



Hackney Carriage and Private Hire Licensing Policy

Contents

Hackney Carriage and Private Hire Licensing Policy	1
1. Introduction.....	4
2. Licensing Authority Standards.....	5
3. Background.....	7
4. Delegations and decision making	9
5. Enforcement.....	11
6. Equality of treatment and discrimination.....	18
7. Safeguarding and Counter Terrorism Responsibilities.....	19
8. Equality Act and Disability Discrimination.....	21
9. Requirements for licence holders to be “fit and proper” to hold a licence.....	23
10. Dual Driver Licence	27
11 Hackney Carriage and Private Hire vehicles.....	42
12. Specific additional requirements for Hackney Carriages	56
13. Specific additional requirements for Private Hire Vehicles	59
14. Private Hire Operators.....	62
15. Hackney Carriage Fares.....	66
16. Private Hire Fares	67
17. Fees.....	67
18. Appeals.....	67
Appendix 1 - Convictions and Acceptable Behaviour Policy.....	69
Appendix 2 – Standard Conditions attached to a Dual Driver Licence	81
Appendix 3 - Code of Conduct for Licensed Drivers	85
Appendix 4 - Byelaws for Hackney Carriage or Private Hire Vehicles	88
Appendix 5 – Standard Conditions attached to a Hackney Carriage Licence	97
Appendix 6 – Taxi Ranks	102
Appendix 7 – Standard Conditions attached to a Private Hire Vehicle Licence	105
Appendix 8 - Standard Conditions for Stretched Limousines.....	110
Appendix 9 - Standard Conditions attached to a Private Hire Operator licence.....	113
Appendix 10 - Offences for hackney carriage and private hire vehicles and drivers	118
Appendix 11 – Standards of Vehicle Inspection	127

Appendix 12 a – Passenger information.....	129
Appendix 12 b – Passenger information.....	131
Appendix 13 - Code of Conduct when working with Vulnerable Passengers.....	133

1. Introduction

Hackney Carriages have been licensed since the Town Police Clauses Act of 1847 was enacted. The Local Government (Miscellaneous Provisions) Act 1976, as amended, extended these licensing requirements to Private Hire Vehicles and placed a duty on Wyre Council ("the Council") as the relevant Licensing Authority, to undertake the regulation of Hackney Carriages, Private Hire Vehicles, their drivers and operators.

- 1.1 Wyre Council has the vision to make this 'a place where everyone can prosper'. This Policy has been developed with reference to Wyre Council Plan 2024 - 2028 and will be kept under review and revised as necessary.¹
- 1.2 This policy together with legislation, relevant guidance and procedures will guide the work of the Licensing Authority in the way in which it carries out its functions. The policy has immediate effect and will be applied to existing licences and new applications received after the date that the policy is adopted by the Licensing Authority. The Licensing Authority reserves the right to overturn a decision that has previously been made, or refuse a renewal of a licence, where clear errors are discovered. In addition, periodic auditing of currently licensed drivers and vehicles will be undertaken to ensure that the policy is adhered to and is being followed in its entirety. Such audits will be conducted using this policy as the required standard.
- 1.3 This policy sets out the requirements and standards that must be met. Throughout the policy any reference to applicants, includes new applicants, renewal applicants and existing licence holders. In exercising its discretion in carrying out its regulatory functions, the Licensing Authority will have regard to this policy document. However, each application or enforcement action will be considered on its own merits. The policy statement will be reviewed as required and informally re-evaluated from time to time. Where revisions are made, the Licensing Authority will publish a statement of such revisions, along with a revised policy.

¹ [Council plan 2024-2028 – Wyre Council](#)
V.2026

2. Licensing Authority Standards

Subject to unforeseen circumstances beyond the control of the Licensing Authority, we will endeavour to maintain the following service levels:

The Licensing Authority can be contacted by telephone, email, through the website, or in person by appointment. The preferred method of contact is via email to allow Licensing Authority to deal with enquiries as effectively as possible.

If you have any concerns or complaints about the Licensing Authority, please email at licensing@wyre.gov.uk

If you are not satisfied, please use the Council Complaints Procedure, details of which can be found here **Corporate complaints – Wyre Council**

2.1 The Licensing Authority involved with the licensing framework and associated functions endeavour to be polite, courteous, civil and professional. The same standards of behaviour are expected from applicants, and the Licensing Authority has a policy of zero tolerance to any abuse, bullying, violence or similar behaviour towards the Licensing Authority and Councillors. Any such behaviour on the part of an applicant will be considered against –

- Whether a licence should be granted
- Whether action should be taken against an existing licence

2.2. Whistleblowing

2.2.1. The Whistleblowing Policy for Wyre Council is designed to support employees and others in reporting any serious concerns they may have about the council's work.

2.2.2. The law requires the Council to protect employees, councillors and contractors who raise any concern within the Council regarding;

- Possible corruption or malpractice taking place
- The law or rules being broken

- The health and safety of any person being endangered
- Damage to the environment taking place

The policy can be accessed on the Council's website and sets out the process for reporting concerns about malpractice and how those concerns will be addressed.

2.3. Guidance & Information for Passengers

2.3.1. The Licensing Authority recognises the importance of ensuring that the public can easily identify licensed vehicles and drivers, and understands the increased risks associated with using unlicensed services. To support this, the Licensing Authority will publish information that must be displayed in licensed private hire operator premises and vehicles, outlining the standards expected of both the licensed trade and customers.

2.3.2. Appendix 12a and 12b contain the proposed information to be displayed within licensed vehicles, along with general guidance for passengers on how to stay safe when using hackney carriage and private hire services.

2.3.3. When making a booking with a private hire operator, customers are encouraged to inform the operator of any specific requirements, such as the need for a wheelchair accessible vehicle, extra luggage space, a swivel seat or child car seats, so that suitable arrangements can be made for both passengers and the licensed trade.

2.4 Complaints relating to licence holders and suspected unlicensed activity

2.4.1. Any concerns or complaints about the conduct of a licence holder, or about a person suspected of operating without the required licence, should be reported to the Licensing Authority. The complaints process, including how complaints are submitted, acknowledged and investigated, is set out in section 5.3 of this policy.

2.4.2. Information about complaints, including the handling of anonymous complaints and possible outcomes, is contained in section 5.3.

3. Background

- 3.1** The protection of the public and licence holders is of paramount concern for the Licensing Authority when discharging its licensing functions and it will not hesitate to act, when it is made aware of issues that have the potential to undermine public safety.
- 3.2** Hackney Carriages and Private Hire vehicles play a vital part in the transport network, providing an invaluable service to residents and visitors to Wyre.
- 3.3** Licensed drivers are entrusted to transport some of the most vulnerable members of our society, from the very young, to the elderly and infirm and those who may be incapacitated through alcohol or drug use. Our communities rely on licensed drivers and their vehicles to provide a safe and reliable service.
- 3.4** Licensed vehicles and their drivers enjoy an anonymity on our roads that is shared only by emergency vehicles. The appearance of a vehicle, whether regularly or otherwise, at any time of the day or night, does not raise any suspicion as to the reason for it being there, if it is displaying a Hackney Carriage or Private Hire Vehicle Licence plate.
- 3.5** The Licensing Authority undertakes its licensing function in respect of drivers, vehicle proprietors and operators in such a way that it facilitates measures that support the personal safety of licence holders.
- 3.6** The methods the Licensing Authority will use to achieve this will include (not limited to):
- Setting the standards for the licensing of vehicles, drivers and operators
 - Use of the NR3S database (The National Register of Refusals, Revocations and Suspensions)
 - Annual licensing and routine inspection of vehicles, with appropriate follow-up action including enforcement
 - Routine inspection of documents, with appropriate follow-up action including enforcement
 - Routine checks of driver's medical fitness and criminal record history during the time the licence is in force
 - Prompt recording and timely investigation of complaints with appropriate follow-up action

- Actively engaging with Lancashire Constabulary, other police forces, neighbouring local authorities and partner agencies to respond to and resolve public safety concerns.
- Robust enforcement (taking account of both the Regulators Code and the Wyre Council enforcement policy) including, monitoring of contraventions, suspension or revocation of licences for breach of conditions or legislation and prosecution
- Regular training and development of Council officers and members
- Provision of information to licensees about good practice and what to expect from any inspection or assessment
- Provision of mandatory training (additional fees may apply) for applicants and licensees when considered necessary

3.7 The Licensing Authority will work with a wide range of partners when carrying out its duties in respect of Hackney Carriage and Private Hire Licensing, including, but not limited to:

- Licensed drivers, operators and vehicle proprietors
- Local residents
- Locally operating Hackney and Private Hire Trade Associations
- Lancashire Constabulary
- National Anti-Fraud Network
- Driver and Vehicle Standards Agency (formerly VOSA now DVSA)
- Driver and Vehicle Licensing Agency (DVLA)
- HM Revenue and Customs
- UK Visas and Immigration Department
- Department of Work and Pensions
- Lancashire County Council
- The Disclosure and Barring Service
- The Office of the Police and Crime Commissioner
- Other Licensing Authorities
- Equality groups
- Disability groups
- Highways Authority
- Passenger Transport
- Safeguarding Children's Partnership
- Service users

3.8 To promote the policy objectives the licensing authority will work in partnership with the stakeholders detailed above, along with other agencies such as:

- Disclosure and Barring Service
- Home Office Immigration Services

3.9 This policy will come into effect on **XXXX** and will be subject to periodic reviews at least every 5 years.

4. Delegations and decision making

Where the Council's constitution delegates a role to an officer, the officer can then authorise other officers to carry out that role / function on his or her behalf. Authorisations are only given to persons who have the appropriate competences to undertake the roles they have been authorised to do.

4.1 Licensing Authority officers are authorised by the Director of Environment to carry out responsibilities under named legislation. These authorisations are usually in written format and are available from officers upon request.

In certain circumstances, usually emergency situations, officers may be given a verbal authorisation from the relevant senior officer.

4.2 Decisions on applications and action against licences are made by the Licensing Authority. Usually that will be a decision made by an officer acting under delegated powers, but where an application is outside policy or action needs to be taken in relation to an existing licence the matter may be referred to the Licensing Committee (or sub-committee of it).

4.3 There is no difference in the decision-making process between an officer and a committee. In both cases the applicant or licensee will be given an opportunity to make representations and those will be taken fully into account. There may be occasions when a very short timescale will be provided for representations to be made (instances where action needs to be taken quickly in relation to a driver's licence). In those circumstances the licence holder will be contacted by all practicable means to be informed of the date and time of the decision and given an opportunity to attend. Where they cannot be contacted, or do not attend, the decision will be taken in their absence.

- 4.4** In the exercise of its powers as the Licensing Authority, regard will be given to the legislative framework, relevant guidance and this policy. Notwithstanding this, every application or enforcement measure will be considered on its own merits. Should it be necessary to substantially depart from this policy, a written record will be made of the reasons for doing so.
- 4.5** The Licensing Authority acknowledges that Department for Transport Statutory Guidance advocates that consideration should be given to authorising officers from other authorities and vice versa so that compliance and enforcement action can be taken against licensees from outside individual licensing authority areas. Whilst the Licensing Authority does not object to this approach, it has not been implemented. However, if it appears that there are considerable compliance and monitoring work required in respect of drivers / vehicles from any licensing authority, the Licensing Authority would expect financial recompense from the relevant licensing authority for any work undertaken.

4.6. Information and Data Sharing

- 4.6.1.** In the interests of protecting public funds, The Licensing Authority reserve the right to use any information or data submitted as part of an application, renewal, administration or compliance and enforcement process for the prevention and detection of fraud and crime.
- 4.6.2.** Data held will include name, address, telephone number(s), e-mail address(es), date of birth, national insurance number along with information about medical status, criminal history, driving record and right to work in the UK. This information will have been provided as part of the application process.
- 4.6.3.** This information is required so that applications can be processed and licences granted. It is in the public interest to determine whether or not an applicant or driver is a fit and proper person to hold a licence as defined by this policy and conditions. It is not possible to make these decisions without this information.
- 4.6.4.** Data relating to taxi and private hire licences will generally be held for a period of 7 years after the expiry of the last licence issued. Data provided as part of the NR3S

Database will generally be held for a period of 11 years after the licence was revoked or the application was refused.

4.6.5. The Licensing Authority may share your information internally and we reserve the right to check the information you have provided for accuracy and to detect crime. We may share your information with other statutory / regulated Authorities or if it is required by law. Other parties may include the Disclosure and Barring Service (in relation to Barring Lists), the Department for Work and Pensions, The Home Office, The Police, the DVLA, HM Revenues and Customs and other local authorities.

4.6.6. The Licensing Authority subscribes to the National Register of Taxi and Private Hire Vehicle Revocations, Refusals and Suspensions (NR3S) to check all drivers applying for licences (new and renewal) against the register. Where an existing licence is revoked or suspended or an application refused, this will be recorded on the register.

4.6.7. Further information about how The Licensing Authority processes data relating to taxi and private hire licences along with details of the Council's Data Protection Officer can be found on the website.²

5. Enforcement

The Licensing Authority administers a wide range of licences and permits, some of which are mandatory, where the Licensing Authority must license particular activities, and some of which are adoptive, where the Licensing Authority has elected to regulate certain businesses, activities or individuals through the grant of licences and the imposition of licence conditions.

The main purpose of licensing enforcement is to:

- Secure the health, safety and welfare of members of the public who either make use of the licensed activity or who are affected by it in some way.
- Deal immediately with serious risks.

² [Data Protection Complaints Procedure – Wyre Council](#)

- Promote and achieve sustained compliance with the law.

5.1 The Regulators Code

The Regulators' Code came into effect in April 2014 and was published by the Better Regulation Delivery Office within the Government's Department for Business, Innovation and Skills.

5.1.1. The Code sets out six principles to which regulators, including Wyre Council, must have regard when carrying out their duties, including when developing policies and procedures that guide regulatory activity.

5.1.2 The six principles within the Code are as follows:

- Regulators should carry out their activities in a way that supports those they regulate to comply and grow
- Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
- Regulators should base their regulatory activities on risk
- Regulators should share information about compliance and risk
- Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
- Regulators should ensure that their approach to their regulatory activities is transparent

5.1.3. The information, standards and guidance contained within this section reflect the above principles and also have regard to the Department for Transport's Taxi and Private Hire Vehicle Best Practice Guidance and the Statutory Taxi and Private Hire Vehicle Standards, which state at paragraph 3.1: *"When formulating a taxi and private hire vehicle policy the primary and overriding objective must be to protect the public."*

5.2. Statutory Framework & Legislation

5.2.1. The following list details some of the primary legislation which the Licensing Authority must either have regard to, or is duty bound to adhere to, in order to discharge its licensing function in respect of Hackney Carriage and Private Hire vehicles, licensed drivers and operators.

5.2.2. This list is not exhaustive and will change over time as legislation is amended, repealed or replaced.

- Criminal Procedures & Investigations Act 1996
- Data Protection Act 2018
- Deregulation Act 2015
- Equality Act 2010
- Freedom of Information Act 2000
- UK General Data Protection Regulation (UK GDPR)
- Health Act 2006
- Health & Safety at Work etc. Act 1974
- Human Rights Act 1998
- Immigration Act 2016
- Legislative and Regulatory Reform Act 2006
- Local Government Act 1972
- Local Government (Miscellaneous Provisions) Act 1976
- Local Government (Miscellaneous Provisions) Act 1982
- Measuring Instruments Regulations 2017
- Police & Criminal Evidence Act 1984
- Policing and Crime Act 2017
- Regulation of Investigatory Powers Act 2000
- Rehabilitation of Offenders Act 1974
- Road Safety Act 2006
- Road Traffic Act 1988
- Road Traffic Regulation Act 1984
- Town Police Clauses Act 1847 and 1889
- Safeguarding and Vulnerable Groups Act 2006
- Transport Acts of 1980, 1985 and 2000
- Taxi and Private Hire Vehicle (Safeguarding and Road Safety) Act 2022
- Taxi and Private Hire Vehicles (Disabled Persons) Act 2022

5.3. Complaints about hackney carriage and private hire trade

5.3.1. Council officers investigate complaints relating to the conduct of licence holders and to persons suspected of operating without the required licence.

5.3.2. Complaints are normally requested in writing, including by email, so that officers have an accurate record of the matters raised. Where a complainant is unable to provide details in writing, the complaint may still be treated as valid and officers may offer reasonable assistance to

obtain the information needed to assess and investigate it.

- 5.3.3.** Where a complaint relates to a serious public safety matter, it will be treated as urgent and referred to a competent officer for immediate investigation.
- 5.3.4.** Similarly, requests for information from partner agencies including the police and other authorities will be dealt with as a priority having regard to relevant data protection requirements.
- 5.3.5.** Complainants are asked to provide their contact details so that officers can communicate with them about the complaint. Where the Licensing Authority determines that a complaint should be investigated the matter will be discussed with the complainant and agree whether their identity can be shared. Anonymous complaints may still be considered, particularly where they raise serious public safety concerns, although less serious anonymous complaints may be noted without further action.
- 5.3.6.** The Licensing Authority will aim to acknowledge receipt of a complaint and provide the contact details of the investigating officer within 5 working days.
- 5.3.7.** The Licensing Authority does not have a set resolution time for complaints due to the variety of investigations that may be necessary.
However, the Licensing Authority will keep complainants informed of the progress of their complaints.
- 5.3.8.** Complaints will be recorded on the Licensing Authority's database and will be subject to ongoing trend analysis in relation to individual licence holders and for performance monitoring purposes, including general analysis of complaint types.
- 5.3.9.** A wide range of outcomes may arise from the investigation of complaints, including:
- No action
 - Verbal advice given
 - Written advice/ warning issued
 - Suspension/ revocation of licences
 - Simple cautions
 - Prosecutions
 - Formal review of a licence which could result in any of the above
- 5.3.10.** Where there are a number of complaints against a licence holder this is likely to compound concerns

regarding the licence holder's suitability to maintain the licence.

5.3.11. Where private hire operator premises are inspected, authorised officers will review the complaints record log to identify any pattern of complaints and take appropriate action where necessary.

5.3.12. Information concerning the investigation and outcome of complaints may be shared with other agencies, including the police and the National Register of Taxi and Private Hire Vehicle Revocations, Refusals and Suspensions (NR3S), in accordance with relevant legal requirements.

5.4. Complaints about the Licensing Authority

5.4.1. Anyone who wishes to complain about the Licensing Authority may do so through the Council's formal complaints procedure, details of which are available on the Council's website.

5.5. Requests for Information or Advice

5.5.1. Requests for information or advice (Service requests) can be received from applicants, licence holders, partner agencies, councillors, or any other individual / organisation.

Where the information is available on our website, the enquirer will be directed to the relevant webpage.

Service requests should be emailed to licensing@wyre.gov.uk. The Licensing Authority aims to respond to all service requests within 5 working days. Administrative charges may be levied for some service requests.

5.6. Refusal to grant a licence

5.6.1. The legislative framework for refusal of drivers, vehicles and operators' licences is contained within the Local Government (Miscellaneous Provisions) Act 1976. In most cases any decision to refuse to grant an application for a driver / vehicle or operator licence will be a matter for the Licensing Committee. Please note incomplete applications are not deemed as refused but as the term implies they are incomplete and therefore cannot be

accepted as a valid application.

5.6.2. Applicants will always be informed in writing of the reasons why an application has been refused and their right of appeal against the decision.

5.6.3. Where an applicant is refused a licence, he / she has a right of appeal. In most cases the appeal lies to the Magistrates' Court. The one exception is the refusal to grant a new Hackney Carriage proprietor's licence, where the appeal lies directly to the Crown Court.

5.6.4 The Licensing Authority will keep a record of all refused licence applications and the reasons for the refusal. This information will be shared if requested in accordance with relevant data protection requirements.

5.7. Suspension / revocation of licences

5.7.1. The Local Government (Miscellaneous Provisions) Act 1976 provides provisions for suspending and revoking driver, vehicle and operator licences where it is appropriate to do so.

5.7.2. The difference between the suspension and revocation of a licence is that in general terms a suspension of a licence is for a finite period for example;

- Suspend a driver's licence until a satisfactory DVLA Group 2 medical certificate has been produced
- Suspend a driver's licence until a particular training course has been completed
- Suspend a driver's licence until a valid enhanced DBS certificate has been provided
- Suspend a vehicle licence until a satisfactory standard of repair has been completed
- Suspend a vehicle licence until a certificate of insurance has been produced etc

5.7.3. A revocation is a total loss of a licence and once revoked a licence cannot be reinstated, other than via an appeal process. A person can make a new application for a licence.

5.7.4. Case law has established that suspension and revocation cannot operate as a two-stage process. Where action is

required by the Licensing Authority to remove a licence, that action must be either a suspension or a revocation. It cannot be one followed by the other (case law Cardiff County Council v Singh 2012).

5.7.5. The Licensing Authority will keep a record of all suspended and revoked licences and the reasons for the actions taken. This information will be shared if requested in accordance with relevant data protection requirements.

5.8. Prosecutions licence holders / none licence holders

5.8.1. Where a licence holder has committed an offence listed in Appendix 10, the Licensing Authority must make a decision in respect of what action should be taken against the licence holder.

5.8.2. Close consideration will be given to the Council's Enforcement policy, the Regulators Code and the Code for Crown Prosecutors.

