 month period.
- 3.7 There is a power to immediately suspend or revoke a Private Hire Driver's licence on the grounds of public safety under Section 61 (2B) of the Local Government (Miscellaneous Provisions) Act 1976.

### **Complaints Procedure**

- 3.8 Details of the Council's complaints procedure for Hackney Carriage and Private Hire can be found in the approved 'hackney carriage and private hire regulatory guidelines'.

### **Penalty Points Scheme**

- 3.9 The council operates a penalty points system on private hire and dual driver licences to help ensure all drivers, owners and vehicles adhere to basic minimum standards, details of which can also be found in the Council's approved HC and PH regulatory guidelines.

## **DRIVERS**

### **Duration of Licence**

- 3.10 A Drivers licence shall remain in force for up to 3 years.

### **Medical Criteria**

- 3.11 Once a driver has reached the age of 45, he/she must have a medical every 5 years on renewal of the drivers licence until he/she reaches the age of 65. From the age of 65 he/she will have a medical annually.
- 3.12 If a driver develops any health or medical issues that may affect his/her fitness as a driver during the period of their licence, they must notify the Licensing Authority immediately and where appropriate the DVLA. The Licensing Authority must receive written medical clearance from the drivers GP in order to resume driving. The GP undertaking the medical assessment will need to declare that they have seen the driver's medical records.

### **Requirement to Return Drivers Badge**

- 3.13 If a driver is no longer licensed as a Private Hire driver, he/she must return his/her licence, badge and any other related items to the Licensing Authority within 7 days.

### **Notification of Changes**

- 3.14 If a driver moves house or changes his/her name, or if any other personal details included on the current licence changes, he/she must inform the Licensing Authority in writing within 7 days (see also 4.4).
- 3.15 If a driver leases a vehicle from another driver, he/she is obliged to inform the Licensing Authority of who is the owner of the vehicle that they are driving and to produce a current insurance certificate naming both the owner and driver. The Licensing Authority must be notified in writing within 7 days if anything changes. **The driver must also notify when they change Operators or work for multiple operators and identify which Operator(s) so that the Council are able to update their records.**

### **Convictions, Cautions and Fixed Penalties**

- 3.16 **A.** If a driver receives any cautions, convictions, fixed penalties or has a court case pending, he/she **MUST** inform the Licensing Authority in writing within 7 days of being formally notified of any such charge, fixed penalty, summons or conviction, or in the case of a custodial sentence as soon as reasonably practical. (Even if it is from a Gloucester City Council department or another Local Authority you still need to notify Gloucester City Council's Licensing Team).
- B.** If a driver fails to notify of any cautions, convictions or fixed penalties within seven days of being formally notified of any such charge, then penalty points will be issued. If this is picked up on a renewal application and these penalty points issued take the driver over 12 within a 12 month period, then the Licensing Team will not be in a position to renew the Private Hire driver's badge. The Licensing Team will therefore refer the driver to the Licensing and Enforcement Sub-Committee for members to decide if they continue to be a fit and proper person.
- C.** Notification of accidents (please see 4.7).

### **Code of Conduct**

- 3.17 A Private Hire driver shall always act in accordance with the following:
- A.** wear the Private Hire drivers badge provided by the Licensing Authority, in such a position and manner as to be plainly visible to the customer.
- B.** have a clean and tidy appearance.