5.8.3. There are a number of factors that will be taken into consideration before any decision is made. These factors include:

- Is there enough evidence to prosecute?
- Is it in the public interest to prosecute?
- How serious/ potentially serious is the offence?
- Has the person benefitted from the offence?
- Is there any relevant previous history?
- Is the offence likely to be repeated?
- Was the person coerced in any way?
- Has there been any harm caused?
- Is there a potential for impact on the wider community?
- Is prosecution a proportionate response?

5.8.4. There are a limited number of circumstances where prosecutions will be instigated against none licence holders. Primarily these will relate to persons working within the licensed trade but without having the relevant licence in place, and include, persons working on expired licences, unlicensed drivers purporting to be licensed drivers etc.

5.9. Referrals to the DBS and the police

5.9.1. Where the Licensing Authority make a decision to refuse or revoke a licence as the applicant / licence holder is thought to present a risk to harm to a child or vulnerable adult, its decision will be referred to the Disclosure and Barring Service in addition to the NR3S register detailed above.

5.9.2. The circumstances that will warrant such a referral are as follows:

- Where an applicant / licence holder has harmed or poses a risk of harm to a child or vulnerable adult
- An applicant / licence holder has satisfied the harm test*: or
- Received a caution or conviction for a relevant offence
- The applicant / licence holder being referred is / has or might in the future be working in a regulated activity

If the above conditions are satisfied the DBS may consider it appropriate to add the applicant / licence holder to the barred list.

* harm test = a person satisfies the harm test if they may harm a child or vulnerable adult or put them at risk of harm. This includes conduct that may cause harm or create a risk of harm.

Where the Licensing Authority make a decision to refuse or revoke a licence on the grounds of public safety, the Licensing Authority will inform the police of the decision.

6. Equality of treatment and discrimination

The Licensing Authority will treat all applicants equally and fairly. There will be no discrimination on any grounds, and every application and decision will be considered on its merits in the light of the legislation, guidance and this policy.

6.1 The Licensing Authority will not accept or tolerate any discriminatory behaviour on the part of any applicant. This includes any discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation, but that is not an exhaustive list.

- 6.2** Where the Licensing Authority receives complaints that indicate an applicant has failed to uphold the standards, the matter will be logged and investigated thoroughly. Where a complaint is substantiated, it is very likely that firm action will be taken against that licence entitlement.

7. Safeguarding and Counter Terrorism Responsibilities

The Licensing Authority recognises that licensed drivers, vehicle proprietors and private hire operators are uniquely positioned to identify and respond to safeguarding concerns. National guidance emphasises that taxi and private hire services are often used by children, vulnerable adults, and individuals at risk, placing the trade in a frontline role in detecting early indicators of abuse, exploitation or neglect.

- 7.1** The Licensing Authority takes its responsibilities around safeguarding seriously and it expects that every dual driver licence holder, vehicle proprietor and operator will share this commitment.
- 7.2** Licence holders must place the safety, security and welfare of passengers, customers and the wider public at the forefront of their operations and promote the objective of protecting the public. They are required to identify, implement and maintain robust safeguarding measures, proportionate to the nature and scope of their licensed activities, to ensure that no individual is placed at risk and that emerging concerns are recognised and acted upon promptly.
- 7.3** All applicants for a dual driver licence or private hire operator licence must complete approved safeguarding training prior to the grant or renewal of a licence.
- 7.4** All existing licensed drivers and operators will be required to attend and successfully pass a safeguarding course, as required by the Licensing Authority, in order to obtain a pass certificate which must be produced within one calendar year of adoption of this policy or on renewal whichever is sooner. Failure to do so may result in suspension of the licence until successful completion of the test.
- 7.5** As part of the licence renewal application process applicants will be required to submit a current safeguarding certificate,

no older than three months, issued by a provider approved by Licensing Authority. That must be provided:

- Every 3 years for drivers
- Every 5 years for private hire operators

7.6 It is the duty of the applicant to ensure that they have met the requirements in sufficient time before applying for a renewal of licence.

7.7 While vehicle proprietors may have less direct contact with passengers, they still have obligations that support safeguarding. Their responsibilities include ensuring:

- Their vehicles are maintained in a safe and roadworthy condition
- The drivers using their vehicles are properly licensed
- Their licensed vehicles are made available for inspection
- No practices occur that may place passengers, particularly vulnerable individuals, at risk.

Ensuring the safety and integrity of licensed vehicles forms part of the wider public-safety function emphasised in national guidance, which sets passenger protection as the primary objective of licensing.

7.8 Failure to complete mandatory safeguarding training, or failure to comply with safeguarding responsibilities is likely to call into question whether the applicant remains fit and proper. In such instances the Licensing Authority is very likely to consider enforcement actions including:

- Suspension or revocation of licence
- Refusal to renew a licence

7.9. Counter Terrorism

7.9.1 The Licensing Authority recognises that hackney carriage and private hire drivers, proprietors and operators work daily within and around publicly accessible locations, including taxi ranks, transport hubs, town centres and operator premises. The licensed trade is therefore well placed to support public safety by remaining alert to suspicious activity and reporting concerns promptly. The Licensing Authority also recognises the wider national counter-terrorism

framework, including the Terrorism (Protection of Premises) Act 2025 (“Martyn’s Law”), while acknowledging that the statutory duties under that Act will not apply in the same way to every part of the licensed trade.

7.9.2. Although individual licensed vehicles are not themselves “premises” under the Act, the licensed trade plays an important role in public protection at and around publicly accessible locations. The Licensing Authority therefore requires licence holders, as a matter of local licensing policy and public-safety expectation, to demonstrate awareness of how to identify and report suspicious activity in accordance with national Action Counters Terrorism (ACT) guidance.

7.9.3. All applicants for a new or renewed dual driver licence, and all private hire operators, must complete ACT Awareness e-Learning | ProtectUK. Evidence of completion must be provided:

- At first application
- At each renewal (every 3 years for drivers; every 5 years for operators)
- Earlier if directed following intelligence, incident review or enforcement concerns

7.9.4 Drivers working in busy public areas must:

- Remain vigilant
- Report suspicious behaviour immediately via 999 or the anti-terrorism hotline
- Follow police or counter-terrorism instruction at major incident scenes
- Co-operate with emergency services in evacuation or cordon protocols

8. Equality Act and Disability Discrimination

Applicants and licence holders must ensure they comply with their statutory duties towards disabled people under the Equality Act 2010. This includes a requirement not to charge a disabled passenger more for a journey than would be charged to a non-disabled passenger.

8.1 Drivers of vehicles designated as wheelchair accessible vehicles must, unless they hold a valid exemption from the mobility assistance duties:

- Carry the passenger while they remain in their wheelchair
- If the passenger chooses to transfer to a seat, to carry the wheelchair
- Carry any mobility aids the passenger has with them
- Take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort
- Give the passenger such mobility assistance as is reasonably required
- Not to make or propose to make any additional charge.

8.2 For the purpose of this document “mobility assistance” means assistance:

- To help the passenger to get into or out of the vehicle
- To help the passenger enter or leave the vehicle while seated in their wheelchair (where they choose to remain in it)
- To load the passenger’s luggage or mobility aids into or out of the vehicle
- To load or unload the wheelchair when the passenger does not wish to remain in it during the journey

Assistance also includes:

- Reading the taximeter
- Explaining the route

8.3 Drivers of all Hackney Carriage and Private Hire vehicles must carry disabled passengers without any additional charge being made (by the driver in the case of a hackney carriage, or by the operator or driver in the case of a private hire vehicle). In addition, unless a valid exemption applies in relation to mobility assistance, drivers must:

- Carry the wheelchair if the passenger is in, or has with them, a wheelchair
- Carry any mobility aids
- Take any reasonable steps required to ensure the passenger’s safety and comfort
- Provide mobility assistance as reasonably required

- 8.4** For the purpose of this document “mobility assistance” means providing assistance:
- To enable the passenger to get into or out of the vehicle
 - To load the passenger’s luggage, wheelchair or mobility aids into or out of the vehicle.
- 8.5** Sections 8.2 - 8.4 do not apply where the driver holds a valid medical exemption certificate issued by the Licensing Authority, and where the required exemption notice is displayed in the vehicle on the nearside of the windscreen. An exemption removes only the duty to provide the mobility assistance covered by the certificate. It does not remove the duty to carry a disabled passenger, the duty not to charge more, or any separate duty relating to assistance dogs unless a lawful exemption applies to that duty.
- 8.6** Drivers of Hackney Carriages must carry an assistance dog and allow it to remain with their owner unless they have a certificate of exemption issued by Licensing Authority. They must not make any additional charge for doing so. When an assistance dog is being carried, the driver must allow it to be carried wherever the owner requires i.e. the driver cannot insist on the dog being separated from the owner or the owner and dog sitting in a particular seat (Section 168 Equality Act 2010). The same requirements apply to drivers of private hire vehicles when the operator has accepted a booking for a passenger with an assistance dog (whether or not the driver is aware of the existence of the dog) unless they have a certificate of exemption issued by the Licensing Authority. The operator cannot make any additional charge for the carriage of the dog.
- 8.7** It is an offence for a driver to refuse carriage of an assistance dog or to impose an additional charge. A driver or, in the case of private hire, an operator who refuses a booking involving an assistance dog may be liable to prosecution and a fine.

9. Requirements for licence holders to be “fit and proper” to hold a licence

The Licensing Authority will only grant, renew or allow the continuation of a dual driver licence (which permits the holder to drive any Council-licensed Hackney Carriage or Private Hire Vehicle), a Hackney Carriage or Private Hire Vehicle proprietor licence, or a Private Hire Operator licence where it is satisfied that the applicant

or licence holder is a fit and proper person. All licence holders must remain fit and proper for the full duration of their licence.

9.1 The following test will be used to determine whether an applicant is a fit and proper person –

“Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?”

Where the answer is no or there is any doubt, the applicant will not be fit and proper and will not be issued with a licence.

9.2 To assess whether an applicant or licence holder is a fit and proper person, the Licensing Authority will undertake any checks and apply any processes it considers necessary to ensure that licences are not granted to, or retained by, unsuitable individuals. When determining suitability, the Licensing Authority will consider the following factors:

- Criminality
- For driver licence applications, the length of time the applicant has held a full driving licence
- For applicants for, and holders of, dual driver licences, the number of endorsed driving-licence penalty points
- Right to work in the UK
- For applicants for, and holders of, dual driver licences, medical fitness
- For applicants for, and holders of, dual driver licences, the standard of driving and overall driving ability
- General conduct and standards of behaviour (including behaviour on social media)
- The conduct of the applicant during the application process, including whether they have acted with honesty and integrity
- Previous licensing history of existing or former licence holders (including honesty and integrity)
- Theoretical knowledge relevant to the licence applied for, including successful completion of any required training or assessments
- The Public Sector Equality Duty

9.3 The Licensing Authority is committed to ensuring that Private Hire and Hackney Carriage services in Wyre meet a high and

consistent standard. The Authority's application and compliance processes are in place to maintain these standards and enforce them where required.

- 9.4** The Licensing Authority will also consider information from other relevant sources, including the Police (such as abduction notices), Children and Adult Safeguarding Boards, other licensing authorities, and statutory agencies.

9.5. Criminality checks

9.5.1. Criminality checks are conducted at the application stage and, for licensed drivers, are routinely repeated throughout the duration of the licence. Enhanced DBS checks are required for all driver applicants, while basic DBS checks are required for private hire operators and vehicle proprietors who do not hold a current dual driver licence with the Licensing Authority.

9.5.2. Applicants and licence holders are expected to act with honesty and integrity throughout the application process and for the full duration of any licence. They must therefore provide complete and accurate information whenever requested. This includes details of previous convictions, cautions, warnings, reprimands, current investigations and any pending criminal proceedings. An individual will not be considered fit and proper if there is any evidence that they have misled, or attempted to mislead, officers or members of the Licensing Committee at any stage of the licensing process, including during a renewal application.

9.5.3. Applicants are not required to disclose any convictions or cautions which are considered protected.

9.6. Protected cautions and convictions (DBS filtering)

9.6.1. Protected cautions and convictions are records which meet the legal criteria for DBS filtering and therefore do not appear on a Standard or Enhanced DBS certificate. Applicants must not disclose any protected cautions or convictions to the Licensing Authority, and the Licensing Authority will not request or take them into account. The rules governing what is filtered are set by law and may change from time to time. Applicants and licence holders should therefore refer to the current DBS

guidance where they are unsure whether a matter is protected.

Filtering is the statutory process that decides which cautions and convictions are not disclosed on Basic or Enhanced DBS certificates for roles exempt from the Rehabilitation of Offenders Act 1974. It is designed to prevent disclosure of old or minor information that is not relevant to the role.

9.7. DBS filtering criteria

- 9.7.1.** Whether a caution or conviction is filtered depends on the applicant's age at the time of disposal, the type of disposal, the seriousness of the offence, whether the offence is on the DBS specified list, and whether any custodial or suspended custodial sentence was imposed.
- 9.7.2.** Certain serious offences, including offences on the DBS specified list, and any conviction that resulted in a custodial or suspended custodial sentence, will never be filtered.
- 9.7.3.** The Licensing Authority will rely on the content of the DBS certificate presented and current DBS guidance when determining whether a matter is protected.
- 9.7.4.** What is not filtered
 - Offences on the DBS specified list will not be filtered.
 - Any conviction resulting in a custodial or suspended custodial sentence will not be filtered.
 - Other cautions or convictions will only be filtered where they meet the current legal criteria.

9.8. Practical effect

- Applicants do not need to declare protected cautions or convictions.
- The Licensing Authority will determine suitability on the basis of information lawfully available to it, including the DBS certificate presented and any other relevant information it is entitled to consider.
- Where there is uncertainty, applicants should consult the current DBS filtering guidance.

- 9.8.1.** The Licensing Authority's policy on convictions and behaviours that may affect an individual's suitability to hold a licence is set out in Appendix 1.
- 9.8.2.** Decisions in respect of licences will be made on the balance of probabilities and where there are concerns that tip that balance, individuals will not be permitted to hold the relevant licence.

10. Dual Driver Licence

10.1. Duration of licence

- 10.1.1.** The Licensing Authority normally issues driver's licences for a period of three years. However, in certain circumstances it may issue a licence for a shorter period where this is considered necessary in light of the individual circumstances.

10.2. Applications

- 10.2.1.** Details of the application process and guidance for applicants is published on our website. All applications where possible must be made on the council's website.
- Applications will not be processed unless they are complete.

10.3. Age restrictions on drivers

- 10.3.1.** The Licensing Authority will consider applications from individuals aged 21 and over and does not operate a maximum age limit for drivers. Applicants aged 65 or over may be granted a dual driver licence for up to three years; however, continuation of the licence beyond each 12-month period is subject to the production of a satisfactory Group 2 medical certificate. Annual medical evidence must therefore be provided from age 65 onwards, and the licence will not continue unless that evidence is produced. In addition, where an applicant or licence holder under the age of 65 has a significant medical condition, or medical advice indicates that more frequent review is required, the Licensing Authority may grant a licence for a shorter period where this is considered necessary in the interests of public safety.

10.4. Entitlement to drive in the UK

10.4.1. All applicants must have held a valid, full UK driving licence for a minimum of two years immediately before submitting their application. Applications from holders of a full driving licence issued outside the UK may be considered in accordance with any provisions set out in national agreements. All applicants must also authorise the Licensing Authority to carry out DVLA checks to verify any motoring convictions and any restrictions on their driving licence.

10.4.2. Where the Licensing Authority is unable to carry out the required status check due to any failure on the part of the driver it will suspend the dual driver licence under section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976. Suspension will remain in place until an appropriate check has been completed and the Licensing Authority is satisfied that the individual remains a fit and proper person to hold a dual driver licence.

10.5. DVLA Penalty Points and Driver Suitability

10.5.1. The Licensing Authority will monitor driving-licence penalty points as part of its ongoing assessment of whether a licensed driver remains a fit and proper person. Details of how penalty points affect suitability are set out in Appendix 1 (Convictions and Acceptable Behaviour Policy).

Drivers who accumulate 7 or more DVLA penalty points may be required to undertake a driver-awareness course and / or an additional driving assessment.

Drivers who accumulate 12 or more penalty points, including cases where a court has chosen not to impose a disqualification due to “exceptional hardship”, will normally be regarded as not fit and proper. A period of five years must elapse from the date the points were accumulated before a new application will be considered.

For full details of how motoring convictions and penalty points impact suitability, refer to Appendix 1 – Convictions and Acceptable Behaviour Policy, section 50–53.

10.6. Entitlement to work in the UK

10.6.1. All applicants must have the right to live and work in the UK and demonstrate this at the point of application. An individual is eligible to work in the UK without restriction if they are one of the following:

- British citizens*
- Irish citizen
- European Economic Area (EEA) 2 citizens with Settled Status under the EU Settlement Scheme
- Swiss nationals with Settled Status under the EU Settlement Scheme
- Holders of Settlement / Indefinite Leave to Remain

Note: not all British passport holders have an automatic right to work. Only passports stating 'British Citizen' confirm unrestricted right to work.

10.6.2. The Licensing Authority will always follow current Home Office guidance to prevent illegal working when licensing individuals who work in the taxi and private hire sector.

10.6.3. Where an applicant has an unrestricted right to live and work in the UK, this will be recorded and right-to-work checks will not normally need to be repeated at renewal. However, where an applicant has a time-limited right to remain or work in the UK, the required documentation must be provided at every renewal. In such cases, a licence for a shorter duration than the standard three-year period may be issued.

10.6.4. If at any time during the licence period an applicant's right to live or work in the UK is lost, the licence will immediately cease to have effect. The licensee must notify the Licensing Authority without delay and return their licence and badge.

10.6.5. Where an applicant has submitted a valid application to extend or confirm their right to work or right to reside, and a decision from the Home Office is pending, a licence may be granted. In such cases, current Government guidance will be followed.

10.7. Tax Conditionality

10.7.1. In accordance with Schedule 33 to the Finance Act 2021 and the Finance Act 2021, Schedule 33 (Licensing Authorities: Tax Information) Regulations 2022, applicants for hackney carriage and private hire driver licences, as well as private hire operator licences, are required to complete a tax-registration check. The Licensing Authority must receive confirmation from HMRC that this check has been completed before an application can be considered. The check, which typically only takes a few minutes, must be completed online using a Government Gateway account and ensures that all applicants are correctly registered for tax.

10.7.2. The Licensing Authority will advise new applicants of their obligation to register with HMRC for tax purposes, and applicants must sign an acknowledgement confirming receipt of this information. Further guidance is available on our website. Renewal applicants must obtain their unique 9-character HMRC 'tax check code' and provide this to the Licensing Authority, as renewal applications cannot proceed without a valid code.

10.8. Criminal record checks

10.8.1. All applicants (new and renewal) must provide an Enhanced Disclosure and Barring Service (DBS) certificate for 'Other Workforce' with the 'Taxi' check-type selected. This must include checks of both the Adult and Children's Barred Lists and must be obtained at the applicant's own expense as part of the application process.

10.8.2. The Licensing Authority will routinely only accept DBS certificates which are applied for through the nominated service provider - details of which can be found on Council's website. An Enhanced DBS certificate obtained via another local authority will only be accepted where all of the following criteria are met:

- The role on the certificate specifies 'taxi driver and other workforce'

- The certificate holder is signed up to the DBS online service (also known as DBS update service); and
- The Licensing Authority can verify that there has been no change in status to the certificate.

10.8.3. Applicants must present the original DBS certificate to the Licensing Authority before any licence is granted. Enhanced DBS certificates issued for the 'Child Workforce' (commonly used for home-to-school transport contracts) will not be accepted for taxi or private hire licensing purposes. Once a licence has been granted, all licensees are required to subscribe to, and maintain continuous subscription to, the DBS Update Service.

10.8.4. Any applicant who has spent six continuous months or more outside the UK within the previous ten years must provide a Certificate of Good Conduct (or overseas criminal record certificate) from each relevant country. Each certificate must be translated into English and provided at the applicant's own expense.

10.9. DBS Update Service

10.9.1. All drivers are required to subscribe to the DBS Update Service and maintain their subscription throughout the duration of their licence. They must also authorise the Licensing Authority, via its nominated service provider, to undertake periodic checks to verify that no new information has been added to the registered certificate.

10.9.2. Where the DBS Update Service indicates that new information is available, the driver must obtain a new Enhanced DBS certificate and register that certificate with the Update Service.

10.9.3. In accordance with the Department for Transport's Statutory Standards (revised November 2022), the Licensing Authority will use the DBS Update Service to check the status of every licensed driver at least every six months throughout the licence period.

10.9.4. Where the Licensing Authority is unable to carry out the required status check due to any failure on the part of

the driver—such as failing to maintain Update Service subscription or failing to provide access permissions — the Authority will suspend the dual driver licence under section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976. Suspension will remain in place until an appropriate check has been completed and the Licensing Authority is satisfied that the individual remains a fit and proper person to hold a dual driver licence, and evidence of active DBS Update Service subscription is provided.

10.10. NR3S

10.10.1. The Taxi and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 introduced a legal requirement for councils to use the National Register of Revocations, Refusals and Suspensions (NR3S). This register enables licensing authorities to share and access information about individuals whose dual driver licences have been revoked, refused, suspended, or where an application to renew a dual driver licence has been refused. Statutory guidance on the operation of NR3S has been published by the Department for Transport; at the time of drafting this policy, the current guidance was issued in April 2023.

10.10.2. Where a dual driver licence is revoked, suspended or an application (including renewal applications) for one refused, Wyre Council will automatically record this decision on NR3S detailing the information prescribed by the Act.

10.10.3. All applications for a new licence or licence renewal will automatically be checked on NR3S. If a search of NR3S indicates a match with an applicant, the authority will seek further information about the entry on the register from the authority that recorded it.

10.10.4. Where the Licensing Authority has safeguarding or road safety concerns regarding a driver licensed by another licensing authority then the concerns will be reported to the relevant Licensing Authority in accordance with the requirements of the Act detailed at 10.10.1.

10.10.5. Information is retained on NR3S for a period of 11 years.

10.11. Relevance of convictions and cautions etc

10.11.1. The Licensing Authority considers all convictions, cautions, warnings and reprimands in accordance with the policy set out in Appendix 1. Each case is assessed on its individual merits, and only information relevant to determining whether an applicant is a fit and proper person will be taken into account, whether the matter is spent or unspent (information relating to protected convictions and cautions at section 9 of this document).

10.11.2. Where an application, renewal, or any subsequent information indicates a criminal record or raises other concerns about an individual's suitability, the case will be referred to the Licensing Committee for determination in line with Appendix 1. The same approach will be applied when considering the continued suitability of an existing licence holder during the term of their licence.

10.12. Medical Fitness

10.12.1. The Licensing Authority considers it appropriate for hackney carriage and private hire drivers to have more stringent medical standards than those applicable to normal car drivers because they:

- Carry members of the public who have expectations of a safe journey
- Are on the road for longer hours than most car drivers; and
- May have to assist disabled passengers and handle luggage

All medical assessments are to be to the standard of the Group 2 medical standards applied by DVLA in relation to bus and lorry drivers. A Council-issued medical assessment form must be completed by the applicant's own GP / GP practice, or by another doctor who, at the time of the examination, has full access to the applicant's medical records and is able to certify that fact on the Council's form.

Further medical assessments are required every three years until the applicant has attained the age of 65 years and then annually once the applicant has attained the age of 65 years or because medical advice necessitates it.

The medicals shall run concurrent with the licence
(please note 10.3)

10.12.2. In accordance with the Department for Transport's Best Practice Guidance and the DVLA Group 2 medical standards, the Licensing Authority acknowledges that medical assessments for licensed private hire and hackney carriage drivers may be required more frequently than those set out in the DVLA's Group 2 guidance for drivers under the age of 65. This approach is taken for the following reasons:

- Unlike other driver groups subject to DVLA Group 2 medical standards, there are no legal restrictions governing the working hours of licensed private hire or hackney carriage drivers, nor are drivers required to maintain tachograph-style records demonstrating working hours or rest periods
- A significant proportion of licensed drivers are self-employed, which means there is limited opportunity for working hours to be supervised, controlled or otherwise regulated
- Licensed drivers must be capable of providing appropriate assistance to passengers, including those with mobility needs; therefore, medical fitness may directly affect their ability to carry out these duties safely and effectively

10.12.3. Applicants are required to meet the Group 2 medical standards and undertake a medical examination at their own expense. A Licensing Authority -issued medical assessment form must be completed by the applicant's own GP / GP practice, or by another doctor who, at the time of the examination, has full access to the applicant's medical records and is able to certify that fact on the form. The medical certificate must have been issued no earlier than two calendar months before a completed application is received by the Licensing Authority. The certificate must be signed by the examining doctor, whose name, professional registration details and practice address must be identifiable. Medical reports completed by a provider or practitioner who does not have full access to the applicant's medical records will

not be accepted. Where the Licensing Authority is not satisfied that the medical assessment has been completed to the required standard, it may require the applicant to provide a further medical report, including one completed by the applicant's own GP / GP practice or by a doctor nominated or approved by the Licensing Authority.

- 10.12.4.** When completing the medical assessment, the examining doctor must refer to the DVLA Group 2 medical standards and provide a clear professional opinion, via the declaration on the medical form, as to whether the applicant meets those standards. However, in line with the Department for Transport's Best Practice Guidance on Taxi and Private Hire Licensing, the Licensing Authority retains responsibility for making the final determination on medical fitness.
- 10.12.5.** Where a response on the medical assessment form indicates the presence of a relevant Group 2 medical condition, the Licensing Authority will refer the case to an appointed Group 2 specialist medical practitioner for further consideration.
- 10.12.6.** The Licensing Authority's appointed medical advisers are engaged to provide expert opinion on whether an applicant meets the DVLA Group 2 medical standards, which the Authority has adopted as the required standard for all licensed drivers. Applicants will be notified when their medical assessment has been referred and will be kept informed of the outcome of that referral.
- 10.12.7.** Applicants may be required to undergo additional medical tests to demonstrate compliance with the DVLA Group 2 medical standards, and any associated costs must be met by the applicant or licence holder. The appointed Group 2 specialist medical practitioners will provide professional guidance to the Licensing Authority and will assess whether the applicant meets the Group 2 fitness-to-drive standards. The Licensing Authority will then determine whether the applicant or licence holder is, or remains, a fit and proper person to hold a Wyre dual driver licence.

10.12.8. In appropriate circumstances the Licensing Authority may suspend the driver's licence until such time as it can be satisfied that the driver meets the Group 2 standard.

10.12.9. All licensed drivers must inform the Licensing Authority, within 7 days, of any change to their health, which could impact on their ability to meet the Group 2 standard, or continue to drive a licensed vehicle.

10.13. Vocational training and assessment (including Safeguarding training)

10.13.1. It is important that licensed drivers are not only competent to drive to a high standard, but also that they can deliver a high standard of customer service and offer appropriate assistance to passengers.

The Licensing Authority expects licensed drivers have a good knowledge of:

- The Borough
- Hackney Carriage and Private Hire Law, this policy and applicable licence conditions
- The Highway Code
- Sexual exploitation of vulnerable children and adults and County lines exploitation
- Safeguarding
- Disability awareness
- ACT (Action Counters Terrorism)
- Ability to comprehend and communicate effectively in English

10.13.2. All applicants for a new driver's licence will be required to pass the Licensing Authority's driver training and assessments before they can be considered for a licence.

10.13.3. Licensed drivers who allow their licence to expire must apply as a new applicant and meet all requirements in force at the time of application, unless the Licensing Authority agrees an exemption from the training and assessment requirements. Such exemptions will normally only be considered where the licence expired less than six months ago.

10.13.4. Payment must be made for each training and assessment booked and there is no discount for re-tests.

Applicants who fail to appear for a pre-arranged assessment will forfeit the booking fee.

10.13.5. Applicants must present their DVLA photocard driving licence on the day of the assessment. The licence must be valid, unexpired, and contain up-to-date information, including the applicant's current address.

10.13.6. If an applicant fails the first assessment, they must wait one week before taking a second assessment. If the second assessment is failed, a two-week wait will apply before a third attempt. Failure of a third assessment will indicate that the applicant is not fit and proper, and a minimum period of six months must elapse before any further attempts may be made. Any subsequent failed assessment after this point will also result in a six-month waiting period before the applicant can make a further attempt.

10.13.7. A person who has completed all relevant training and assessment is required to submit a completed application within six months from the date the test was passed. Failure to do so will require the applicant to retake the vocational training and any other pre licence training and successfully pass the assessment

10.14. Safeguarding and Counter Terrorism related

10.14.1 General requirements are outlined at section 7 of this document.

The Licensing Authority recognises that licensed drivers play an important role in providing access to a safe means of transport to all members of society. Their role places them in daily contact with some of the most vulnerable members of our society and as such they are ideally placed to assist all the agencies that have a statutory responsibility to safeguard the vulnerable.

Failure to comply with duties, training requirements, reporting responsibilities, record-keeping or any relevant condition attached to the licence may be taken into account by the Licensing Authority when determining whether the licence holder remains fit and proper to hold a dual driver licence.

10.15. Dress standards

10.15.1. It is recognised that the taxi trade, both Hackney Carriage and Private Hire, play an important role in portraying a positive image of Wyre and are key ambassadors for the Borough. Measures that enhance the professional image of the Hackney Carriage and Private Hire trade and reinforce drivers as professional vocational drivers are welcomed.

10.15.2. To meet these objectives, and promote safe and professional driving standards, licensed drivers must adhere to and Dress Code. Compliance with the Code of Conduct and Dress Code is a condition of licence and can be found at Appendix 3. Drivers employed by operators with their own company dress policies must still comply with the Dress Code outlined in this policy.

10.16. Dual Driver Licence Conditions

10.16.1. All Dual Driver licences are issued subject to the Licensing Authority's standard conditions and the Driver's Code of Conduct.

Where considered reasonably necessary further licence conditions can be added upon the grant of a dual driver's licence.

10.17. Surrender of Dual Driver Licences

10.17.1. There is no legal mechanism for the Licensing Authority to accept the surrender of dual driver licences. Additionally, surrendering a licence undermines the effectiveness of the National Register of Revocations, Refusals and Suspensions (NR3S). Where a licensed driver returns their badge or paper licence to the Licensing Authority, it will be treated as being held for safekeeping only. The licence will remain valid until its expiry, or until any suspension or revocation takes effect. During this period, the licence holder must continue to comply with all conditions attached to their dual driver licence, regardless of whether the badge or paper licence has been returned.

10.18. Equality Act Exemption Certificates

10.18.1. Unless licensed drivers have an Equality Act Exemption

Certificate they must carry disabled people and provide mobility assistance to them, carry assistance dogs and provide mobility assistance to wheelchair-bound passengers, when driving a listed wheelchair accessible vehicle (detailed at section 8).

10.18.2. Applications can be made to the Licensing Authority for exemption from the assistance dogs requirements under sections 169 and 171 of the Equality Act 2010. Similar applications for exemptions from the requirement to provide mobility assistance can be made under section 166 of the Equality Act 2010.

10.18.3. A driver who has been granted an exemption by the Licensing Authority will display their 'Notice of Exemption' on the near side of the windscreen of their vehicle. The front of the notice will have the relevant exemption letters (E.g. "ED" for Exemption Dogs) and will show the driver's licence number.

10.18.4. Exemption certificates will only last until the driver is required to provide their next DVLA Group 2 medical certificate. This means that an exemption certificate will last for a maximum of three years, but if it is being granted after the last medical, it will not run beyond the renewal date for the next medical certificate.

10.19. Disability Discrimination

10.19.1. General requirements have been outlined at Section 8 of this document.

10.19.2. In vehicles equipped with a taximeter, the taximeter must not be activated until the wheelchair bound passenger has been properly loaded and secured for the journey, all loading ramps or other equipment have been properly stowed and the vehicle is ready to commence the journey. The same applies for any disabled passenger, the taximeter must not be activated until any mobility equipment has been properly stowed and the vehicle is ready to commence the journey. At the end of the journey the taximeter must be stopped before any unloading activity commences.

10.20. Seatbelts

10.20.1. The Motor Vehicles (Wearing of Seat Belts) Regulations 1993 provides exemptions to drivers and passengers in Hackney Carriage and Private Hire vehicles of wearing a seat belt. This is different from non licensed passenger vehicles.

10.20.2. When driving a Hackney Carriage, the driver is not required to wear a seatbelt when seeking hire (plying) or answering a call for hire (travelling to a pre-booked hiring) or carrying a commercial or fare paying passenger. This does not apply when the vehicle is being used for private / domestic use. However, the Licensing Authority strongly advise that drivers of Hackney Carriages should wear a seat belt at all times the vehicle is being used.

10.20.3. When driving a Private Hire vehicle, the driver is not required to wear a seatbelt when carrying a commercial or fare paying passenger . This does not apply when the vehicle is being used for private/domestic use. However, the Licensing Authority strongly advise that drivers of Private Hire vehicles should wear a seat belt at all times the vehicle is being used.

10.20.4. In relation to commercial or fare paying passengers in Hackney Carriage and Private Hire vehicles (except when the vehicle is being used to private / domestic use) the rules relating to seat belts are as follows:

Commercial or fare paying passengers	Front seat	Rear seat	Who is responsible?
Children under three years old	Correct child restraint MUST be used.	Correct child restraint MUST be used If one is not available in a licensed taxi (hackney carriage) or private hire vehicle, the child may travel unrestrained.	Driver

Child aged 3–11 and less than 135cms in height about 4.5 feet)	Correct child restraint MUST be used	Correct child restraint must be used if seat belts are fitted. If a child seat is not available, a child may travel using just the seat belt in these situations: - In a licensed taxi (hackney carriage) or private hire vehicle - For a short distance if the journey is unexpected and necessary - There isn't room to fit a third child seat	Driver
Child aged 12 - 13 years or a younger child 135 cm or more in height	Adult seat belt must be worn if fitted	Adult seat belt must be worn if fitted	Driver
Passengers aged 14 years and over	Must be worn if fitted	Must be worn if fitted	Passenger

10.20.5. Children can be carried lawfully in Hackney Carriage and Private Hire vehicles without the correctly sized child restraints. In these circumstances, the driver must make the parents, carers or other responsible adults accompanying the children aware of the potential dangers of carrying children who are not correctly restrained in a motor vehicle. It will remain the responsible adults' decision as to whether they are prepared to accept those risks.

11 Hackney Carriage and Private Hire vehicles

11.1. Town Police Clauses Act 1847 Local Government (Miscellaneous Provisions) Act 1976

- 11.1.1.** The purpose of licensing hackney carriage and private hire vehicles is to protect the public, including passengers and others who may otherwise be placed at risk from unlicensed and potentially dangerous vehicles. The Licensing Authority will not issue a vehicle proprietor's licence to any applicant, unless it is satisfied that they are fit and proper to hold such a licence. The requirements outlined at Section 9 and information relating to convictions, set out at Appendix 1 of this document, will be applied to determine suitability of an applicant.
- 11.1.2.** Decisions in respect of vehicle licences will be made on the balance of probabilities and where there are concerns that tip that balance, individuals will not be permitted to hold a licence.
- 11.1.3.** Vehicle licences will normally be issued for 12 months, however consideration will be given to issuing a licence for a shorter period, where it is deemed appropriate.
- 11.1.4.** Licences may be held by individuals, limited companies, limited liability partnerships (LLPs) or conventional partnerships, and references within this policy to a "person", "you", "licensee" or "proprietor" should be interpreted accordingly.

11.2. General

- 11.2.1.** The two different types of vehicles that can be licensed as a hackney carriage are: those which are Wheelchair Accessible Vehicles (WAV) and those which are not. Private Hire Vehicles can also be licensed as Wheelchair Accessible Vehicles (WAV) and those which are not and stretched limousines. Specific vehicle requirements and conditions are detailed within Appendix 5 and 7.
- 11.2.2.** Licensed vehicles must display in the top left-hand corner of the windscreen, a valid laminated licence, issued by the Licensing Authority that includes details of

the registration number of the vehicle and the number of passengers permitted to be carried.

11.2.3. Licensed vehicles must be right hand drive and have been manufactured that way.

11.2.4. Licensed vehicles must not have any fittings attached to or carried on the inside or outside of the vehicle that have not been approved by the Licensing Authority.

11.2.5. Licensed vehicles must not display any signs, notices or advertisements that are not legally required, or have not been expressly authorised by the Licensing Authority. Any advertisements will be assessed against the following criteria:

- They must be lawful and comply with the Advertising Standards Authority (ASA) Code of Practice
- Their location does not distract from council vehicle signs
- They must not obscure the vision of the driver

11.3. Smoke free vehicles

11.3.1. All licensed vehicles are smoke free vehicles and must display no smoking signs in accordance with the Health Act 2006. It is a criminal offence to smoke in a licensed vehicle at any time (section 7) or to allow a person to smoke in a licensed vehicle (section 8) and you can be prosecuted for either or both offences. In addition, this will be regarded as a serious breach of the Code of Conduct.

Drivers must not vape or use e-cigarettes in a licensed vehicle at any time or allow passengers to vape or use an e-cigarette in a licensed vehicle at any time.

11.4. Payments

11.4.1. The Licensing Authority would prefer all licensed vehicles to be equipped with means to take payment by debit or credit card as well as cash. Additionally, licensed vehicles must carry suitable means to issue a receipt, if requested by the passenger. Such a receipt must show as a minimum, the date and time of the journey, the badge number of the driver and the amount paid.

11.5. Incident logs

11.5.1. The proprietor (and driver if they are not the same person) must maintain an incident log in an accessible format (either on a computer, other electronic device or a notebook). The record can be combined with the daily check of the vehicle but does not have to be. This must be used to record all incidents affecting the use of the licensed vehicle including, but not limited to:

- Collisions or accidents
- Damage to the vehicle
- Problems with the meter
- Refusals by any driver to carry a passenger (including the date, time, location, and reason for the refusal)
- Any events, circumstances or incidents which lead the driver or proprietor to suspect that a passenger or passengers is involved in or is a victim of child sexual exploitation or any other abuse, modern slavery or trafficking of people, abuse or supply of drugs, involvement in terrorism or any other criminal activity

11.5.2. Incidents must be recorded immediately, or as soon as possible thereafter and must state the date time and location of the incident, the names (if known) of any third parties and the date and time on which the incident was recorded.

11.5.3. This log must always be available for inspection by an authorised officer of the council or a police constable on request.

11.6. Dual Plating

11.6.1. Once a vehicle has been licensed as a hackney carriage by The Licensing Authority, it cannot be licensed as a hackney carriage or private hire vehicle by any other local authority or Transport for London during the duration of the licence.

The Licensing Authority will not licence a vehicle that is licensed as a hackney carriage or private hire vehicle by another local authority or Transport for London.

11.7. Licensed vehicle emissions policy

11.7.1. One of Wyre Council's objectives is the protection of the environment. The Licensing Authority acknowledges that vehicles are constantly being improved by manufacturers and that improved standards are insisted upon by the Government. To reduce emissions and meet our own objectives it is important to set out standards common to all within the licensed fleet. This will ensure consistency and a level playing field for proprietors. The age of vehicles and the exhaust emissions are critical to the level of pollutants emitted. Consequently, to improve air quality and reduce emissions across the fleet, the following standards will apply.

From the date this policy is adopted, new licences will not be granted in respect of any vehicle that does not meet the following requirements:

- ULEV (Ultra Low Emission Vehicle <75 g/km and 10 KM zero emission capability)
- Petrol hybrid vehicles Euro 5+
- Petrol vehicles Euro 6+
- Diesel vehicles Euro 6+ (all these categories include vehicles adapted with a retrofit to a recognised approved standard)

11.7.2. Three years from the date of adoption of this policy, licences will not be renewed in respect of any vehicle that does not meet or exceed the following requirements:

- ULEV (Ultra Low Emission Vehicle <75 g/km and 10 KM zero emission capability)
- Petrol hybrid vehicles Euro 5+
- Petrol vehicles Euro 6+
- Diesel vehicles Euro 6+ (all these categories include vehicles adapted with a retrofit to a recognised approved standard)

11.7.3. Emissions from licensed vehicles can be further reduced by encouraging better maintenance of vehicles and by switching off engines when stationary or idling, particularly at ranks.

Drivers are reminded that it is an offence to leave the engine running on any motor vehicle that is stationary on a road, other than if it is due to an enforced stoppage of traffic.

11.8. Vehicle specification

11.8.1. All vehicles must have an appropriate “type approval” which is either a:-

- European Whole Vehicle Type approval
- British National Type approval
- British Individual Vehicle Approval (IVA)

11.8.2. Only vehicles with a valid Euro NCAP rating of at least 4 stars, or vehicles meeting an equivalent recognised safety standard where no Euro NCAP rating exists, should be presented as new or replacement licensed vehicles.³

11.9. Bodywork

11.9.1. Licensed vehicles shall have no signs of accident damage and the paintwork shall be of a consistent colour over the whole of the vehicle. There shall be no significant sign of corrosion, including visible rust or blistering of paintwork. Where the vehicle is fitted with a step to assist passengers, it shall have a suitable non-slip surface and the edge shall be highlighted in a clearly visible colour which differs from that of the vehicle.

11.9.2. Electronically operated steps must have a failsafe device which prevents the vehicle from moving while the step is extended.

11.10. Windows

11.10.1. All factory fitted glass to the front of the driver's door pillar vehicle, shall permit a minimum of 70% light transmission. No vehicle shall be fitted with any additional film designed to tint or darken the glass.

³ <https://www.euroncap.com/en/about-euro-ncap/how-to-read-the-stars/>
V.2026

11.11. Roadworthiness

11.11.1. In addition to the standard annual MOT requirements for vehicles, the Licensing Authority must be satisfied that the vehicles it licences are safe and fit for purpose.

11.11.2. The Licensing Authority will not issue a vehicle licence for any vehicle that has been written off by insurers under category A, B or S.

- A relates to vehicles that must be scrapped
- B relates to vehicles that may be broken and their parts reused
- S relates to vehicles that have sustained structural damage that is repairable

11.11.3. Licensed vehicles must pass the Licensing Authority's roadworthiness test, no earlier than 28 days before a licence is granted. Vehicle testing is carried out at the Council's Copse Road Garage and applicants are responsible for booking and paying for this test, directly with the Council's Contact Centre.

All vehicles must be maintained to a satisfactory standard all times and should pass any test at any point. Any MOT advisories and manufacturers recalls must be actioned within 28 days and proof provided to the Licensing Authority.

11.12. Vehicle Inspections

11.12.1 Conditions attached to the relevant licences require that daily inspections are carried out to ensure that licensed vehicles remain safe and roadworthy. In addition, licence conditions require that a more detailed inspection is undertaken monthly, with the findings recorded in writing. These daily and monthly checks help ensure that vehicles are properly maintained and remain in a condition capable of passing the Council's roadworthiness ("taxi test") inspection at any time.