- C. behave in a polite and courteous manner in front of customers, Licensing and Enforcement Officers, Elected members, to each other and to other road users.
- D. take reasonable precautions to ensure the comfort and safety of passengers including when they are getting in and out of the vehicle.
- E. attend punctually at the appointed time and place when hired.
- F. if requested, offer reasonable assistance with the loading and unloading of bags and luggage.
- G. offer reasonable assistance to passengers with a disability when they are getting in and out of the vehicle and, if appropriate, to and from their starting point or destination. If assistance is declined then continue to act in a polite and courteous manner.
- H. unless otherwise directed by the hirer, shall proceed to the given destination by the shortest or most economical route.
- I. not eat or drink in the vehicle whilst working as a Private Hire Driver.
- J. comply with a customer's request not to play any radio or other sound emitting device in the vehicle, other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
- K. not play any radio or other sound producing device in the vehicle so loud that it causes a noise nuisance to anyone inside or outside of the vehicle.
- L. not carry animals in the vehicle whilst working except for those carried in connection with the hirer of the vehicle. The driver has the discretion to decide whether he/she wants to carry animals belonging to a passenger in the vehicle, however, the animal may only be carried in the rear of the vehicle.
- M. it is an offence to drive a vehicle whilst using a mobile phone. All Private Hire drivers who wish to operate a mobile phone must ensure that a suitable means of hands-free operation is installed in the vehicle.
- N. remain vigilant and comply with local speed limits.
- O. Comply with Smokefree Legislation (please see 4.8 and 4.9).
- P. Provide the customer with a receipt if requested.

### **Lost Property**

- 3.18 As soon as possible after a passenger has left the vehicle, the driver should check to make sure that no property has been left behind.
- 3.19 If a passenger does leave something in a vehicle and it is not claimed within 48 hours, the driver should take it to the Licensing Authority offices or to the local Police station and obtain a receipt from the Duty Officer.

## **VEHICLES**

### **General**

- 3.20 Owners may apply for a particular vehicle to be exempt from some or all of the licensing requirements contained in this policy. Such exemptions are likely to be granted only in exceptional circumstances and each case will be on its own merits. Classic or Specialised vehicles are more likely to fall into this category.
- 3.21 Metropolitan type vehicles e.g. Black Cab /TX Series will not be accepted for licensing as a private hire vehicle.
- 3.22 The vehicle shall be of suitable size, shape and design to be safe and comfortable for passengers (See also paragraphs 3.34 and 3.35).
- 3.23 The vehicle must be right-hand drive and have a minimum of 4 doors.
- 3.24 The vehicle must be constructed and the doors open sufficiently wide as to allow easy access and egress from the vehicle and cause no inconvenience to passengers.

- 3.25 The license holder shall ensure that all fittings and seats are such as to be efficient, safe, tidy and clean.
- 3.26 The licence holder shall ensure the exterior of the vehicle is kept clean and in good repair.
- 3.27 The vehicle must be fitted with a spare wheel and tyre or space saver where supplied at the time of manufacture.
- 3.28 The vehicle must comply with all traffic regulations and legislation in force.
- 3.29 No changes to the specification, design or appearance shall be made to the vehicle without the prior approval of the Licensing Officer.
- 3.30 Any vehicle that has been modified since manufacture or is imported must have the appropriate approval certificate e.g. a Single Vehicle Approval Certificate.
- 3.31 Tinted windows will only be accepted if it meets manufacture specification and comply with current legislation.

### **Vehicle Age and Testing**

- 3.32 Vehicles must comply with the following conditions in relation to age and length of service:
  - A. vehicles will not be accepted for licensing on the first occasion after 5 years from the date of the first registration regardless of whether it was previously licensed **Gloucester City Council** or anywhere else in the UK **and must be of the latest Euro standard currently it is Euro 6, these are for vehicles registered after 1<sup>st</sup> September 2015.**
  - B. the vehicle will not be re-licensed once it has reached its 10th anniversary from the date of the first registration. **All existing vehicles will need to be Euro 6 compliant by 2023. If a vehicle is transferred before 2023 then it will need to be replaced with a vehicle that is Euro 6 compliant.**
  - C. all vehicles must be tested annually to the current Licensing Authority standards. Once the vehicle has reached the age of 8 years since the first date of registration the vehicle shall be tested at 6 monthly intervals from the date of its last vehicle inspection test and submitted to the Licensing Authority until it has reached its service limit of 10 years since first date of registration.
  - D. Stretched limousines and other specialised vehicles will be considered under their own merits.
  - E. if the condition of the vehicle deteriorates below the acceptable standard set in the Licensing Authority vehicle test at anytime during the working life of the vehicle, the **Licensing City Centre Improvement** Officer reserves the right to withdraw the licence.

### **Colour of Vehicle**

- 3.33 All Private Hire vehicles can be of any colour but must not be white.