Department for Transport have produced a Driver vehicle condition checklist⁴. Licensed drivers are encouraged to use it to assist them in completing a

⁴ [Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - GOV.UK](#)
V.2026

walkaround check of a licensed vehicle before using it.

Drivers need to retain a copy of the completed checklist as proof that they have undertaken a check before using the licensed vehicle.

A copy of the Licensing Authority's roadworthiness inspection sheet can be viewed at Appendix 11.

11.12.2. Licensed vehicles are liable to be inspected and tested at any time by an Authorised Officer of the Licensing Authority or a Police Constable. The daily and monthly inspections undertaken by the driver or proprietor should ensure that the vehicle is maintained to a good standard (accepting that isolated issues such as a blown bulb or a puncture may occur unexpectedly).

If, during an inspection, officers are not satisfied as to the fitness of the vehicle or any taximeter, a notice may be served on the proprietor setting out the defects to be remedied. The vehicle must not be used until those defects have been addressed and it has successfully passed a further inspection.

Where concerns arise about the ongoing standard of the vehicle, this may lead to a formal review of the proprietor's vehicle licence. Revocation or refusal to renew the licence will be considered where there is evidence of a failure to maintain the vehicle in a satisfactory condition. Similarly, a failure by a licensed driver to identify or report maintenance issues may result in a formal review of the dual driver's licence.

11.12.3. Where a vehicle is found to be in an unsatisfactory condition and the proprietor holds additional vehicle licences; consideration will be given to carrying out formal inspections of any other vehicles licensed to that proprietor.

11.12.4. Previous revocations, suspensions, or decisions to refuse to renew a vehicle licence may be regarded as relevant when determining any subsequent application for a hackney carriage or private hire vehicle licence. However, suspensions arising solely from third-party-fault accident damage, or matters unrelated to physical or safety defects, are unlikely to impact future applications.

11.13. Vehicle Suspensions

11.13.1. A vehicle which has failed its annual test on matters of fitness will be issued with a suspension notice under the Local Government (Miscellaneous Provisions) Act 1976 section 68, this is commonly referred to as a “STOP NOTICE”. Once issued the vehicle cannot be used as a licensed vehicle until the vehicle has been further inspected and the notice has been formally removed.

11.13.2. A licensed vehicle must always hold a valid MOT certificate. If a vehicle is presented for licensing or inspection without a valid MOT, or if its MOT expires during the licence period, the vehicle licence will be immediately suspended under Section 68 of the Local Government (Miscellaneous Provisions) Act 1976. The licence will remain suspended until a valid MOT certificate is produced and verified by the Licensing Authority.

11.13.3. Any vehicle proprietor issued with a section 68 notice will be required to present the vehicle for additional inspection and testing 6 months after the date of the notice being formally lifted. Instances where a vehicle fails additional testing and inspection is likely to result in a review of the proprietor’s vehicle licence by the Licensing Committee.

11.13.4. If the vehicle licence is subject to renewal within the 6 month period referred to at 11.13.3 the standard inspection takes precedent.

11.13.5. Information regarding the suspension of vehicles following accident damage can be found at 11.22.

11.13.6. Information on general compliance and enforcement approach can be found in Section 5 of this Policy.

11.14. Post manufacture partitions installed in Licensed vehicles

11.14.1 As a result of Covid 19 a number of vehicle proprietors installed post manufacture partitions in licensed vehicles, the purpose of such partition was to prevent the spread of infections. It is recognised that such partitions may also offer enhanced personal safety to both the driver and passengers.

11.14.2. Any partition installed in a licensed vehicle post manufacture must be installed in compliance with Road Vehicles (Construction and Use) Regulations 1986 and have regard to the Department for Transport guidance on the design and fitting of screens to taxis (hackney carriage) and private hire vehicles.

11.15 Notification of Transfer of a Licensed Vehicle

11.15.1. A proprietor of a hackney carriage / private hire vehicle licence has a legal obligation to notify the Licensing Authority that they have transferred their interest in the licensed vehicle to another person, unless that person is already named on the licence. The notification must be in writing and must detail the name and address of the person to whom the vehicle has been transferred. The notification must be made within 14 days of the transfer taking place. A vehicle transfer notification form is available on the Licensing Authority's website. A proprietor of a vehicle licence who fails to comply with this requirement without reasonable excuse is guilty of an offence. It is important that the Licensing Authority maintains an accurate and up to date record of vehicle licence holders and the failure to comply with this legal requirement will be regarded as a serious matter and likely subject to formal action.

11.16. Application to Change a Vehicle on a Vehicle Licence

11.16.1. The legislation is silent in relation to any legal framework for the change of a vehicle licence to a substitute vehicle. However, due to the Licensing Authority currently having a limit on hackney carriage numbers it is essential that such a mechanism is in place to allow for replacement vehicles following accidental damage and vehicles to be replaced with more modern, cleaner suitable vehicles. As such applications can be made in respect of the change of a hackney carriage vehicle. The same mechanism will be available to private hire vehicle licence holders who want to change the vehicle part way through the licence term.

11.16.2. Where possible all applications to change a vehicle on an existing licence must be made on our website.

Applications will not be considered until the applicant is able to produce original evidence of:

- Current Certificate of Insurance / Cover Note
- V5 logbook / green slip (if recently brought, details completed)
- Bill of sale – if owned for less than 12 months
- Meter calibration certificate (only applicable to private hire vehicles if there is a meter fitted)
- Relevant fee
- Previous plates and any livery returned

11.17. Replacement vehicles following accident damage

11.17.1. It is recognised that many replacement vehicles are now provided by accident management companies. It is a contractual matter between the holder of the vehicle licence and the provider of the replacement vehicle as to how the proprietorship of the substantive licence is secured.

11.18. Insurance

11.18.1. Vehicle proprietors must ensure that there is always an appropriate insurance policy at all times that the vehicle is licensed. Any failure to ensure that a Hackney Carriage is not adequately insured for public hire, or a Private Hire vehicle is not adequately insured for private hire use, will result in the immediate suspension of the vehicle licence. Similarly, where there is no dual licensed driver insured to drive the licence vehicle, the vehicle licence will be suspended.

11.19. Wheelchair Accessibility

11.19.1. The Licensing Authority encourages applications for vehicle licences for wheelchair accessible vehicles. There are no restrictions on whether accessibility is via rear or side loading doors.

11.19.2. Where a wheelchair accessible vehicle has been adapted or converted post manufacture (ie any vehicle which is not a purpose built wheelchair accessible vehicle with category M1 status) a suitable and satisfactory certificate of conformity must be provided by the company that has undertaken the conversion /

adaptation. The Licensing Authority will then validate this with the conversion company.

11.19.3. Where a satisfactory certificate of conformity cannot be provided, the Licensing Authority has discretion as to whether to require an IVA certification from DVSA or whether to determine the vehicle as unsuitable.

11.19.4. Any wheelchair accessible vehicle fitted with a rear tail lift must provide appropriate certification to comply with LOLER requirements.⁵

11.19.5. A list of wheelchair accessible vehicles and weights is maintained on our website in accordance with section 167 of the Equality Act 2010 updated by Taxis and Private Hire Vehicles (Disabled Persons) Act 2022.

11.20. Passenger numbers

11.20.1. Vehicle licences are normally issued for the carriage of between 4 and 8 passengers. When assessing the maximum number of passengers that may be carried in a licensed vehicle, the Licensing Authority will consider factors including the number and location of seats and their proximity to the doors.

11.20.2. The Licensing Authority will not normally licence a saloon, hatchback, estate or purpose built taxi vehicles that does not have at least 4 side opening doors, which may be opened from the inside and the outside. Minibuses, transits and people carrier type vehicles shall have at least 3 doors, not including any tailgate or rear door.

11.20.3. The Licensing Authority will not licence a vehicle to carry passengers in sideways facing seats or seats which require more than 1 other passenger to move in order to permit access or egress.

11.20.4. The Licensing Authority will not licence a vehicle to transport passengers in a rear facing seat, unless such seats are secured to the bulkhead in a purpose built vehicle, specifically manufactured for the carriage of passengers for hire or reward.

⁵ [Lifting Operations and Lifting Equipment Regulations \(LOLER\) - HSE](#)
V.2026

11.20.5. Any space within a vehicle designed to carry luggage or similar, must not be used to transport babies or children in prams or pushchairs.

11.20.6. Applications for vehicle licences which do not meet any of these criteria will be referred to the Licensing Committee for consideration.

11.21. CCTV

11.21.1. The Licensing Authority does not mandate the requirement for CCTV in the vehicles it licences. However, where CCTV is installed in a licensed vehicle the holder(s) of the vehicle licence will be responsible for the equipment and the images captured by that equipment. In relation to the personal data that will be processed, the vehicle licence holder will be the “data controller”. Data protection law defines a “data controller” as the person or body who, under the UK data protection legislation, determines the purposes and means of the processing of personal data. For the purposes of the installation and use of CCTV systems in licensed vehicles installed and operated in accordance with this policy, the “data controller” will be the vehicle licence holder and not the driver.

11.21.2. Data recorded by any CCTV system must be handled in accordance with The Data Protection Act and UK GDPR. The Information Commissioner’s Office (ICO) is the UK regulator for all matters relating to the use of personal data. The data controller will be responsible for ensuring compliance with:

- UK data protection legislation; such as the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR)
- Information Commissioner’s CCTV Code of Practice

11.21.3. The data controller shall be responsible for the use of all images obtained through CCTV, any breaches of UK data protection legislation and any fines imposed for breaches of UK data protection legislation.

11.21.4. Where CCTV is installed there must be a minimum of 2 signs which are clearly visible to passengers, advising them of the presence of CCTV.

11.21.5. Audio recording should not be routinely activated but is permitted where there is a specific threat to persons in the vehicle.

11.21.6. All equipment must be installed in accordance with the equipment and / or vehicle manufacturer installation instructions. The camera(s) must be fitted safely and securely, the cameras should cover all occupants i.e. driver and passengers and must not impact on the safety of the driver, passenger or other road users.

11.21.7. Images captured must remain secure at all times. The captured images must be protected using approved encryption software which is designed to guard against the compromise of the stored data, for example, in the event of the vehicle or equipment being stolen.

11.22. Accident damage to licensed vehicles

11.22.1. The Local Government (Miscellaneous Provisions) Act 1976 S50 (3) requires proprietors of hackney carriage and private hire vehicle licences to report as soon as is practical and in any case within 72 hours any accident involving their hackney carriage/ private hire vehicle which has caused damage that may materially affect the safety, performance or appearance of the licensed vehicle or the comfort or convenience of persons in the vehicle. To assist proprietors to comply with this requirement the Licensing Authority provides an accident report form on the taxi licensing pages of our website. The provision of false or misleading information on an accident report form will be regarded as very serious. Failure to comply with this requirement without “reasonable excuse” is an offence for which vehicle licence holder may be prosecuted and action taken against the licence.

11.22.2. Licensing officers will review accident notification forms upon receipt and if there are any doubts regarding the ongoing suitability of the condition of the vehicle, officers will require the vehicle to be presented at the Council’s Copse Road Garage for an inspection. The purpose of the inspection will be to satisfy the Licensing Authority of the vehicles continuing fitness. Where fitness of the vehicle cannot be established the vehicle will be subject to a suspension notice served under S68 of the Local

Government (Miscellaneous Provisions) Act 1976. The notice will be lifted when the vehicle has been reinspected and authorised officers are satisfied as to the vehicle fitness.

11.22.3. In addition, it is important that the Licensing Authority are aware of all road traffic accidents involving licensed drivers. A condition on Dual driver licences will require drivers to report all road traffic accidents in which they are involved. This will enable The Licensing Authority to monitor and review any unsatisfactory driving standards.

11.23. Carriage of Children in licensed vehicles (also see 10.20)

11.23.1. It is recognised that licensed vehicles may not always carry the correct child seat or booster seat for every age and size of child. For private hire bookings, hirers should therefore be advised at the time of booking to request a suitable child seat where one is required. If one is not provided, the hirer will be expected to make their own arrangements.

The legal requirements relating to the use of seat belts and child restraints in licensed vehicles are set out at section 10.20.

For licensing capacity purposes, children aged three and over should be counted as passengers. Children under the age of three who are travelling lawfully without an appropriate child restraint in accordance with section 10.20 are not required to be counted for licensing capacity purposes.

Further guidance on the safe carriage of children in taxis and private hire vehicles is available from the Royal Society for the Prevention of Accidents (RoSPA)⁶.

11.24. Vehicle licence conditions

11.24.1. Legislation allows the Licensing Authority to attach “reasonably necessary” conditions to the grant of a hackney carriage or private hire vehicle licence. The Licensing Authority has a set of standard licence conditions that are attached to the grant of private hire

⁶ [RoSPA- The Royal Society for the Prevention of Accidents](#)
V.2026

vehicle licences see Appendix 7 and hackney carriage vehicle licences see Appendix 5. Additional specific licence conditions will be imposed on the grant of a licence where it considers it's reasonably necessary to do so. Where the holder of a vehicle licence considers that any licence condition is not reasonably necessary, then the licence holder has a right of appeal against the licence condition being imposed. More information on appeals is available in Section 18 of this policy.

11.25. Application process

11.25.1. All vehicle licences clearly indicate the expiry date of the licence. It is the responsibility of the proprietor to ensure that a valid application is submitted to the Licensing Authority before the licence expires. The application for the grant and renewal of a vehicle licence can be found on our website.

All applications where possible must be made on the Licensing Authority's website. Applications will not be considered until the applicant is able to produce original evidence of:

- A valid and appropriate insurance policy
- Proof that the vehicle has passed the roadworthiness test, no more than 28 days before the application is made
- The original V5 logbook (in the case of new or replacement vehicles the V5C and a bill of sale or hire agreement)
- Meter calibration certificate (only applicable to private hire vehicles if there is a meter fitted)
- Relevant fee

12. Specific additional requirements for Hackney Carriages

All Hackney Carriage vehicle licences issued by the Licensing Authority are subject the Hackney Carriage By-Laws and standard licence conditions.

12.1 The Council currently restricts the number of Hackney Carriages it licenses to 160.

12.2 Every 5 years the Council will normally undertake a survey to establish if there is any significant unmet demand for Hackney

Carriages, which it would need to address either by increasing the limits, or delimiting Hackney Carriage numbers.

- 12.3** The 2025 survey revealed that since 2013 there had been a general decline in the percentage of hackney carriage vehicles that were wheelchair accessible (13% of the fleet in 2013 declining to 1% of the fleet in 2025).
- 12.4** The Licensing Authority will explore options to increase the availability of wheelchair accessible vehicles (WAV) to the licensed hackney fleet. In particular the feasibility of lifting the current restricted number of 160 in respect of any application to licence an appropriate wheelchair accessible vehicle.
- 12.5** Where a hackney carriage vehicle licence is revoked or an application to renew the licence is refused. The licence number will only be available to applications in respect of wheelchair accessible vehicles.⁷

Licensed WAV's may only be permanently replaced with a like for like vehicle, for example another WAV that complies with current Policy.

12.6. Hackney Carriage livery

- 12.6.1.** The Licensing Authority provides 2 licence plates on a yellow background for Hackney Carriages and these must be displayed at the front and rear of the vehicle and fixed externally to the vehicle.
- 12.6.2.** Hackney Carriages must have a roof sign displaying the word TAXI, which must be illuminated at all times when, and only when, the vehicle is available for hire. The roof sign must be clearly visible from the front of the vehicle.

12.7. Taximeters

- 12.7.1. All Hackney Carriages must be fitted with a calendar controlled taximeter which is sealed and approved by a recognised agent.
- 12.7.2. The meter must be calibrated to the current Hackney Carriage Tariff and vehicles must be presented, on request, to an Authorised Officer of the Licensing Authority to validate the accuracy of the taximeter. The

⁷ [Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - GOV.UK](#) section 8.9.

calibration certificate must be presented with the vehicle licence renewal application.

12.8. Intended use

12.8.1. In the interests of public safety The Licensing Authority require that the Hackney Carriage vehicles it licences operate primarily within the Borough of Wyre

12.8.2. Therefore, Hackney Carriage proprietors are required to confirm on each and every application that they intend to ply for hire predominantly within Wyre.

12.8.3. If it appears, however, that the applicant intends to trade in another authority's area for a substantial period and so frustrate the purpose of the legislation and potentially undermine public safety, there will be a presumption against the granting of a licence.

12.8.4. Section 60 of the Local Government (Miscellaneous Provision) Act 1976 provides for the Licensing Authority to refuse to grant or renew a Hackney Carriage Licence 'for any reasonable cause' and it is the Licensing Authority's position that the Hackney Carriages it licenses must operate predominantly from within the Borough.

12.9. Hackney Carriage ranks

There are two separate legal provisions which allow for the creation of "hackney carriage ranks / stands" commonly referred to as taxi ranks.

12.9.1. Hackney carriage stands were originally created by the Town Police Clauses Act 1847, now replaced by Local Government (Miscellaneous Provisions) Act 1976. Where a hackney carriage stand has been designated by this legislation, authorised local authority officers, namely licensing officers can undertake enforcement action in respect of the provisions of section 64 of the 1976 Act, i.e. prohibition of other vehicles on a hackney carriage stand- accepting the defence of reasonable excuse.

12.9.2. In recent years, many local authorities including Wyre Council have utilised traffic regulation orders (TROs)⁸ to create hackney carriage ranks, which imposes parking

⁸ [Road Traffic Regulation Act 1984](#)
V.2026

restrictions applied in such a way that they only permit hackney carriages to utilise the facility. The advantage of a TRO rank is that it can be enforced by civil enforcement officers who can issue fixed penalty notices. Where taxi ranks have been designated using the TRO process, The Licensing Authority do not have authorisation to issue fixed penalty notices, take action against private vehicles parking on the “rank” or take action against a hackney carriage driver leaving their vehicle unattended on a “rank”.

12.9.3. However, the Licensing Authority can consider the issues as a conduct matter and as part of the requirement for a licensed driver to be “fit and proper”. Appendix 6 provides details of the “taxi ranks” in Wyre.

12.9.4. Drivers **should not** leave a vehicle unattended on a rank at any time.

13. Specific additional requirements for Private Hire Vehicles

All Private Hire vehicle licences issued are subject to standard licence conditions detailed at Appendix 7.

13.1 The Licensing Authority permits private hire vehicles to use taximeters which are calendar controlled, sealed and approved by a recognised agent. No private hire passenger shall be charged more than the metered fare for a journey, when the taximeter is in operation for that journey.

Where a taxi meter is fitted it must be calibrated to the private hire operator tariff and a calibration certificate included with the vehicle licence application.

13.2 The current tariff must be displayed in the vehicle where it can easily be seen and read by any passenger seated in the vehicle.

13.3. Executive Hire

13.3.1. Whilst it is a mandatory requirement for private hire vehicles to display the plate(s) and additional signage at all times, it is possible for the Licensing Authority to grant an exemption from displaying some or all of the plates and signage. Such exemptions are often referred to as “executive hire”, which is the term used in this

policy.

13.3.2. Where an exemption is granted, the vehicle will not have to display the plate(s) on the outside of the vehicle, but vehicles must display a windscreen badge and a licence plate (both provided by the Licensing Authority) must be fixed inside the boot lid (or tailgate) where it can be seen if requested by an authorised officer, a police constable or a passenger.

13.3.3. Applications for executive hire vehicles and an exemption from the requirement to display licence plates will be considered where the following requirements are met:

- The type of work undertaken is exclusively 'executive' in nature. This means that the vehicle is used specifically to provide transport for a company or individuals who, for security or personal safety reasons, would not want the vehicle to be identifiable
- The vehicle must be large and of a standard of comfort and equipped to a level equal to, or above luxury brands of vehicles
- The vehicle must have four passenger doors
- Only vehicles under 5 years old would ordinarily be considered for executive hire

13.3.4. When considering such applications the Licensing Authority will consider factors including, but not restricted to:

- The make and model of the vehicle
- The exceptional condition of the vehicle, including the bodywork and interior passenger accommodation
- The nature of the Operator's business
- How and where the vehicle is advertised and marketed (must not be marketed for standard private hire work)
- Whether bookings come only from approved corporate / client lists

13.3.5. Where a vehicle is regarded as executive hire and a dispensation from displaying licence plates is granted, male drivers are required to wear a suit jacket and trousers, plus shirt and tie. Female drivers must follow an

equivalent dress code but will not be required to wear a tie.

This dress code shall be always followed the vehicle is being used to undertake a booking, unless a specific request to depart from the code has been received and recorded by the operator.

13.4. Stretched Limousines

13.4.1. Stretched limousines are as the name suggests elongated vehicles. The vast majority are imported from the USA and so are left hand drive.

13.4.2. Unlike other vehicles, this does not preclude them for being considered suitable for licensing as Private Hire vehicles.

13.4.3. Applications to licence stretched limousines as Private Hire vehicles will be considered subject to the following criteria:

- The vehicle must have one of the following:
 - a) British Individual Vehicle Approval Certificate (IVA)
 - b) A European Whole Vehicle Approval Certificate
 - c) UK Low Volume Type Approval Certificate
 - d) Limousine Declaration of Condition of Use
- There must be appropriate Private Hire insurance
- It must have passed the Licensing Authority's roadworthiness test within the last 28 days
- It must not carry more than 8 passengers at any time
- Sideways facing seating is acceptable, but no seat will be permitted that permanently obstruct any door
- All forward or rear facing seats must be fitted with seatbelts
- Additional seats in the driver's compartment must not be used to carry passengers
- With the exception of the glass in the windscreen and front doors, there shall be no restriction to the level of tint for the remaining windows
- The vehicle must carry a safety hammer capable of being used to break the vehicles windows. It should be securely located in the driver's compartment, and visible and accessible in the event of an emergency
- If fitted with a sunroof, the switch must be isolated so

it cannot be operated by passengers

- All doors must be capable from being opened from the inside and outside of the vehicle
- A suitable means of two-way communication between the driver and passengers must be available

13.4.4. Licences will be issued subject to the Standard Licence Conditions for Stretched Limousines detailed at Appendix 8.

14. Private Hire Operators

14.1. General

14.1.1.1 A Private Hire Operators licence permits a business operator to manage bookings, despatch vehicles and supply drivers for pre booked journeys. Where the premises or operating address is physically in the Wyre Council area a Private Hire Operators Licence must be obtained from the Licensing Authority.

14.2 Private hire operators are responsible for ensuring that all the vehicles and drivers they dispatch hold valid, appropriate licences to undertake those journeys.

14.3 The Licensing Authority will not issue a Private Hire Operators licence, unless it is satisfied that the applicant is fit and proper to hold such a licence. There is no statutory definition of what constitutes fit and proper but the Licensing Authority will consider the following test when determining applications or licence reviews *“Without any prejudice and based on the information before you, would you be comfortable providing sensitive information about yourself and family members, such as holiday plans, to this person and trust them not to disclose it further, or otherwise use it for criminal or unacceptable purposes”*.

14.4 The policy on convictions and other relevant matters which it considers are likely to impact on an individual’s suitability to hold a private hire operator licence is attached at Appendix 1.

14.5 All Private Hire Operator’s licences are issued subject to standard private hire operator licence conditions detailed at Appendix 9. Where the Licensing Authority considers it reasonably necessary it can add further licence conditions

upon the grant of a private hire operator licence.

14.6. Disclosure and Barring Service Checks

14.6.1. Applicants are required to provide recent basic DBS disclosure certificate. The certificate should be issued no more than 1 month prior to the submission of a complete application. In the event of a licence being granted, an updated basic DBS disclosure certificate should be provided annually to coincide with the date of the grant of the licence. The Basic DBS should have been issued no more than 1 month prior to the date of submission to the Licensing Authority. This requirement applies to each person named on the licence, or for each director or partner where the licence is held by a company or partnership.

14.6.2. Where an individual also holds a valid Wyre Dual Driver's licence, the requirements at 14.6.1 are dis-applied in respect of that individual.

14.6.3. Any applicant, who has lived outside the UK within the last 10 years, will also be required to produce a Certificate of Good Conduct from the relevant Embassy, translated into English, at their own expense, in respect of each of the countries that they have lived in within that period.

14.6.4. Operators are expected to demonstrate that all staff who have contact with the public or oversee the dispatching of vehicles do not pose a risk to the public. Operators should evidence that they have had sight of a satisfactory Basic DBS check for each individual named on the staff register they keep.

14.7. Duration of Licence

14.7.1. The Licensing Authority normally issues operator's licences for 5 years in accordance with the Deregulation Act 2015. However, in some circumstances it may consider it appropriate to issue a licence for a shorter period.

14.7.2. Having regard to the standard issue period for a licence a number of private hire operators will not be required to apply for the grant of a private hire operator's licence for

several years and therefore any new licence conditions cannot be applied in the short term.

On implementation of this policy, the Licensing Authority will write to all operators to make them aware of the conditions that will be attached to the grant of future licences.

In the interests of promoting passenger and driver safety the Licensing Authority encourages responsible operators to implement the requirements of the new licensing conditions without delay or waiting for the conditions to be imposed on the renewed operator licence.

14.8. Safeguarding training and Counter Terrorism related

14.8.1. General requirements are outlined at section 7 of this document.

14.8.2. The Licensing Authority recognises that Private Hire Operators and their dispatchers play an important role in providing access to a safe means of transport to all members of society. Their role, alongside that of the licensed driver's they dispatch, places them in daily contact with some of the most vulnerable members of our society and as such they are ideally placed to assist all those agencies who have a statutory responsibility to safeguard the vulnerable.

14.8.3. In order for them to recognise safeguarding issues and to enable them to report suspect behaviour or bookings appropriately, all applicants for a new Private Hire Operator's licence who are not licensed drivers, shall have completed safeguarding training, provided via a nominated service provider before they will be granted a licence.

14.8.4. Failure to comply with duties, training requirements, reporting responsibilities, record-keeping or any safeguarding-related condition attached to the licence may be taken into account by the Licensing Authority when determining whether the licence holder remains fit and proper to hold a private hire operator licence.

14.9. Insurance

14.9.1. Private Hire Operators with employees must maintain a suitable employer's liability insurance policy.

14.9.2. Private Hire Operators must maintain a suitable public liability policy in respect of any premises covered by the licence.

14.10. Record keeping and documentation

14.10.1. The Local Government (Miscellaneous Provisions) Act 1976 section 56 requires private hire operators keep details of private hire bookings. It is for the Licensing Authority to determine exactly what details should be recorded and how long these should be kept for.

14.10.2. Licence conditions attached to the grant of private hire operator licences, detail the booking records requirements.

14.10.3. It is recognised that safeguarding measures can assist in the protection of public safety, and the Licensing Authority considers it reasonably necessary for documentation and other records to be kept to enhance public safety measures.

14.10.4. The requirement for such checks, documentation and record keeping will be administered and enforced by licence conditions attached to the grant of the private hire operator licence.

14.10.5. This will be monitored by visits to operator premises where records must immediately be made available to the Licensing Authority

14.11. Application process

14.11.1. Private Hire Operator licences clearly indicate the expiry date of the licence. It is the responsibility of the operator to ensure that a valid application is submitted to the Licensing Authority before the licence expires.

14.11.2. Applications will not be considered until the applicant is able to satisfy the Licensing Authority that they have the right to occupy premises within the Borough to offer private hire services and produce original evidence of:-

- Valid, appropriate insurance policy(s)

- Basic Disclosure Certificate issued no more than 1 month prior to the application for each person named on the licence, or for each director or partner where the licence is held by a company or partnership. This requirement will not apply to any applicant who also holds a valid Wyre Dual Driver's Licence
- Proof of the operating address within Wyre Council area
- Payment of the appropriate fee

14.11.3 Details of the application process and guidance for applicants is published on our website. All applications where possible must be made on our website. Applications will not be processed unless they are complete.

14.12. Planning permission requirements

14.12.1. As part of an application for the grant of a new private hire operator licence. A private hire operator will need to provide written proof of planning permission in relation to the operator premises or written proof from Wyre Council's planning officers that planning permission is not required.

14.12.2 The information submitted will be verified by the Licensing Authority

14.12.3 A private hire operator's licence would not normally be issued in a way that it would conflict with planning restrictions / permissions.

15. Hackney Carriage Fares

The Licensing Authority is responsible for setting the Hackney Carriage Tariff, which is a table of the maximum fares that may be charged for a journey.

15.1 Each Hackney Carriage must have its taximeter calibrated to the current tariff. A copy of the current calibration certificate must be provided with each hackney carriage vehicle licence application.

15.2 A copy (or multiple copies) of the Licensing Authority's table of fares must be displayed in the vehicle where it can easily be seen and read by any passenger seated in the vehicle.

16. Private Hire Fares

The Licensing Authority has no ability to control the fares charged by the private hire trade and it is for the hirer to negotiate an appropriate fee or method of charging for each journey.

- 16.1** Where a private hire vehicle is fitted with a taximeter that is used to calculate the journey fee, there must be a corresponding table of fares produced by the operator and displayed in the vehicle where it can easily be seen and read by any passenger seated in the vehicle.

17. Fees

The Licensing Authority sets and regularly reviews its fees for hackney carriage and private hire licensing, in line with the Government requirement that fees should only cover the costs involved in the administration and regulation of licensed operators, drivers and vehicles.

- 17.1** A list of the current licence fees can be found on our website along with some miscellaneous charges.
- 17.2** Licence holders who surrender an operator or vehicle licence before its natural expiry are not eligible for a refund. There is no legal mechanism for a dual driver licence to be surrendered, and the Licensing Authority will not treat the return of a driver badge or paper licence as a surrender of the licence. Any returned badge or paper licence will be held for safekeeping only, and the dual driver licence will remain in force until its expiry or until any suspension or revocation takes effect.

18. Appeals

There are statutory rights of appeal contained within the legislation. Appeals can be made against decisions to refuse an application, refuse to renew a licence, suspension or revocation of a licence and against any conditions that the Licensing Authority has attached to a licence. Where there is a right of appeal this will be detailed on any decision notice issued.

- 18.1** In almost every case the right of appeal is to the magistrates' court and contact should be made with that court for details on how the appeal is commenced. The one exception to that is a refusal to grant a new Hackney Carriage proprietors licence where the right of appeal is directly to the Crown Court. Again,

in those circumstances contact should be made with the court for details on how the appeal is commenced.

- 18.2** The appeal period is 21 days from the date on which the written notice of the Licensing Authority's decision was received. That period cannot be extended so anybody who is considering appealing should ensure that the appeal is lodged with the court as soon as possible.

Appendix 1 - Convictions and Acceptable Behaviour Policy

1. The aim of this Policy is to enable the Licensing Authority to protect the public, whilst not preventing the majority of, law-abiding applicants and licensees to obtain and retain hackney carriage and private hire licences. The 'public' is not restricted to passengers. It encompasses everyone: passengers, other road users and, of course, drivers.
2. There is no evidence which can provide precise periods of time which must elapse after a crime before a person can no longer be considered at risk of reoffending, but the risk may reduce over time. In light of that, the timescales in this policy are intended to reduce the risk to the public to an acceptable level.
3. Many members of our society use, and even rely on, hackney carriages and private hire vehicles to provide transportation services. This is especially true of disabled and vulnerable people. This can be on a regular basis, or only occasionally, but in all cases passengers, other road users and society must have confidence in the fitness and propriety of the driver, the vehicle and anyone involved with the booking process.
4. Ideally, all those involved in the hackney carriage and private hire trades (hackney carriage and private hire drivers, hackney carriage and private hire vehicle owners and private hire operators) would be persons of the highest integrity. In many cases that is true, and the majority of those involved in these trades are, upstanding, honest and hard-working individuals. Unfortunately, as in any occupation or trade, there are those who fail to conform to those standards.
5. In relation to each of these licences (dual driver licence, restricted private hire driver licence, hackney carriage vehicle licence, private hire vehicle licence, private hire operator's licence), the Licensing Authority has discretion as to whether or not grant the licence.
6. Drivers and operators cannot be granted a licence unless the Licensing Authority is satisfied that they are a "fit and proper person" to hold that licence (see Local Government (Miscellaneous Provisions) Act 1976 ss 51 and 59 in respect of drivers; s55 in respect of operators).
7. There are no statutory criteria for vehicle licences, therefore the Licensing Authority has an absolute discretion over whether to grant either a hackney carriage or private hire proprietor's licence.

8. “Fit and proper” means that the individual (or in the case of a private hire operator’s licence, the limited company together with its directors and secretary, or all members of a conventional partnership or a limited liability partnership⁹ is safe and suitable to hold the licence.

9. In determining fitness and propriety, the Licensing Authority can and will take into account all matters concerning that applicant or licensee. The Licensing Authority is not simply concerned with that person’s behaviour whilst working in the hackney carriage or private hire trade. This consideration is far wider than simply criminal convictions or other evidence of unacceptable behaviour, and the entire character of the individual will be considered. This can include, but is not limited to, the individual’s attitude and temperament. The categories of behaviours described below are introduced as “offences” which may or may not lead to convictions. Any such behaviours will be taken into account, whether or not it resulted in convictions or other sanctions.

10. Convictions for attempt or conspiracy will be regarded as convictions for the substantive crime. A caution is regarded in exactly the same way as a conviction.¹⁰ Fixed penalties and community resolutions will also be considered in the same way as a conviction.¹¹

11. It is important to recognise that matters which have not resulted in a criminal conviction (whether that is the result of an acquittal, a conviction being quashed, decision not to prosecute, police decide on no further action (NFA), bailed, released under investigation or where an investigation is continuing) can and will be taken into account by the Licensing Authority.¹² In addition, complaints and or investigations where there was no police involvement will also be considered. Within this policy, any reference to “conviction” will also include matters that amount to criminal behaviour, but which have not resulted in a conviction.

⁹ Section 57(2)(c) of the Local Government (Miscellaneous Provisions) Act 1976 allows a local authority to consider the character of a company director or secretary, or any partner.

¹⁰ This is because a caution can only be imposed following an admission of guilt, which is equivalent to a guilty plea on prosecution.

¹¹ This is because payment of a fixed penalty indicates acceptance of guilt, and a community resolution can only be imposed following an admission of guilt.

¹² See *R v Maidstone Crown Court, ex p Olson* [1992] COD 496, QBD; *McCool v Rushcliffe Borough Council* [1998] 3 All ER 889, QBD; and *Leeds City Council v Hussain* [2002] EWHC 1145 (Admin), [2003] RTR 199 Admin Crt.

12. In the case of any new applicant who is under investigation or has been charged with any offence and is awaiting trial, the determination may be deferred until the trial has been completed or the charges withdrawn. Where an existing licensee is charged, the Licensing Authority will decide what action to take in the light of this Policy.
13. In all cases, the Licensing Authority will consider the conviction or behaviour in question and what weight should be attached to it, and each and every case will be determined on its own merits, and in the light of this Policy.
14. Any offences committed, or unacceptable behaviour reported whilst driving a hackney carriage or private hire vehicle, concerning the use of a hackney carriage or private hire vehicle, or in connection with an operator of a private hire vehicle will be viewed as aggravating features, and the fact that any other offences were not connected with the hackney carriage and private hire trades will not be seen as mitigating factors.
15. As the Licensing Authority will be looking at the entirety of the individual, in many cases fitness and propriety will not be determined by a specified period of time having elapsed following a conviction or the completion of a sentence. Time periods are relevant and weighty considerations, but they are not the only determining factor.
16. In addition to the nature of the offence or other behaviour, the quantity of matters and the period over which they were committed will also be considered. Patterns of repeated unacceptable or criminal behaviour are likely to cause greater concern than isolated occurrences as such patterns can demonstrate a propensity for such behaviour or offending.
17. Most applicants or licensees will have no convictions and that is clearly the ideal situation. In relation to other people, it is accepted that human beings do make mistakes and lapse in their conduct for a variety of reasons, and it is further accepted that many learn from experience and do not go on to commit further offences. Accordingly, in many cases an isolated conviction, especially if committed some time ago, may not prevent the grant or renewal of a licence.
18. It is also important to recognise that once a licence has been granted, there is a continuing requirement on the part of the licensee to maintain their fitness and propriety. The Licensing Authority has powers

to take action against the holder of all types of licence (drivers, vehicles and operators) and it must be understood that any convictions or other actions on the part of the licensee which would have prevented them being granted a licence on initial application will lead to that licence being revoked.

19. Any dishonesty by any applicant or other person on the applicant's behalf which is discovered to have occurred in any part of any application process (e.g. failure to declare convictions, false names or addresses, falsified references) will result in a licence being refused, or if already granted, revoked and may result in prosecution.
20. Although the direct impact on the public varies depending upon the type of licence applied for or held, to maintain public confidence in the integrity of the hackney carriage and private hire licensing regimes, the Licensing Authority will apply the same standards to all licences, except motoring convictions in relation to a private hire operator.
21. This Policy suggests minimum periods of time that should elapse between the date of conviction or completion of the sentence (whichever is later) and the grant of a licence. Those periods are for single convictions. Where a person has more than one conviction, and can be seen as a persistent offender, this will raise serious questions about their fitness and propriety. Convictions do become less important over time (hence the time periods) but multiple convictions or continued offending over any period of time will always be of significant concern to the Licensing Authority. We only licence fit and proper individuals, and once a pattern or trend of repeated offending is apparent, a licence will not be granted or renewed.
22. Where an applicant / licensee is convicted of an offence, or has evidence of unsuitable behaviour, which is not detailed in this Policy, the Licensing Authority will take that conviction and / or behaviour into account and use this Policy as an indication of the approach that should be taken.
23. This Policy does not replace the duty of the Licensing Authority to refuse to grant a licence where they are not satisfied that the applicant or licensee is a fit and proper person. Where a situation is not covered by this Policy, the Licensing Authority will consider the matter from first principles and determine the fitness and propriety of the individual.

24. The Licensing Authority will always recognise that this is a Policy, and the timescales are not fixed periods, and if there are “truly exceptional circumstances”¹³ the time periods can be reduced in individual cases. Such instances should only be for “truly exceptional circumstances” and not frequent occurrences. The Licensing Authority will consider each case on its own merits, taking into account all factors, including the need to protect the public, the circumstances and effect of the offence, and any mitigation that has been offered. However, the conviction itself cannot be reconsidered.¹⁴

25. Drivers

25.1. As the criteria for determining whether an individual should be granted or retain a hackney carriage driver’s licence are identical to the criteria for a private hire driver’s licence, the two are considered together.

26. A driver has direct responsibility for the safety of their passengers, direct responsibility for the safety of other road users and significant control over passengers who are in the vehicle. As those passengers may be alone, and may also be vulnerable, any previous convictions or unacceptable behaviour will weigh heavily against a licence being granted or retained.

27. Where an applicant persistently offends, which shows a pattern or tendency irrespective of time since the convictions, serious consideration will be given as to whether they are a fit and proper person.

28. In relation to single convictions, the time periods detailed in the following paragraphs should elapse following completion of the sentence (or the date of conviction if a fine was imposed) before a licence will be granted. For motoring offences see the paragraphs headed ‘Motoring Offences’

29. The categories of behaviours described below are introduced as “offences” which may or may not lead to convictions. Any such behaviours will be taken into account, whether or not it resulted in convictions or other sanctions.

¹³ DfT Statutory Standards Guidance para 5.55

¹⁴ Nottingham City Council v Farooq (Mohammed) Times, October 28, 1998 QBD V.2026

30. Barred lists

30.1 A licence will not be granted to a person who is on any barred list.

31. Offences resulting in death

31.1 Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person, they will not be licensed.

32. Offences involving exploitation and criminal harassment

32.1 Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment or criminal harassment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual exploitation, grooming, psychological, emotional or financial abuse, stalking without violence, but this is not an exhaustive list.

33. Offences involving violence against persons, property, animals or the State

33.1 Violence includes situations where the victim is put in fear, alarm or distress without any physical contact. It is accepted that the concept of "violence" is wide, but any such behaviour will be of concern. This Policy does not differentiate between different levels of violence. The Licensing Authority will determine whether there is any justification for departing from this time period, dependant of the facts of a particular case.

34. Where an applicant has a conviction for an offence of violence, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed. Where the offence of violence was committed against a child or vulnerable adult a licence will never be granted.

35. Offences involving Public Order

- 35.1 Where an applicant has a conviction for a public order offence or similar that is not in itself an act of violence, a licence will not be granted for a period of 5 years.

36. Offences involving Possession of a weapon

- 36.1 Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

37. Offences involving sex, indecency or obscene materials

- 37.1 Where an applicant has a conviction for any offence involving or connected with illegal sexual activity or any form of indecency, a licence will not be granted. This includes any sexual harassment.

38. The Licensing Authority will not grant a licence to any applicant who is currently on the Sex Offenders Register.

39. Offences involving Dishonesty

- 39.1 Where an applicant has a conviction for any offence of dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

40. Offences involving Alcohol abuse, Misuse or Dependency

- 40.1 Where an applicant has any conviction for, or related to drunkenness not in a motor vehicle, a licence will not be granted until at least 5 years have elapsed since the completion of the sentence imposed. If the applicant has a number of convictions for drunkenness and or there are indications of a medical problem associated with possible abuse, misuse of, or dependence on alcohol, the applicant will also be subject to additional medical testing/assessment before the application is considered. If the applicant was found to be dependent on alcohol, a licence will not be granted unless at least 5 years have elapsed since the dependency ceased.

41. Offences involving Drugs abuse Misuse or Dependency

41.1 Where an applicant has any conviction for, or related to, the production, import, trade in or supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

42. Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

43. If there are indications that an applicant or licensee has, or has had a history of, a medical problem associated with possible abuse, misuse or dependence of drugs, the applicant will also be subject to additional medical testing / assessment before the application is considered. If the applicant was found to be dependent on drugs, a licence will not be granted unless at least 5 years have elapsed since the dependency ceased.

44. Offences involving Discrimination

44.1 Where an applicant has a conviction involving or connected with discrimination in any form, including non-compliance with the Equality Act 2010, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed. This includes e.g. refusals to carry assistance dogs or to provide mobility assistance.

45. Offences involving Regulatory non-compliance

45.1 Regulatory crimes include local authority offences, licensing matters, and other offences prosecuted by other authorities. Matters relating to the administration of justice such as failing to surrender to bail, and any other matter where there has been non compliance of regulations or requirements are also included. The Licensing Authority will give serious consideration to such contraventions when deciding whether hackney carriage and private hire licensees are a fit and proper person to hold a licence.