### **Seat Dimensions**

- 3.34 Each passenger seat shall be as follows:
  - A. Height – from the top of the seat cushion to the roof at the lowest point must not be less than 30 inches (762mm).
  - B. Knee space – the measurement between the front of each seat and the rear of the seat in front shall not be less than 10 inches (254mm).
  - C. Width – the width of each passenger seat from side to side shall not be less than 16 inches (406mm). A seat designed for more than one passenger such as a rear seat must allow a width of 16 inches (406mm) for each passenger permitted.
  - D. Depth – the measurement of a seat cushion between the front and back shall not be less than 18 inches (457mm).
  - E. Dimensions for knee space and seat depth may be considered together subject to the approval of a **Licensing City Centre Improvement** Officer.

- 3.35 Occasional use fold down seats in purpose built wheelchair accessible vehicles are exempt from the seat dimension requirements listed above.

### **Fire Extinguisher and First Aid Kit**

- 3.36 The vehicle licence holder shall ensure that a fire extinguisher is fitted and complies to British Standard BSEN3 and be of at least 1kg powder capacity and in date. A First Aid Kit must also be provided in the vehicle and be maintained and readily available for use. In line with HSE for Travelling workers your first aid box should contain the following minimum contents:

- 6 individually wrapped sterile plasters
- 2 individually wrapped triangular bandages
- 2 safety pins
- 1 large individually wrapped, sterile, unmedicated wound dressing
- individually wrapped, moist cleansing wipes
- Pair of disposable gloves (non-latex)
- HSE leaflet “Basic advice on first aid at work” which can be printed from the following link <http://www.hse.gov.uk/pubns/indg347.pdf>

### **CCTV Systems**

- 3.37 CCTV systems (plus dash cams) may be installed into the vehicle with the approval of the Licensing City Centre Improvement Officer. All CCTV systems must comply with current legislation including data protection.

### **Luggage**

- 3.38 All luggage must be stored securely and, if appropriate, the vehicle shall be fitted with suitable equipment to prevent luggage from entering the passenger compartment.

- 3.39 Roof racks and roof boxes are permitted on Private Hire vehicles subject to the approval of the Licensing City Centre Improvement Officer.

- 3.40 Trailers must be approved by the Licensing City Centre Improvement Officer.

### **Seatbelts**

- 3.41 Each passenger must have an appropriate, operational 3 point lap and shoulder seatbelt, see also 4.8 and 4.9 which refers to current seatbelt legislation.

### **Meters and Fares**

- 3.42 If a Taximeter is fitted, the Private Hire licence holder must ensure that the taximeter is on display within the vehicle in a prominent position and clearly visible to the hirer of the vehicle.

- 3.43 Where a Taximeter is fitted, the Private Hire licence holder shall ensure that a tariff card is on display within the vehicle in a prominent position and clearly visible to the hirer of the vehicle.

- 3.44 If a Taximeter is fitted it must be inspected upon installation. The Private Hire licence holder must then show to the council the meter check certificate calibrated to the tariff as shown on their tariff card. ~~annually as part of the Licensing Authority Vehicle Test,~~ but the Licensing City Centre Improvement Officer reserves the right to test on demand.

### **Vehicle Licence Plates**

- 3.45 Vehicle licences shall remain in force for a period of 1 year unless otherwise stated on the licence.

- 3.46 All vehicle licence plates must be displayed on the vehicle at all times. The only exceptions are when it's parked outside the home address to which the vehicle is licensed, during personal use outside the City boundaries or when there is plate/panel exemption in force.

- 3.47 The exterior rear Private Hire vehicle plate shall be securely fixed to the outside of the vehicle adjacent to the rear registration number plate and shall be displayed at all times that the licence is in force. The plate must be clearly visible at all times.