46. Motoring Offences

- 46.1 Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. Any motoring conviction can demonstrate a lack of professionalism and will be considered seriously. A single occurrence of a minor traffic offence may not prohibit the grant of a licence or result in action against an existing licence. Subsequent convictions suggest the fact that the licensee may not take their professional responsibilities seriously and may therefore not be a fit and proper person to be granted or retain a licence.
47. Where an applicant has a conviction for drink driving or driving under the influence of drugs or failing to provide a specimen in relation to a driving matter, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or driving ban imposed. With drug offences, any applicant may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.
48. Where an applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least 5 years have elapsed since the conviction or completion of any disqualification imposed, whichever is the later.¹⁵
49. Penalty points applied to a DVLA driving licence remain active for either 3 or 10 years, which may be from the date of the offence or the date of conviction depending upon the offence as detailed in "Penalty points (endorsements)".¹⁶ They may be removed from the licence after 4 or 11 years. That action does not negate the offence that led to the points being imposed. Penalty points (and the underlying offence) will be relevant and taken into consideration for 4 or 11 years from the date of

¹⁵ Research shows driving while using a handheld device is potentially more dangerous than driving under the influence of alcohol: <https://www.trl.co.uk/news/transport-select-committee-road-safety-enquiry-on-the-use-of-mobile-phones>) Using an electronic device which is 'hands free' or 'factory fitted' does not constitute an offence on its own but drivers need to maintain proper control of the vehicle at all times. Any behaviour or activity other than driving may be considered an offence where control of the vehicle is compromised.

¹⁶ Available at : <https://www.gov.uk/penalty-points-endorsements/how-long-endorsements-stay-on-your-driving-licence>

the conviction, or the date of the offence depending on the type of offence (see “Penalty points endorsements”).¹⁷

50. A driver who gains 7 or more penalty points on their DVLA licence demonstrates that they may not be a fit and proper person. In order to review the driver's suitability, the Licensing Authority will require, within two months of the date of notification, the driver to undertake a driver awareness course and / or pass a driver assessment (with no more than 8 minor infringements). Failure to comply with the Licensing Authority request strongly suggests that the driver is not fit and proper. This will result in the driver licence being suspended / revoked until a 12 month period has lapsed with no further convictions and a driver assessment has been passed since the last conviction.
51. Any offence which resulted in injury to any person or damage to any property (including vehicles), or any insurance offence then a licence will not be granted until at least 7 years have elapsed since the completion of any sentence.
52. Any driver who has accumulated 12 or more points on their DVLA licence and has not been disqualified under the totting up procedure by a court as a result of making exceptional hardship arguments shall not be able to advance such arguments before the Licensing Authority. These considerations are not relevant in determining what action should be taken. Any such driver will not be licensed for a period of 5 years from the date of the accumulation of 12 or more points.
53. Any driver who has been disqualified as a result of “totting-up”, which erases the points when the licence is restored, will not be licensed for a period of 5 years from the date of the disqualification. Other disqualifications will need to be investigated, the reasons ascertained, and a decision will be based on the results of that investigation.
54. Drivers who commit parking, obstruction and other such motoring offences that do not attract penalty points are not displaying a professional approach to their work. In relation to persistent offenders the Licensing Authority may consider a period of suspension depending on the severity and frequency of the incidents reported.

¹⁷ Available at : <https://www.gov.uk/penalty-points-endorsements/how-long-endorsements-stay-on-your-driving-licence>

55. **Behaviours**

55.1. Driver behaviours that fall short of criminal behaviour but are indicators of more sinister behaviour need to be addressed to maintain confidence in the hackney carriage and private hire trades and to stop unwanted behaviours before they evolve into criminal acts. This is more important if the passenger is a lone vulnerable individual and may include behaviours such as:

- Asking a passenger for their contact or social media details
- Asking personal or intimate questions
- Inappropriate physical contact with passengers or invade their personal space
- Inappropriate conversations, questions or behaviour.

56. Except in the most serious of cases, drivers will be given a warning in the first instance, and if appropriate sent on refresher safeguarding training. The Licensing Authority will explain how the behaviour may be perceived by a vulnerable passenger.

57. If the behaviour, on the balance of probability, is repeated and considered to be predatory in nature then any applicant will not be licensed, or action will be taken against an existing licensee.

58. Where an applicant or licensee has a conviction for an offence contrary to any legislation relating to hackney carriage or private hire activity not covered elsewhere, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed

59. **Private Hire Operators**

59.1. A private hire operator ("an operator") does not have direct responsibility for the safety of passengers, other road users or direct contact with passengers who are in the private hire vehicle (except where they are also licensed as a private hire driver). However, in performing their duties they obtain and hold considerable amounts of personal and private information about their passengers which must be treated in confidence and not revealed to others or used by the operator or their staff for criminal or other unacceptable purposes.

60. As stated above, where an applicant has more than one conviction, serious consideration will be given as to whether they are a fit and proper person.

61. Operators must ensure that any staff in the business (whether employees or independent contractors) that are able to access any personal and private information are subject to the same standards as the operator themselves. The operator should require relevant staff members to obtain a basic DBS certificate. If an operator is found not to be applying the required standards and using staff that do not meet the licensing authority's overall criteria, that will lead to the operator's licence being revoked.

62. As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to operators as those applied to drivers, except motoring offences to recognise the operator is not connected with the use of a vehicle.

63. Vehicle proprietors

63.1. Vehicle proprietors (both hackney carriage and private hire) are responsible for.

- Ensuring the vehicle is maintained to an acceptable standard at all times.
- Ensuring that the vehicle is not used for illegal or illicit purposes.

64. Where an applicant has more than one conviction, serious consideration will need to be given as to whether they are a fit and proper person to be granted or retain a vehicle licence.

65. As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to proprietors as those applied to drivers, which are outlined above.

Appendix 2 – Standard Conditions attached to a Dual Driver Licence

The Local Government (Miscellaneous Provisions) Act 1976 Section 51 allows the Licensing Authority (i.e. Wyre Council) to attach to the grant of a private hire drivers licence any conditions as the Licensing Authority considers reasonably necessary.

The following set of licence conditions will normally be added to the grant of a dual driver's licence and are considered as necessary for the purposes of public safety.

Failure to comply with licence conditions could lead to a review of the dual driver's licence, namely in light of the failure to comply with the licence conditions does the licence holder remain "fit and proper" to be a licensed driver.

Where the Licensing Authority considers there is reasonable cause, it can suspend or revoke an existing licence.

In addition to complying with licence conditions, licence holders should familiarise themselves with the legal requirements imposed on them by legislation. A copy of offences specific to private hire and hackney carriage requirements are included at Appendix 10.

Licence Conditions:

1. Driver Licences

Licence holders shall deliver to their relevant Private Hire Operator, a copy of their licence.

2. Change of Operator

Licence holders must notify the Licensing Authority, in writing, within 7 days, if they change Private Hire Operator.

3. Change of address

Licence holders must notify the Licensing Authority, in writing, within 7 days of any change of address.

4. Medical fitness

- 4.1 Licence holders must notify the Licensing Authority, in writing, within 7 days of any changes to their health, whether permanent or temporary, which affects or may affect their ability meet the Group 2 Standard or drive a licensed vehicle.

4.2 Where a licensed driver's medication or illness could affect their ability to drive safely, they must ensure they only drive when it is safe to do so.

5. **Requirements to report convictions & associated incidents, or provide documentation**

5.1 Licence holders must report any of the following events to the Licensing Authority, in writing, email will suffice, within 48 hours, giving full details of:-

- Any conviction or finding of guilt in a civil, criminal or driving matter
- Any caution issued by the Police or any other agency
- Any issue of a Magistrate's Court summons against them
- Any issue of a fixed penalty notice for any matter
- Any harassment or other form of warning, or order, within criminal law
- Any arrest for any offence (whether or not subsequently charged)

5.2 Licence holders must produce upon request, such documentation as the Licensing Authority may require, in order to confirm that they have the legal right to remain, reside and work in the UK, or any other document that the Licensing Authority may reasonably require, pursuant to its duty to be satisfied that the licence holder remains a fit and proper person.

6. **Training to expected standards of service and safety**

The licence holder must complete required training through a provider approved by the Licensing Authority before the grant or renewal of their licence. Evidence of successful completion must be provided to the Licensing Authority as part of their application for grant or renewal of licence

The licence holder must ensure that any certificates relied upon for the grant or renewal of the licence are current and meet the requirements set out in this policy.

7. **Driver badges**

Licence holders must always, when driving a licensed vehicle, display the driver's badge issued by the Council, in a prominent place on the outer clothing, at the front of the upper body.

- 7.1 In the event of loss or damage to the driver's badge, the Licensing Authority must be informed within 7 days, so that a replacement licence can be issued, in return for the prescribed fee.
- 7.2 The badge issued by the Licensing Authority remains the property of the Licensing Authority and must be returned on request, should the licence be suspended, revoked or become invalid for any other reason.

8. Fare to be demanded & issuing of receipts

Licence holders must not demand from any hirer, a fare in excess of any previously agreed, for that hiring between the hirer and the operator, or the hirer and the driver. If the vehicle is fitted with a tariff meter and there has been no previous agreement as to the fare, the Licence holder must not demand from any hirer, a fare in excess of that shown on the face of the meter.

9. Vigilance and reporting requirements

Where the licence holder becomes aware of any activity, behaviour or item that causes concern, the concern must be reported without delay to the Police or other appropriate emergency service, using the appropriate reporting route for the circumstances.

- 9.1 The licence holder must maintain a logbook to record any incidents or complaints that cause concern (including but not limited to concerns about terrorism, child abuse, abuse of any other person, people trafficking, drug carrying, violence or criminal behaviour) or that may result in a complaint being made. Such incidents must be recorded promptly with as much detail as possible (date, time, location, nature of the incident, names of the parties (if known) and identifying features). This logbook must be kept securely and the details must be transferred to a storage medium not contained within the vehicle (i.e. a copy of the pages stored on a computer) as soon as possible. Licence holders driving a Private Hire vehicle must ensure such incidents are reported to their operator as soon as possible. Drivers using a Hackney Carriage that has been booked via a booking agent must ensure that all such incidents are reported to that agent as soon as possible. Where it is suspected that the incident involves criminal behaviour it must be reported to the police and the Licensing Authority immediately.

10. **Compliance with the code of conduct**

Driver Licence holders shall comply with the Licensing Authority code of conduct for licensed drivers and the Licensing Authority code of conduct when working with vulnerable passengers which applies to all licensed drivers, vehicle proprietors and private hire operators.

Appendix 3 - Code of Conduct for Licensed Drivers

Licensed drivers are required to be “fit and proper” persons to hold such licences and furthermore are required to remain “fit and proper” whilst they remain licensed. There is no legal definition of what constitutes “fit and proper”. This code of conduct provides information as to the standards expected of licensed drivers to assist drivers in ensuring their conduct maintains required standards.

1. Licence holders shall endeavour to promote the image of a professional Hackney Carriage and Private Hire trade by:
 - Complying with the Code of Conduct
 - Complying with all the conditions of their licence, the Hackney Carriage and Private Hire Licensing Policy and where applicable the Hackney Carriage Byelaws
 - Behaving in a civil, orderly and responsible manner at all times

2. **Promotion of professional standards**

Licence holders shall:

- Pay attention to personal hygiene and adhere to the dress code detailed below for drivers
- Not consume food and/or drink whilst customers are present in the vehicle
- Not use abusive or foul language, spit or smoke in or near the vicinity of the vehicle
- Always keep vehicles clean and suitable for hire to the public
- Respect authorised officers during the normal course of their duties and comply with any reasonable requests from an officer
- Attend punctually when undertaking a pre-booked hiring
- Treat all customers with dignity and respect regardless of their sex, race, disability, sexual orientation, trans-gender, religion or belief

3. **Protection of public health and safety**

Licence holders shall:

- Always maintain their vehicles in a safe and satisfactory condition
- Not consume alcohol immediately before or at any time whilst driving a licensed vehicle

- Not drive whilst under the influence of drugs (legal or illegal) which may affect their awareness and capability
- Not use aggressive language or behaviour or engage in any violent conduct
- Not carry any form of weapon on their person or their vehicle at any time and under no circumstances must they ever take the law into their own hands
- Comply with appropriate legislation regarding the length of working hours
- Drive with care and due consideration for other road users and pedestrians
- Always obey all Traffic Regulation Orders and directions
- Not use a handheld mobile phone whilst driving
- Take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle
- Offer passengers reasonable assistance with luggage, unless exempted by the Licensing Authority under the Equality Act 2010
- Not smoke or use electronic cigarettes (or similar devices) in the vehicle at any time
- Assist, where necessary, passengers into and out of vehicles

4. **Protection of the environment**

To avoid nuisance, Licence holders shall:

- Not sound the vehicle horn illegally
- Keep the volume of radio/music to a minimum
- Switch off the engine if required to wait
- Not undertake servicing or repairs of vehicles in locations which could cause nuisance or impact the safety of other road users

5. **Working with vulnerable passengers**

A separate code of conduct applicable to all licence holders i.e. drivers, vehicle proprietors and private hire operators has been produced and is available as a separate appendix within this policy document.

6. **Licensed Driver Dress Code**

The purpose of a driver's dress code is to seek a standard of dress that provides a positive image of the hackney carriage and private hire trade in the Licensing Authority's area to enhance a professional

image of licensed drivers and ensure that public and driver safety is not compromised.

7. **Acceptable Standard of Dress**

All clothing worn by the driver must be clean and in good condition, and the driver must have good standards of personal hygiene.

As a **minimum** standard, males should wear trousers and a shirt which has a full body and short sleeves. Knee length shorts may be worn, for example during periods of warm weather.

As a **minimum** standard, females should wear long legged trousers, knee length skirt or dress and a shirt / blouse which has a full body and short sleeves.

8. **Footwear**

Footwear for all drivers shall fit around the heel of the foot.

9. **Unacceptable Standard of Dress**

The following are deemed to be unacceptable:

- Clothing that is not kept in a clean condition, free from holes and rips.
- Words or graphics on any clothing that is of an offensive or suggestive nature, or which might offend.
- Sportswear (e.g. football / rugby kits, track suits, beach wear etc).
- Sandals with no heel straps, flip flops or any other form of footwear not secured around the heel.
- Drivers not having either the top or bottom half of their bodies suitably clothed.
- The wearing of hoods or other clothing that obscures the driver's vision or their identity

Appendix 4 - Byelaws for Hackney Carriage or Private Hire Vehicles

Hackney Carriage Vehicles

Dated 10 May 1977 - Operational from 24 June 1977

Made under section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by the Wyre Borough Council with respect to hackney carriages in the Borough of Wyre.

Interpretation

1. Throughout these byelaws “the Council” means the Wyre Borough Council, “the district” means the Borough of Wyre. Provisions regulating the manner in which the number of each hackney carriage corresponding with the number of its licence, shall be displayed.
2. (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto

(b) A proprietor or driver of a hackney carriage shall:
 - (i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire.
 - (ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided.

3. The proprietor of a hackney carriage shall:
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver.
 - (b) cause the roof or covering to be kept water-tight.
 - (c) provide any necessary windows and a means of opening and closing not less than one window on each side.
 - (d) cause the seats to be properly cushioned or covered’
 - (e) cause the floor to be provided with a proper carpet, mat, or other suitable covering.

- (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service.
 - (g) provide means for securing luggage if the carriage is so constructed to carry luggage.
 - (h) provide an efficient fire extinguisher which shall be carried in a position as to be readily available for use.
 - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
4. The proprietor of a hackney carriage shall cause the same to be provided with the taximeter so constructed, attached, and maintained as to comply with the following requirements, that is to say.
- (i) If the taximeter is fitted with a flag or other device bearing the words "FOR HIRE":-
 - (a) The words "FOR HIRE" shall be exhibited on each side of the flag or other device in plain letters at least 8 centimetres 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:
 - (b) when the flag or other device is so locked that 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:
 - (c) 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.
 - (ii) If the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":-
 - (a) the taximeter shall be fitted with a key, flag, or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (b) such key, flag, or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the meter.
 - (iii) 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.

- (iv) 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.
- (v) The taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring.
- (vi) 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.

5. The proprietor of a hackney carriage provided with a taximeter not fitted with a flag or other device bearing the words "FOR HIRE" shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say: -

- (a) the sign shall bear the words "FOR HIRE" in plain letters at least 4 centimetres in height.
- (b) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire.

6. The driver of a hackney carriage shall: -

- (i) if the taximeter is fitted with a flag or other device bearing the words "FOR HIRE":-
 - (a) when standing or plying for hire keep such flag or other device 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 and keep the machinery of the taximeter in action until the termination of the hiring.
- (ii) if the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":-

- (a) when standing or plying for hire, keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of Byelaw 5 so that the words "FOR HIRE" are clearly and conveniently legible by persons outside the carriage.
 - (b) as soon as the carriage is hired whether by distance or by time, operate the said sign so that the words "FOR HIRE" are not conveniently legible by persons outside the carriage.
 - (c) as soon as the carriage is hired by distance, and before beginning the journey, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word "HIRE" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring.
 - (iii) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purpose of the Road Traffic Act 1972 and also at any other time at the request of the hirer.
7. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
8. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired,
- (a) proceed with reasonable speed to one of the stands fixed by the byelaw in that behalf.
 - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorized to occupy it, proceed to another stand.
 - (c) on arriving at a stand not already occupied by the full number of carriages authorized to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction.
 - (d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
9. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire

such carriage and shall not make use of the services of any other person for the purpose.

10. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.

11. The proprietor or driver of a hackney who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.

12. The driver of a hackney carriage when asked to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.

13. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified in the licence, which said number shall be indicated on the plate affixed to the outside of the carriage or otherwise marked on the carriage in such manner as the Council deems appropriate.

14. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear the badge in such position and manner as to be plainly visible.

15. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage,

(a) convey a reasonable quantity of luggage.

(b) afford reasonable assistance in loading and unloading.

(c) afford reasonable assistance in removing it to or from the entrance of any building, station, or place at which he may take up or set down such person.

Provisions fixing the stands of hackney carriages:

16. Each of the several places specified in the list of hackney carriage ranks shall be a stand for such number of hackney carriages as is specified in the list (list available at the Wyre Borough Council Taxi Office).

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 by the following table (please ask for a current tariff card), the rate or fare being calculated by distance unless the hirer express at the commencement of the hiring his desire to be engaged 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 authorized by the following table which it may not be possible to record on the face of the taximeter (table available at the Wyre Borough Council Taxi Office).

18. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the byelaw in that behalf to be exhibited inside the carriage, in clearly distinguishable letters and figures.

(b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages and fixing the charges to be made in respect thereof.

19. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.

20. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:

(a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to a police station in the district, and leave it in the custody of the officer in charge of the office on his giving a receipt for it,

(b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the Police Station whichever be the greater) but not more than five pounds.

Penalties

21. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds and in the case of a continuing offence to a further fine not exceeding five

pounds for each day during which the offence continues after conviction, therefore.

Repeal of Byelaws

22. The byelaws relating to hackney carriages which were made:-

- (a) by the Poulton-le-Fylde Urban District Council on the 27th day of November 1972 and which were confirmed by the Secretary of State on the 30th day of January 1973.
- (b) by the Thornton Cleveleys Urban District Council on the 28th day of July 1972 and which were confirmed by the Secretary of State on the 6th day of October 1972; and
- (c) by the Mayor, Aldermen and Burgesses of the Borough of Fleetwood on the 14th day of June 1973 and which were confirmed by the Secretary of State on the 22nd day of November 1973, and
- (d) by the Urban District Council of Preesall with Hackensall on the 20th day of May 1901 and which were allowed by the Local Government Board on the 6th day of June 1901

are all hereby repealed.

Byelaws - Private Hire Vehicle

Dated 11 May 1977

Operational from 1st day of July 1977

Made under Section 17(1) of the Lancashire County Council (General Powers) Act 1971 by the Wyre Borough Council for the regulation of private hire vehicles in the area of the Borough of Wyre

Interpretation

1. Throughout these byelaws:-

‘the Council’ means Wyre Borough Council

‘the Borough’ means the Borough of Wyre

‘the Hackney Carriage Byelaws’ means the byelaws as to hackney carriages made by the Wyre Borough Council and confirmed by one of Her Majesty’s Principal Secretaries of State currently in force in the Area of the Borough of Wyre.

‘The private hire vehicle’ means a motor vehicle (within the meaning of the Road Traffic Act 1960) not being a vehicle licensed under the provisions of the Town Police Clauses Act 1847, with respect to hackney

carriages, which is kept for the purpose of being let out for hire with a driver for the carrying of passengers in such circumstances, that it does not require to be licensed under the said provisions, but does not include:-

- a) a vehicle which is kept and used ordinarily for the purpose of being let out for hire by the day or for longer periods of hire;
- b) a vehicle kept by any person in conjunction with any business carried out by him as a funeral director or undertaker and used wholly or mainly in conjunction with that business or;
- c) a public service vehicle as defined in Section 117 of the said Act of 1960.

Provisions of The Town Police Clauses Act 1847, applicable to Private Hire Vehicles

2. The following provisions of the Town Police Clauses Act 1847, shall apply to private hire vehicles as if they were in terms applicable thereto (that is to say):-

Section 37	(Commissioners may licence hackney carriages)
Section 40	(Person applying for licence to sign a requisition)
Section 41	(What shall be specified in the licences)
Section 42	(Licences to be registered)
Section 43	(Licence to be in force for one year only)
Section 44	(Notice to given by proprietors of any change of abode)
Section 45	(Penalty for plying for hire without a licence)
Section 46	(Drivers not to act without first obtaining a licence)
Section 47	(Penalty on drivers acting without licence, or proprietor employing unlicensed drivers)
Section 48	(Proprietor to retain licence of driver while in his employ and to produce the same before Justices on complaint)
Section 49	(Proprietor to return licence to driver when leaving his service, unless guilty of misconduct, in which case proprietor to summon driver)
Section 50	(Licences of proprietors or drivers may be suspended or revoked on a second conviction)

Section 59	(Penalty for permitting persons to ride without consent of hirer)
Section 60	(Driver of carriage not to permit other person to act as driver without consent of proprietor)
Section 61	(Penalty for drivers misbehaving)
Section 63	(Damage done by driver may be recovered from proprietor)
Section 65	(Justices empowered to award compensation to drivers for loss of time in attending to answer complaints not substantiated)

Provisions of the Hackney Carriage Byelaws applicable to private hire vehicles

3. The following provisions of the Hackney Carriage Byelaws shall apply to private hire vehicles as if they were in terms applicable thereto (that is to say):-

Byelaw 3	(Regulating how hackney carriages are to be furnished or provided)
Byelaw 10	(Regulating the dress and conduct of drivers or proprietors and the safety of passengers)
Byelaw 11	(Driver to attend at an appointed time)
Byelaw 12	(Driver to proceed by shortest available route)
Byelaw 14	(Driver to wear badge)
Byelaw 19	(Search of carriage after a hiring)
Byelaw 20	(Reporting articles found)
Byelaw 21	(Penalties)

Appendix 5 – Standard Conditions attached to a Hackney Carriage Licence

The Local Government (Miscellaneous Provisions) Act 1976 Section 47 allows the Licensing Authority (i.e. Wyre Council) to attach to the grant of a Hackney Carriage vehicle proprietors licence any conditions as the Licensing Authority considers reasonably necessary.

The following set of licence conditions will normally be added to the grant of a licence and are considered as necessary for the purposes of public safety.

Failure to comply with licence conditions could lead to the licence being suspended or revoked.

In addition to complying with licence conditions, licence holders should familiarise themselves with the legal requirements imposed on them by legislation. A copy of offences specific to private hire and hackney carriage requirements are included at Appendix 10.

The conditions are equally applicable when the Hackney Carriage is being used to undertake prebooked work. The conditions are -

1. This licence is issued on the condition that the vehicle to which it relates is not licensed as either a Hackney Carriage or Private Hire Vehicle by any other Council.
2. The vehicle must be fitted with an illuminated roof sign on which the word 'Taxi' must appear and be clearly visible from in front of the vehicle. The roof sign must be:
 - Securely fixed to the vehicle roof at all times and
 - Illuminated automatically when the vehicle taximeter is set to 'for hire'
3. The taximeter must be of a design approved by the Licensing Authority and be sealed in a manner approved by the Licensing Authority.
4. A copy of the current table of fares (tariff card), as supplied by the Licensing Authority, must be displayed on the inside of the vehicle, so as to be clearly visible to any person carried in the vehicle. This table of fares must not have been altered in any way.
5. No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without written approval of the Licensing Authority at any time while the licence is in force.

6. Plates provided by the Licensing Authority identifying the vehicle as a hackney carriage must be affixed to the front and rear of the vehicle in a position specified by the Licensing Authority. The plates shall be capable of being easily removed by a Police Constable or Authorised Officer of the Licensing Authority.
 - a. The proprietor shall cause to be clearly marked and maintained inside the vehicle an internal licence in such a position as to be visible at all times to persons conveyed therein, the number of this licence and the number of passengers prescribed in this licence.
 - b. The external plate must not be displayed from the interior of the vehicle.
7. The use of electronic equipment in the vehicle, other than that necessary for communication between the vehicle and its control/operations centre (if any) is prohibited.
8. A Hackney Carriage vehicle may only be used to ply for hire from a taxi rank or public highway, or on private land, with consent from the landowner, within the Licensing Authority's Area.
9. A Hackney Carriage vehicle must not be left unattended on any Hackney Carriage rank.
10. Before using the vehicle for the first time each day, the driver must undertake a "walk around check" which include plates and livery. This requires that the driver ensures the vehicle is roadworthy and fit for use as a Hackney Carriage vehicle. The check must include the tyres (pressure and tread depth), checking the lights are functioning (so far as is possible with one person – all lights except brake lights), checking all glass (lights and windows) is intact, ensuring all fluids are correctly topped up, the windscreen wipers are functioning correctly and ensuring there is no obvious damage to the vehicle. Any defects that are detected must be rectified before the vehicle is used to carry passengers. Records of these checks must be kept for 6 months and must be available for inspection by an Authorised Officer.
11. In addition to the daily walkaround check, the licence holder must ensure that a more detailed inspection of the licensed vehicle is carried out at least once in every calendar month. The inspection findings must be recorded in writing and retained for inspection by an Authorised Officer for a minimum of 6 months.

12. All factory fitted glass to the front of the driver's door pillar vehicle, must permit a minimum of 70% light transmission and no vehicle shall be fitted with additional film designed to tint or darken the glass.
13. The vehicle must have at least four road wheels and tyres fitted in accordance with the manufacturer's specification. A road legal spare wheel, space saver wheel or repair kit must be carried in the vehicle as supplied by the manufacturer when new, together with any necessary jack and tools. A spare or space saver wheel should be carried in the vehicle in the place allocated by the manufacturer.

This condition will not be applied to any vehicle fitted with run flat tyres that were fitted and supplied to the specification of the manufacturer.

14. The licence holder must within 72 hours inform the Licensing Authority with details of any:

- Change of the vehicle proprietor's address
- Change of premises where the vehicle is normally kept
- Accident-causing damage or materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein.

The notification may be by oral report in the first instance but must be followed up in writing within 7 days using the form available on the Council webpage.

15. All signage or livery displayed on or in a licensed hackney carriage must relate only to the provision of hackney carriage services by that vehicle or be otherwise prescribed in law and must be professionally prepared and printed and maintained in good order.
16. Any space within the vehicle designed to carry luggage or similar, must not be used to transport babies/children in pushchairs / prams.
17. The licence holder must always ensure that for the duration of the licence a valid policy of motor insurance for hackney carriage work / public hire is in place for the Hackney Carriage and covers anyone that drives the vehicle.
18. The licence holder must ensure that an accessible incident log is maintained for the vehicle. The log must record all incidents involving the vehicle, including (but not limited to):
 - Accidents of any type
 - Damage to the vehicle

- Meter faults
- Equipment failures
- Refusals of hire (including date, time, location and reason)
- Any events, circumstances or incidents which lead the driver or proprietor to suspect that a passenger or passengers is involved in or is a victim of child sexual exploitation or any other abuse, modern slavery or trafficking of people, abuse or supply of drugs, involvement in terrorism or any other criminal activity

Entries must be made immediately or as soon as practicable and the log must be produced to an Authorised Officer on request.

19. A suitable 1kg or 2kg dry powder fire extinguisher, compliant with BS EN3, must be always carried in the vehicle. The extinguisher must be:

- Securely mounted but easily accessible to the driver
- Maintained in good working order
- Replaced or serviced in accordance with manufacturer recommendations.

20. Where the vehicle is a wheelchair-accessible vehicle, any ramps, restraints or securing systems must be:

- Safely stored
- Maintained in full working order
- Used correctly on every relevant journey

21. Where fitted, tail lifts must have a current LOLER certificate and must not be used if unsafe or defective.

22. The licence holder and drivers must comply with all relevant duties under the Equality Act 2010, including duties relating to:

- Wheelchair users
- Assistance dogs
- Provision of mobility assistance
- Non-discriminatory service

23. Where CCTV is installed in the vehicle, the licence holder must ensure that:

- The system complies fully with any relevant requirements outlined within the current Hackney Carriage and Private Hire Licensing Policy
- All data is handled lawfully
- Signage is displayed informing passengers that CCTV is in operation

- Audio recording is not routinely activated except in permitted “specific threat” situations

24. The driver of the vehicle must comply at all times with:

- The Driver Code of Conduct (Appendix 3)
- The Code of Conduct for Working with Vulnerable Passengers (Appendix 13)

Any failure to comply may be considered evidence that the vehicle is not being operated in a safe or suitable manner.

25. The use or display of 3D, 4D, 5D, 6D or 9D vehicle registration plates, including ghost plates, sticker-style plates or any other substantially similar style, is prohibited. Failure to comply with this condition will normally result in revocation of the licence.

26. The licence holder must return the licence, plates and any additional signage to the Licensing Authority immediately:

- If the licence expires, or is suspended or revoked
- They wish to surrender their hackney carriage licence
- When required to do so by an authorised officer

27. A copy of these conditions along with the Hackney Carriage Byelaws must be kept in the licensed Hackney Carriage vehicle at all times and made available upon request to any passenger, authorised officer or police constable.

Appendix 6 – Taxi Ranks

A taxi rank is a designated street area or parking area where hackney carriages line up to wait for passengers. There are two different pieces of legislation that can be used to create “taxi ranks”. Further information can be found in Section 12.9 of the Policy.

Fleetwood Ranks			
Location	Number of taxis	24 hours or times	Designation of rank TRO or Taxi stand
London Street (north) near Wyre Light pub	4	24 hours	Taxi Stand
London Street (south) near Thomas Drummond pub	4	24 hours	Taxi Stand
Chatsworth Avenue, near the shops	4	24 hours	Taxi Stand
Kemp Street, near Dock Street junction	3	22:00 – 02:00	Taxi Stand
Victoria Street, opposite library	2	24 hours	Taxi Stand
Manor Road, near the Esplanade junction	2	24 hours	Taxi Stand
Dock Street near junction with Adelaide Street	5	24 hours	Taxi Stand
Adelaide Street, near the former HSBC bank	4	24 hours	Taxi Stand
Grange Road, off Westview roundabout	3	24 hours	Taxi Stand
Brook Street, opposite the Cricket Club near shops	3	24 hours	TRO
Darbishire Road, near Poulton Road junction	2	24 hours	Taxi Stand
Kemp Street, outside Peacocks shop	2	24 hours	Taxi Stand
Promenade Road, near Mount pub	2	24 hours	Taxi Stand
Larkholme Parade, shopping centre	3	24 hours	Taxi Stand
Broomfield Road near Lindel Road junction	2	24 hours	Taxi Stand
Pharos Street, outside the hospital	1	24 hours	Taxi Stand

Lord Street, near the post office	2	08:00 – 18:00	Taxi Stand
Harbour Lights, near amusements and shops	5	24 hours	Taxi Stand
Outside North Euston Hotel	4	24 hours	Taxi Stand
Styan Street, corner of Cop Lane, behind Asda	2	24 hours	TRO
Birch Street, near old Bingo Hall	2	18:00 – 22:00	Taxi Stand
Thornton Cleveleys Ranks			
Location	Number of taxis	24 hours or times	Designation of rank TRO or Taxi stand
North Drive, near play park and shops	2	24 hours	Taxi Stand
Leslie Avenue, near Lawson Road shops	1	24 hours	Taxi Stand
Victoria Road West, near Jolly Tars pub	2	24 hours	Taxi Stand
Victoria Road West, near Tramway pub	1	24 hours	Taxi Stand
Victoria Road West, near Regal Hotel	3	24 hours	Taxi Stand
Victoria Road West, opposite Argos	2	24 hours	Taxi Stand
Beach Road, near Travellers Rest pub	2	24 hours	Taxi Stand
Poachers Ways, near the Co-op	2	24 hours	Taxi Stand
Cleveleys Avenue, near Kwik Fit	2	24 hours	Taxi Stand
Nutter Road	5	24 hours	Taxi Stand
Church Road, Doctors surgery	4	24 hours	Taxi Stand
Rossendale Avenue South, near the Ashley Club	1	24 hours	Taxi Stand
Poulton-le-Fylde Ranks			

Breck Road, outside railway station	4	24 hours	TRO
Ball Street, opposite bus layby	2	24 hours	TRO
Ball Street, outside Thatched House pub	6	18:00 – 06:00	TRO
Wheatsheaf Way, near the Elk pub	3	10:00 – 16:00	Taxi Stand

Appendix 7 – Standard Conditions attached to a Private Hire Vehicle Licence

The Local Government (Miscellaneous Provisions) Act 1976 Section 48 allows the Licensing Authority (i.e. Wyre Council) to attach to the grant of a private hire vehicle proprietors licence any conditions as the Licensing Authority considers reasonably necessary.

The following set of licence conditions will normally be added to the grant of a licence and are considered necessary for the purposes of public safety.

Failure to comply with licence conditions could lead to the licence being suspended or revoked

In addition to complying with licence conditions, licence holders should familiarise themselves with the legal requirements imposed on them by legislation. A copy of offences specific to private hire and hackney carriage requirements are included at Appendix 10.

The conditions are:-

1. This licence is issued on the condition that the vehicle to which it relates is not licensed as either a Hackney Carriage or Private Hire Vehicle by any other Council.
2. No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without written approval of the Licensing Authority at any time while the licence is in force.
3. The plate identifying the vehicle as a private hire vehicle and required to be exhibited on the vehicle pursuant to Section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976, must be securely fixed, externally to the rear of the vehicle and in such manner as to be easily removed by an Authorised Officer or a constable.
 - a) The proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position as to be visible at all times to persons conveyed therein, the number of this licence and the number of passengers prescribed in this licence
 - b) Door stickers issued by the Council must be displayed at all times that a private hire vehicle licence is in force.
4. The use of electronic telecommunications equipment in the vehicle, other than the necessary for communication between the vehicle and its control/operations centre is prohibited.

5. The licence holder must within 72 hours inform the Licensing Authority with details of any:
 - Change of the owner's address
 - Change of premises where the vehicle is normally kept
 - Accident-causing damage or materially affecting the safety performance or appearance of the vehicle or the comfort or convenience of persons carried therein

The notification may be by oral report in the first instance but must be followed up in writing within 7 days using the form available on the Council webpage.

6. Before using the vehicle for the first time each day, the driver must undertake a "walk around check" which include plates and livery. This requires that the driver ensures the vehicle is roadworthy and fit for use as a Private Hire vehicle. The check must include the tyres (pressure and tread depth), checking the lights are functioning (so far as is possible with one person – all lights except brake lights), checking all glass (lights and windows) is intact, ensuring all fluids are correctly topped up, the windscreen wipers are functioning correctly and ensuring there is no obvious damage to the vehicle. Any defects that are detected must be rectified before the vehicle is used to carry passengers. Records of these checks must be kept for 6 months and must be available for inspection by an authorised officer.
7. In addition to the daily walkaround check, the licence holder must ensure that a more detailed inspection of the licensed vehicle is carried out at least once in every calendar month. The inspection findings must be recorded in writing and retained for inspection by an Authorised Officer for a minimum of 6 months.
8. All factory fitted glass to the front of the driver's door pillar, must permit a minimum of 70% light transmission and no vehicle shall be fitted with additional film designed to tint or darken the glass.
9. The vehicle must have at least four road wheels and tyres fitted in accordance with the manufacturer's specification. A road legal spare wheel or space saver wheel or repair kit must be carried in the vehicle as supplied by the manufacturer when new, together with any necessary jack and tools. Any spare or space saver wheel must be carried in the vehicle in the place allocated by the manufacturer.

This condition will not be applied to any vehicle fitted with run flat tyres which were fitted and supplied to the specification of the manufacturer.

10. All signage or livery displayed on or in a licensed vehicle must relate only to the Private Hire Operator or be otherwise prescribed in law and must be professionally prepared and printed and maintained in good order.
11. The luggage compartment must be completely separate from the passenger carrying area. In the case of estate cars, this means that there must be a secure guard fitted between the luggage and passenger compartments.
12. Luggage must be suitably restrained where it is likely to cause injury to the occupant of the vehicle in the event of an accident.
13. Any space within the vehicle designed to carry luggage or similar, must not be used to transport babies/children in pushchairs/prams.
14. You must ensure that at all times for the duration of the licence a valid policy of insurance for private hire work is in place for the vehicle and covers anyone who drives your private hire vehicle.
15. The licence holder must ensure that an accessible incident log is maintained for the vehicle. The log must be used to make a record all incidents involving the vehicle, including (but not limited to):
 - Accidents of any type
 - Damage to the vehicle
 - Meter faults
 - Equipment failures
 - Refusals of hire (including date, time, location and reason)
 - Any events, circumstances or incidents which lead the driver or proprietor to suspect that a passenger or passengers is involved in or is a victim of child sexual exploitation or any other abuse, modern slavery or trafficking of people, abuse or supply of drugs, involvement in terrorism or any other criminal activity

Entries must be made immediately or as soon as practicable and the log must be produced to an Authorised Officer on request.

16. A suitable 1kg or 2kg dry powder fire extinguisher, compliant with BS EN3, must be carried in the vehicle at all times. The extinguisher must be:

- Securely mounted but easily accessible to the driver
- Maintained in good working order
- Replaced or serviced in accordance with manufacturer recommendations

17. Where the vehicle is a wheelchair-accessible vehicle, any ramps, restraints or securing systems must be:

- Safely stored
- Maintained in full working order
- Used correctly on every relevant journey

18. Where fitted, tail lifts must have a current LOLER certificate and must not be used if unsafe or defective.

19. The licence holder and driver must comply with all relevant duties under the Equality Act 2010, including duties relating to:

- Wheelchair users
- Assistance dogs
- Provision of mobility assistance
- Non-discriminatory service

20. Where CCTV is installed in the vehicle, the licence holder must ensure that:

- The system complies fully with any relevant requirements outlined within the Policy
- All data is handled lawfully
- Signage is displayed informing passengers that CCTV is in operation
- Audio recording is not routinely activated except in permitted "specific threat" situations

21. The driver of the vehicle must comply at all times with:

- The Driver Code of Conduct (Appendix 3)
- The Code of Conduct for Working with Vulnerable Passengers (Appendix 13)

Any failure to comply may be considered evidence that the vehicle is not being operated in a safe or suitable manner.

22. The use or display of 3D, 4D, 5D, 6D or 9D vehicle registration plates, including ghost plates, sticker-style plates or any other

substantially similar style, is prohibited. Failure to comply with this condition will normally result in revocation of the licence.

23. The licence holder must immediately return the licence, plates and any additional signage to the Licensing Authority when:

- The licence expires, or is suspended or revoked
- The licence holder wishes to surrender their private hire vehicle licence
- required to do so by the licensing authority

24. A copy of these conditions must be always kept in the licensed private hire vehicle and made available upon request to any passenger, Authorised Officer or police constable.

Appendix 8 - Standard Conditions for Stretched Limousines

Where a stretched limousine is licensed by the Licensing Authority it is licensed in accordance with the legislative framework for private hire vehicle licensing.

The Local Government (Miscellaneous Provisions) Act 1976 Section 48 allows the Licensing Authority i.e. Wyre Council to attach to the grant of a private hire vehicle proprietors licence any conditions as the Licensing Authority considers reasonably necessary.

The following set of licence conditions will normally be added to the grant of a licence and are considered necessary for the purposes of public safety.

Failure to comply with licence conditions could lead to the licence being suspended or revoked.

In addition to complying with licence conditions, licence holders should familiarise themselves with the legal requirements imposed on them by legislation. A copy of offences specific to private hire and hackney carriage requirements are included at Appendix 10.

Licence Conditions:

1. Licensed limousines must always comply with the requirements of Road Traffic legislation.
2. Stretched limousines must comply with the existing conditions of a Private Hire Vehicle Licence insofar as they are not superseded by these conditions and the local private hire licence fee shall be the same.
3. The Proprietor of a limousine must: -
 - Ensure that a suitable fire extinguisher should be mounted on brackets, in a convenient position in the driver's compartment
 - Ensure that the vehicle and all its fittings and equipment are at all times kept in a fit, serviceable, efficient, safe and clean condition and all relevant statutory requirements (including those contained in the motor vehicles (construction & use) regulations) are fully complied with. Should the vehicle fail to comply with any legal requirement then the vehicle must be removed from service until the reason for non-compliance is rectified
 - Ensure that loose luggage is not carried within the passenger compartment of the vehicle
 - Ensure that any cctv cameras installed in the vehicle have received prior written approval from the licensing authority and are operated in accordance with the policy

4. The passenger compartment of the vehicle may be fitted with darkened or blackened glass.
5. The vehicle shall not be used for every day Private Hire use.
6. The proprietor of the vehicle must: -
 - Ensure that the vehicle is at all times only driven by a person who holds a current driver's licence issued by the Licensing authority
 - Not permit more persons to be conveyed in the vehicle than the number of persons for which the vehicle is licensed, regardless of the age or size of the passengers
 - Not convey any passengers in the front compartment of the vehicle
 - Not supply any intoxicating liquor in the vehicle unless there is in force an appropriate premises licence permitting the sale or supply of the same
7. The vehicle will not be required to display the front and rear, external private hire vehicle licence plates. The Licensing Authority will issue the vehicle proprietor with two internal licences which identify the vehicle as a private hire vehicle and includes the registration number of the vehicle and the number of passengers permitted to be carried.
8. The proprietor must ensure that: -
 - One licence is displayed on the top left-hand corner of the front windscreen in a conspicuous position where it can be clearly seen and read from the outside of the vehicle. The other shall be fixed inside the vehicle in such a position (such as the bulkhead or security screen) so as to be visible to persons conveyed therein;
 - The loss or damage of a vehicle licence must be reported to the Licensing Authority as soon as the proprietor is aware. If the vehicle is to be no longer used for private hire (special event) purposes, the proprietor must surrender the vehicle licence to the Licensing Authority within seven days.
9. No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices shall be displayed on, in or from the vehicle, other than those specifically approved by the Licensing Authority.
10. There must be in force a current: -
 - MOT and Certificate of Compliance.
 - Policy of insurance covering the use of the vehicle for private hire special events and the proprietor of the vehicle is shown as the policy holder.