- 3.48 The exterior front Private Hire vehicle plate shall be securely fixed to the outside of the vehicle adjacent to the front registration number plate and shall be displayed at all times that the licence is in force. The plate must be clearly visible at all times.
- 3.49 The interior Private Hire vehicle plate shall be securely fixed inside the vehicle on the windscreen where it is clearly visible to passengers travelling inside the vehicle and visible from outside the vehicle and shall be displayed at all times that the licence is in force.
- 3.50 The licence plates shall remain the property of the Licensing Authority and in the event that the licence is suspended, revoked or expired it shall be returned to the Licensing Authority within 7 days of notice being served on the licence holder by the Licensing Authority.

### Roof Signs

- 3.51 Private Hire vehicles are not permitted to have roof-mounted signs.

### Additional Signs

- 3.52 A sticker must be displayed on all Private Hire vehicles to inform passengers that if the Private Hire driver knowingly accepts a fare that has not been pre-booked, the driver's insurance may be invalid.
- ~~3.53 All licensed Private Hire vehicles shall display in a clearly visible location at the rear of the vehicle the approved sign/sticker relating to their use of bus lanes.~~

### Door Panels

- 3.54 Door panels must be displayed on the vehicle at all times. The only exceptions are when it's parked outside the address to which the vehicle is licensed, during personal use outside the City boundaries or when there is plate/panel exemption in force.
- 3.55 Door Panels shall be displayed in a conspicuous location on both sides of a Private Hire vehicle and must be rectangular in shape. They must be approved by the **Licensing City Centre Improvement** Officer prior to display and shall be printed with black lettering on a yellow background.
- 3.56 The following information in **bold** must be provided on the panel: -  
**City of Gloucester**  
[Company Trade Name] **Private Hire**  
**Pre-Bookings Only**  
[Telephone]  
With the words in 'square' brackets above to be optional. As a guideline, the minimum font size of the mandatory wording on the door panel is 30mm.

- 3.57 The company name on the door panels must be exactly the same as the name on the operator licence. The word "taxi", "cab" or "hackney carriage" must not be used. No alternative words or spellings, such as "Kab", which would have the effect of leading the public to believe that a vehicle is a hackney carriage available for hire, may be used.

### Advertising

- 3.58 Advertising on or in the vehicle of any company or subject is not permitted apart from advertising of the Private Hire Company that the vehicle is operating under on door panels only. Such advertising must include the words 'Pre-Booking only'. (See separate conditions for door panels)

### Stretched Limousines

- 3.59 Stretched Limousines must meet the standard Gloucester Private Hire conditions in accordance with the specific conditions below:
- A. The vehicle may be left or right hand drive and be of any colour.

- B. As a limousine is a vehicle that has been the subject of a major conversion or modification, evidence must be provided to show that there is a voluntary SVA (Single Vehicle Approval) issued by a VOSA testing station covering such conversion or modification.
  - C. The applicant must provide written evidence that the vehicle has undergone one of the following:-
    - i. A conversion by a Ford Qualified Vehicle Modifier (QVM Certificate) or a Cadillac Master Coachbuilder (CMC Certificate); or
    - ii. An equivalent conversion programme (the onus will be on the applicant to demonstrate that if the conversion is not Ford or Cadillac approved, that the standard of the conversion is at least to QVM or CMC standard).
- 3.60 A limousine must have appropriate operational seat belts for all passengers that the vehicle is licensed to carry.

## 4. Other Legislation

### Number of Passengers Permitted

- 4.1 A Private Hire vehicle shall not be permitted to carry more than 8 passengers.
- 4.2 A Private Hire vehicle shall not carry any more passengers than the number stated on the vehicle licence plate.

### Licensed Drivers

- 4.3 A Private Hire vehicle is licensed as a Private Hire vehicle and as such can only be driven by a person holding a Private Hire or Hackney Carriage drivers licence issued by the same Licensing Authority throughout the duration of that Private Hire vehicle licence. Even with all signage removed, the vehicle is still a licensed vehicle and must not be driven by any other person than a licensed Private Hire or Hackney Carriage driver.
- 4.4 It is an offence under the Town Police Clauses Act 1847, to ply for hire without a Hackney Carriage Licence. As such private hire drivers should not accept any fare that has not been pre-booked through the operator, to do so would invalidate the insurance. Standing for hire is prohibited as well as accepting flag downs. **A private hire driver and vehicle is prohibited from waiting or dropping off on a designated Hackney Carriage (taxi) rank and is an offence under The Local Government (Miscellaneous Provisions) Act.**
- 4.5 Licensed Private Hire Drivers must ensure that they comply with the requirements of the Town Police Clauses Act 1847, The Local Government (Miscellaneous Provisions) Act 1976 and any other legislation applicable to their role.

### Change of Details

- 4.6 A holder of a Private Hire vehicle licence must notify the Licensing Authority, in writing within 7 days, of any changes in the details of their Private Hire licence including change of address and lease of the vehicle to another licensed driver.

### Notification of Accidents

- 4.7 A holder of a Private Hire vehicle licence must notify the Licensing Authority as soon as reasonably practicable and no longer than 72 hours after any accident that causes damage materially affecting the safety, performance or appearance of a Private Hire vehicle or the comfort and convenience of the passengers.

### Smokefree Legislation

- 4.8 Private Hire vehicles are smokefree vehicles by law and neither the driver nor the passengers are able to smoke in the vehicle at any time. This applies to all occupants including the driver at all times including for private use. This also includes E-Cigarettes, E-Liquid and any vaping products.
- 4.9 A No Smoking sign must be displayed in each compartment of the vehicle that shows the international "No Smoking" sign (a minimum of 70mm in diameter).

## **Seatbelt Legislation**

- 4.10 The driver of a Private Hire vehicle is responsible for ensuring that ALL passengers under the age of 14 are wearing the correct seatbelts or restraints.
- 4.11 A Private Hire vehicle driver is only exempt from wearing a seatbelt whilst the Private Hire vehicle is carrying fare paying passengers for hire.

## **Sale of Alcohol**

- 4.12 The sale of alcohol is a licensable activity under the Licensing Act 2003. The sale of alcohol is prohibited in a moving vehicle. If a sale of alcohol is made as part of a booking arrangement, the sale must be authorised by either a premises licence or a temporary event notice in accordance with the Licensing Act 2003.

## **Guide Dogs**

- 4.13 Private Hire drivers must permit, without additional payment, guide, hearing and certain prescribed assistance dogs accompanying disabled people to be carried in the licensed vehicle unless an exemption certificate has been issued to that driver on medical grounds by the Licensing Authority.

## **5. Glossary of Terms**

### **Controlled District**

- 5.1 The area covered by the Licensing Authority.

### **DfT**

- 5.2 The Department for Transport determines the overall transport strategy for the UK.

### **DVLA**

- 5.3 The Driver and Vehicle Licensing Agency is an executive agency of the Department for Transport (DfT). The DVLA's primary aims are to facilitate road safety and general law enforcement by maintaining registers of drivers and vehicles, and to collect vehicle excise duty (car tax).

### **Enhanced Disclosure and Barring Service**

- 5.4 The Disclosure and Barring Service is a non- departmental public body of the Home Office and provides wide access to criminal record information through its disclosure service. The Disclosure and Barring Service (DBS) was formed by merging together the functions of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) under the Protection of Freedoms Act 2012. It started functioning on 1 December 2012.

The enhanced criminal record disclosure contains details of both spent and unspent convictions and any cautions from England and Wales, held on central records or it will indicate that there are no such matters held on central records.

In addition the enhanced criminal record disclosure may also show any information held on local Police records considered by the Chief Constable or Chief Officer to be relevant to the position being sought and which can be disclosed without harming the interests of the prevention or detection of crime. It is entirely up to the Chief Constable or Chief Officer to decide what information is disclosed, if any, in these circumstances.

In respect of an enhanced criminal record disclosure, the Chief Constable or Chief Officer may also disclose information to the counter signatory only, which is information which will not form part of the actual disclosure. Such information will be sent separately to the counter signatory and will be withheld from the subject of the disclosure (that is the individual applicant) in the interests of the prevention or detection of crime.

### **ISA**

**5.5** The Independent Safeguarding Authority (ISA) was a non-departmental public body that existed until 1 December 2012, when it has been merged with Criminal Records Bureau (CRB) into Disclosure and Barring Service (DBS)

### **5.6 Licensing Authority**

The authority responsible for issuing licenses in relation to Private Hire drivers and vehicles under the Town Police Clauses Act 1847 and Part II of The Local Government (Miscellaneous Provisions) Act 1976.

### **5.7 Licensing Authority Vehicle Test Certificate**

Vehicle test undertaken by garages within the controlled district that have been approved by the Licensing Authority. In addition to safety checks this includes condition of the vehicle inside and outside and that the vehicle **meets the Licensing Authority conditions e.g. roof signs, plates etc.**

### **5.8 Licensing City Centre Improvement Officer**

An Officer of the Council authorised to act in accordance with Private Hire legislation.

### **5.9 Literacy and Numeracy Test (Private Hire Knowledge Test)**

An examination undertaken by applicants for a Private Hire drivers licence to demonstrate the knowledge an applicant has regarding:-

- Basic map reading
- Contents of Driver and Vehicle Rule Book
- Calculation of basic fares and change in GB £'s
- Basic knowledge of the Road Traffic Regulations

Candidates who do not pass on the first occasion will be allowed to re-sit the test up to twice within a 12 month period. Candidates who fail 3 times will not be allowed to re-sit the test until they can demonstrate that they have improved their literacy and numeracy skills through the Adult Education Department.

### **5.10 Medical (group 2)**

A medical examination undertaken to group 2 standards set out by DVLA. This is the same as the standard required from drivers of public service vehicles and heavy goods vehicles.

### **5.11 Premises Licence**

A licence issued by a Licensing Authority under the Licensing Act 2003 which permits licensable activities which may include sale by retail of alcohol.

### **5.12 Single Vehicle Approval Certificate**

The Single Vehicle Approval Certificate (SVA) scheme is a pre-registration inspection for cars and light goods vehicles that have not been type approved to British or European standards. The main purpose of the scheme is to ensure that these vehicles have been designed and constructed to modern safety and environmental standards before they can be used on public roads. The approval is issued by selected VOSA testing stations and may also be issued to vehicles that have been modified or converted.

### **5.13 Temporary Event Notice**

A notice submitted to the Licensing Authority under the Licensing Act 2003 in relation to licensable activities that may include the sale by retail of alcohol. There are restrictions on temporary event notices including a limit on the number that can be issued per year.

#### **5.14 DVSA**

The Driver and Vehicle Standards Authority (DVSA) provides a range of licensing, testing and enforcement services with the aim of improving the roadworthiness standards of vehicles ensuring the compliance of operators and drivers, and supporting the Independent Traffic Commissioners.

### **6 FACILITIES FOR THE DISABLED**

- 6.1** Approved anchorages must be provided for the wheelchair and chairbound disabled person. These anchorages must be either chassis or floor linked and capable of withstanding approved dynamic or static tests. Restraints for wheelchair and occupant must be independent of each other. Anchorages must also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment. All anchorages and restraints must be so designed that they do not cause any danger to other passengers.
- 6.2** The door and doorway must be so constructed as to permit an unrestricted opening across the doorway of at least 75cm. The minimum angle of the door when opened must be 90 degrees.
- 6.3** The clear height of the doorway must be not less than 1.2 metres.
- 6.4** Grab handles must be placed at door entrances to assist the elderly and disabled.
- 6.5** The top of the tread for any entrance must be at floor level of the passenger compartment. The outer edge of the floor at each entrance must be fitted with non-slip treads.
- 6.6** The vertical distance between the highest part of the floor and the roof in the passenger compartment must be not less than 1.3 metres.
- 6.7** Where seats are placed facing each other, there must be a minimum space of 42.5cm between any part of the front of a seat and any part of any other seat which faces it, provided adequate foot room is maintained at floor level. Where all seats are placed facing to the front of the vehicle, there must be clear space of at least 66cm in front of every part of each seat squab.
- 6.8** A ramp or ramps for the loading of a wheelchair and occupant must be available at all times. An adequate locking device must be fitted to ensure that the ramp/ramps do not slip or tilt when in use. Provision must be made for the ramps to be stowed safely when not in use.