11. These documents must be produced by the licence holder when required by the Licensing Authority or a police officer.

Appendix 9 - Standard Conditions attached to a Private Hire Operator licence

The Local Government (Miscellaneous Provisions) Act 1976 Section 55 allows the Licensing Authority ie Wyre Council to attach to the grant of a private hire operator licence any conditions as the Licensing Authority considers reasonably necessary.

The following set of licence conditions will normally be added to the grant of a licence and are considered necessary for the purposes of public safety.

Failure to comply with licence conditions could lead to the licence being suspended or revoked

In addition to complying with licence conditions, licence holders should familiarise themselves with the legal requirements imposed on them by legislation. A copy of offences specific to private hire and hackney carriage requirements are included at Appendix 10.

Licence Conditions

1. The private hire operator must keep comprehensive records of all bookings taken. All records kept by the operator shall be securely retained and preserved for a period of not less than six months following the date of the last entry.
2. Before the commencement of each private hire journey, the following details must be recorded:-
 - The date and time of each booking.
 - The name and address of the person making the booking, and passenger if different
 - The pick-up point and the destination
 - The licence number and registration number of the vehicle despatched to fulfil the booking.
 - The licence number and name of the driver despatched to fulfil the booking.
 - The date, time and place of departure of the person(s) to be carried.
 - The identity of the person making the above-mentioned entries in record.
 - Any fare quoted for the journey.
 - Where the booking is sub-contracted to, or from another operator, the full details must be recorded separately, of any such bookings.
3. The private hire operator must keep a written record of the type, design and registration number of all vehicles operated by them as

Private Hire Vehicles within the meaning of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

4. The private hire operator must keep a written record of the name, licence number and expiry date, in respect of each driver, used or employed by them to fulfil bookings.
5. Records including the full name, address, date of birth and National Insurance number, safeguarding training and Basic DBS check of all dispatch staff, who are not also Licensed Driver's, shall be maintained and made available to the Licensing Authority on request. The records must be tamperproof and kept for a minimum period of 6 months after the person has finished work.
6. The private hire operator must notify the Licensing Authority as soon as they become aware of any driver, dispatch / office staff used or employed by them who has:-
 - Any new conviction or finding of guilt in a civil, criminal or driving matter;
 - Any new caution issued by the Police or any other agency;
 - Any new issue of a Magistrate's Court summons against them;
 - Any new issue of a fixed penalty notice for any matter;
 - Any new harassment or other form of warning, or order, within criminal law including Anti-Social Behaviour Orders or similar;
 - Any new arrest for any offence (whether or not subsequently charged)
 - Any change of address during the currency of the driver's licence.
7. The private hire operator must maintain a register of complaints by the public which include:
 - Date and time complaint made
 - Name and contact details of the complainant
 - Nature of complaint
 - Full details of journey involved (including date/time/name of customer)
 - Driver/vehicle involved
8. Where a complaint or allegation is:
 - Of sexual misconduct, sexual harassment or inappropriate sexual attention
 - Racist behaviour
 - Violence
 - Dishonesty

- Serious public safety concern

The private hire operator must advise the Licensing Authority in writing (email will suffice) immediately or if not possible in any case within 72 hours of being aware of such a complaint or allegation.

9. The private hire operator shall only operate from the booking office address specified on the licence, within the Borough of Wyre.
10. Where a private hire operator provides facilities for members of the public to enter the premises specified on the licence, to make a booking or wait for a licensed vehicle, the premises must be maintained in a clean and tidy condition, be adequately lit, heated and ventilated and where a waiting area is provided, have adequate seating facilities.
11. The current Private Hire Operator's Licence must be displayed at the business premises to which the licence relates. Where provision is made for the public to enter the premises, the Licence must be displayed in a prominent position where it can be easily read by members of the public.
12. If sanitary and washing facilities are provided for customers and/or staff they must be clean, easily accessible and have a supply of hot and cold running water, soap and a suitable means to dry hands.
13. If separate male and female facilities are not provided, any WC must be self-contained and in a room that is capable of being locked from the inside to prevent access by more than one person at a time.
14. Private hire operators shall have in force a suitable public liability insurance policy incident where there is public access to a booking office.
15. Private hire operators shall, where appropriate, have suitable employer's liability insurance.
16. A Private hire operator, operating solely with private hire vehicles must not use the word TAXI within the Company name or in any advertising.
17. Where any private hire operator in the course of their business, uses the trading name or business address specified on the private hire operator licence, to offer the services of a Hackney Carriage to the general public, the private hire operator shall not use the words TAXI unless the number of Hackney Carriages that the private hire operator can offer (without engaging the services of any other company or trading concern) is at least 51% of the total fleet.

18. A private hire operator, when disposing of any business interest, must give notice in writing within 14 days to the Licensing Authority that the business registered in their name has terminated.
19. The licence holder must complete required training through a provider approved by the Licensing Authority before the grant or renewal of the private hire operator licence. Evidence of successful completion must be provided to the Licensing Authority.

The licence holder must ensure that any certificates relied upon for the grant or renewal of the licence are current and meet the requirements set out in this policy.
20. The licence holder must ensure that any person engaged in taking bookings, dispatching vehicles, or otherwise dealing directly with members of the public has received appropriate safeguarding / ACT / disability awareness training, instruction or briefing relevant to their role.

The licence holder must maintain a written record of all staff training, instruction or briefing, including the name of the individual, the date completed, and the nature of the training or briefing. This record must be submitted to the Licensing Authority on request.
21. The licence holder must ensure that any outsourced booking and dispatch functions have adequate safeguarding measures in place for the protection of children and vulnerable adults. Evidence of this must be obtained from the outsourced firm / company before outsourcing these functions.
22. During the lifetime of a private hire operator's licence, the Licensing Authority may require the licence holder and/or specified employees to undertake reasonable and appropriate training. The cost (if any) of such training will be borne by the licence holder and all such requirements, will be made in writing.
22. If there is a refusal or failure to attend, or the private hire operator or specified employees do not meaningfully participate in the training, or attain the training accreditation, the private hire operator licence may be suspended or revoked.
23. A private hire operator must inform the Licensing Authority in writing of any change to the correspondence address.
24. Private hire operators must not dispatch drivers who hold only a PCV (Passenger Carrying Vehicle) licence in a public service vehicle, such

as a minibus, to fulfil a private hire booking without the informed consent of the booker.

25. Every private hire operator shall make themselves aware of the provisions of the Local Government (Miscellaneous Provisions) Act 1976 and any other relevant legislation, the Hackney Carriage and Private Hire Licensing Policy and the standard conditions attached to the grant of a private hire operator, driver and vehicle licence.
26. All records must be held by the private hire operator and made immediately available to the Licensing Authority on request.

27. **Vigilance and reporting procedures**

The licence holder must have and maintain clear procedures for identifying, recording and reporting any incidents or complaints that cause concern (including but not limited to concerns about terrorism, child abuse, abuse of any other person, people trafficking, drug carrying, violence or criminal behaviour) or which may result in a complaint being made. Where the licence holder, or any member of staff, becomes aware of any activity, behaviour or item that causes concern, the concern must be reported without delay to the Police or other appropriate emergency service, using the appropriate reporting route for the circumstances.

28. Private hire operators must comply with the requirements of the Code of Conduct for working with vulnerable passengers (Appendix 13).

Appendix 10 - Offences for hackney carriage and private hire vehicles and drivers

Town Police Clauses Act 1847 & Local Government (Miscellaneous Provisions) Act 1976

In relation to the maximum penalties specified, the levels of fine are currently as follows:

- level 1: £200
- level 2: £500
- level 3: £1,000
- level 4: £2,500

Town Police Clauses Act 1847 - Hackney Carriage

Section	Offence	Maximum penalty
40	Giving false information on application for Hackney Carriage Licence	Level 1
44	Failure to notify change of address of Hackney Carriage proprietor	Level 1
45	Plying for hire without Hackney Carriage Proprietor's licence	Level 4
47	Driving a Hackney Carriage without a Hackney Carriage driver's licence	Level 3
47	Lending or parting with Hackney Carriage driver's licence	Level 3
47	Hackney Carriage proprietor employing unlicensed driver	Level 3
48	Failure by Hackney Carriage proprietor to hold Hackney Carriage driver's licence	Level 1

Section	Offence	Maximum penalty
48	Failure by Hackney Carriage proprietor to produce Hackney Carriage HC driver's licence	Level 1
52	Failure to display Hackney Carriage plate	Level 1
53	Refusal to take a fare	Level 2
54	Charging more than the agreed fare	Level 1
55	Obtaining more than the legal fare	Level 3 and 1 month imprisonment whilst in default
56	Travelling less than the lawful distance for an agreed fare	Level 1
57	Failing to wait after a deposit to wait has been paid	Level 1
58	Charging more than the legal fare	Level 3
59	Carrying other person than the hirer without consent	Level 1
60	Driving Hackney Carriage without Proprietors consent	Level 1
60	Allowing another to drive Hackney Carriage without proprietors consent	Level 1
61	Drunken driving of Hackney Carriage	Level 1

Section	Offence	Maximum penalty
61	Wanton or furious driving leading to injury or danger	Level 1
62	Driver leaving Hackney Carriage unattended	Level 1
64	Hackney Carriage driver obstructing other Hackney Carriages.	Level 1

Local Government (Miscellaneous Provisions) Act 1976 - Hackney Carriage

Section	Offence	Maximum penalty
49	Failure to notify the transfer of a Hackney Carriage proprietor's licence	Level 3 (by virtue of s76)
50(1)	Failure to present a Hackney Carriage for inspection, as required	Level 3 (by virtue of s76)
50(2)	Failure to inform the Authority where the Hackney Carriage is stored, if requested	Level 3 (by virtue of s76)
50(3)	Failure to report an accident to the Authority	Level 3 (by virtue of s76)
50(4)	Failure to produce the Hackney Carriage proprietors licence and insurance certificate	Level 3 (by virtue of s76)
53(3)	Failure to produce the Hackney Carriage driver's licence	Level 3 (by virtue of s76)

Section	Offence	Maximum penalty
57	Making a false statement or withholding information to obtain a Hackney Carriage driver's licence	Level 3 (by virtue of s76)
58(2)	Failure to return a plate after notice given following expiry, revocation or suspension of a Hackney Carriage proprietor's licence	Level 3 + fine of £10 per day
61(2)	Failure to surrender a driver's licence after suspension, revocation or refusal to renew.	Level 1
62(A)	Failure to return a licence or identity badge further to suspension or revocation on the grounds of right to work	Level 3 + fine of £10 per day
64	Permitting any vehicle other than a Hackney Carriage to wait on a Hackney Carriage stand.	Level 3 (by virtue of s76)
66	Charging more than the meter fare for a journey ending outside the district, without prior agreement.	Level 3 (by virtue of s76)
67	Charging more than the meter fare when Hackney Carriage used as private hire vehicle	Level 3 (by virtue of s76)
69	Unnecessarily prolonging a journey	Level 3 (by virtue of s76)
71	Interfering with a taximeter	Level 3 (by virtue of s76)
73(1)(a)	Obstruction of an Officer or Constable	Level 3 (by virtue of s76)

Section	Offence	Maximum penalty
73(1)(b)	Failure to comply with a requirement of an authorised officer or constable	Level 3 (by virtue of s76)
73(1)(c)	Failure to give information or assistance to an authorised officer or Private Hire constable.	Level 3 (by virtue of s76)
73(2)	Making a false statement when providing information	Level 3 (by virtue of s76)
46(1)(a)	Using an unlicensed Private Hire vehicle	Level 3 (by virtue of s76)
46(1)(b)	Driving a Private Hire vehicle without a Private Hire driver's licence	Level 3 (by virtue of s76)
46(1)(c)	Proprietor of a Private Hire vehicle using an unlicensed driver	Level 3 (by virtue of s76)
46(1)(d)	Operating a Private Hire vehicle without a Private Hire operator's licence	Level 3 (by virtue of s76)
46(1)(e)	Operating a vehicle as a Private Hire vehicle when the vehicle is not licensed as a Private Hire vehicle	Level 3 (by virtue of s76)
46(1)(e)	Operating a vehicle as a Private Hire vehicle when the driver is not licensed as a Private Hire driver	Level 3 (by virtue of s76)
48(6)	Failure to display a Private Hire vehicle plate.	Level 3 (by virtue of s76)
49	Failure to notify transfer of a Private Hire vehicle licence	Level 3

Local Government (Miscellaneous Provisions) Act 1976 – Private Hire

Section	Offence	Maximum penalty
50(1)	Failure to present a Private Hire vehicle for inspection, as required	Level 3 (by virtue of s76)
50(2)	Failure to inform the Authority where the Private Hire vehicle is stored, if requested	Level 3 (by virtue of s76)
50(3)	Failure to report an accident to the Authority	Level 3 (by virtue of s76)
50(4)	Failure to produce the Private Hire vehicle licence and an insurance certificate	Level 3 (by virtue of s76)
53(3)	Failure to produce a Private Hire driver's licence	Level 3 (by virtue of s76)
54(2)	Failure to wear a Private Hire driver's badge	Level 3 (by virtue of s76)
56(2)	Failure by a Private Hire operator to keep records of bookings.	Level 3 (by virtue of s76)
56(3)	Failure by a Private Hire operator to keep records of Private Hire vehicles operated by them	Level 3 (by virtue of s76)
56(4)	Failure to produce a Private Hire operator's licence on request.	Level 3 (by virtue of s76)
57	Making a false statement or withholding information to obtain a Private Hire driver or operator licence.	Level 3 (by virtue of s76)

Section	Offence	Maximum penalty
58(2)	Failure to return a plate after notice given following expiry, revocation or suspension of a Private Hire vehicle licence	Level 3 + fine of £10 per day
61(2)	Failure to surrender a driver's licence after suspension, revocation or refusal to renew	Level 1
62(A)	Failure to return a licence or identity badge further to suspension or revocation on the grounds of right to work	Level 3 + fine of £10 per day
67	Charging more than the meter fare when HC used as private hire vehicle	Level 3 (by virtue of s76)
69	Unnecessarily prolonging a journey	Level 3 (by virtue of s76)
71	Interfering with a taximeter.	Level 3 (by virtue of s76)
73(1)(a)	Obstruction of an Officer or Constable	Level 3 (by virtue of s76)
73(1)(b)	Failure to comply with a requirement of an authorised officer or constable.	Level 3 (by virtue of s76)
73(1)(c)	Failure to give information or assistance to an authorised officer or constable.	Level 3 (by virtue of s76)
73(2)	Making a false statement when providing information	Level 3 (by virtue of s76)

Transport Act 1980

Section	Offence	Maximum Penalty
64(2)(a)	Driving a Private Hire vehicle with a roof sign, which contravenes s64 (1)	Level 3
64(2)(a)	Causing or permitting a Private Hire vehicle to be driven with a roof sign which contravenes s64 (1)	Level 3

Health Act 2006 and Smoke Free (Penalties and Discounted Amounts) Regulations 2007

Section	Offence	Maximum penalty
6	Failure to display required no-smoking signage	Level 3
7	Smoking in a smoke-free place	Level 1
8	Failing to prevent smoking in a smoke-free place	Level 4

Equality Act 2010

Section	Offence	Maximum penalty
165/164A	Refusal to carry a wheelchair passenger, or charging extra for doing so, or failing to provide reasonable mobility assistance Level 3 in a designated vehicle maintained in accordance with section 167 of the Equality Act 2010	Level 3
168	Refusal to carry an assistance dog or charging extra for doing so in a hackney carriage	Level 3

Section	Offence	Maximum penalty
170	Refusal to carry an assistance dog or charging extra for doing so in a private hire vehicle	Level 3

Appendix 11 – Standards of Vehicle Inspection

All Hackney Carriage and Private Hire Vehicles must be maintained to no less than the standards set out in the current DVSA publication 'MOT Inspection Manual - Private Passenger and Light Commercial Vehicle Testing'.

Where Hackney Carriage and Private Hire Vehicle's do not meet these standards or if the vehicle fails to meet the additional (as appropriate) disabled access, additional local items and or any special requirements associated with minibus / purpose built type taxis then the vehicle will be deemed to have failed.

Email - licensing@wyre.gov.uk
--

VEHICLE INSPECTION COMPLIANCE REPORT

NEXT TEST DUE IN

6 Months []

12 Months []

Stop Notice Issued []

Owner		Plate N ^o		Test Date	
Chassis N ^o		Reg. N ^o		Expiry Date	
Meter Serial N ^o		Colour		Seats total	
Vehicle Make		Model		Seats suitable	
Recorded mileage		Body type		CCTV	

SAFETY CRITICAL ITEMS	PASS	FAIL	RETEST PASS	REASON FOR FAILURE
Brakes	☐	☐	☐	
Suspension & Ball Joints	☐	☐	☐	
Steering	☐	☐	☐	
Tyres	☐	☐	☐	
Any other dangerous defects	☐	☐	☐	
DISABLED ACCESS				
Ramps, clamps, seat belt(s)	☐	☐	☐	
Powered lift	☐	☐	☐	
Detachable step	☐	☐	☐	
Swivel seat	☐	☐	☐	
ADDITIONAL LOCAL ITEMS				
Private Hire door stickers	☐	☐	☐	
No smoking signs	☐	☐	☐	
Interior light(s)	☐	☐	☐	
Operation of door locks and handles	☐	☐	☐	
Operation of windows	☐	☐	☐	
Fire extinguisher - dry powder	☐	☐	☐	
Internal upholstery condition	☐	☐	☐	
Meter Type, calibration & tariff / fare card	☐	☐	☐	
Code of Conduct notice	☐	☐	☐	
Hackney Carriage 'For Hire' sign	☐	☐	☐	
Condition of H/C or P/Hire plates	☐	☐	☐	
Condition of bodywork and paintwork	☐	☐	☐	
Internal H/C and P/Hire ID disc	☐	☐	☐	
Rear wiper / wash	☐	☐	☐	
TX-E7 / MPV / MINIBUS				
Step light	☐	☐	☐	
Emergency exit & signs	☐	☐	☐	
Secure luggage compartment	☐	☐	☐	
Grab/handrails	☐	☐	☐	
Maximum N ^o of passengers sign	☐	☐	☐	
Doors open from inside	☐	☐	☐	
Interior lighting	☐	☐	☐	
Interior trim, interior mirror, roof & side panels	☐	☐	☐	
Interior mirror	☐	☐	☐	
External N/S mirror	☐	☐	☐	
Reverse bleep (if fitted)	☐	☐	☐	
Window Tint: Front/Side (film applied)	☐	☐	☐	
☐ Petrol/Electric ☐ Diesel/Electric ☐ Hydrogen/Electric ☐ Electric ☐ Petrol ☐ Diesel ☐ LPG State type of propulsion:				

Test Result: PASS / FAIL

Vehicle Tested by:
(Print & sign)

Re-Test Date:

Result: PASS / FAIL

Advisory Comments:

Where a vehicle is subject to test and or inspection and the Licensing Authority is not satisfied as to the fitness of the licensed vehicle, the Licensing Authority shall issue a written suspension notice issued under Section 68 of the Local Government (Miscellaneous Provisions) Act 1976 commonly referred to as a "STOP NOTICE". The notice takes immediate effect and prevents the vehicle from being used for licensed purposes until the notice has been formally withdrawn, within a two month period. Additional provisions apply after 2 months all of which are detailed on the written notice.

Appendix 12 a – Passenger information

Wyre Hackney Carriage (Taxi) Licence Number XXXXXXXXXX

This information is produced by the Licensing Authority who have licensed this vehicle and its driver. The following information is for the benefit of passengers and the driver.

Passengers and drivers should show mutual respect and be polite to each other. Passengers please:

- Let the driver know of any specific requirements before you commence your journey
- Make sure you have adequate funds to pay for your journey and this includes being aware of the fare on the meter and making the driver aware if it is approaching the limit of your financial resources
- For the comfort of future passengers do not eat, smoke, or drink inside this vehicle
- Do not ask the driver to speed or to take unnecessary risks on the road
- Make sure you do not leave any property in the vehicle
- Ask the driver if you would like any assistance
- Ask the driver if you would like a receipt, one should be provided on request
- Ensure the taxi meter is engaged at the start of the journey and not before
- Be aware that the driver is likely to be restricted by traffic regulations in relation to where they can stop the vehicle

Passengers if you have concerns about your journey:

- Take note of the vehicle licence number at the top of this information sheet.
- If you feel unsafe tell the driver and use your mobile phone to contact a responsible person.

Complaints

- If you are unhappy about the service provided and your journey was one that was pre-booked via a private hire operator, please contact the private hire operator and provide details of your complaint. The operator will investigate your complaint and advise you of the outcome.
- If you picked up the taxi at a taxi rank or flagged down the vehicle in the street, please contact licensing@wyre.gov.uk providing as much detail of the complaint as possible.

The Licensing Authority will investigate your complaint and advise you of the outcome.

Compliments

- Hackney carriage drivers often face lots of challenges when undertaking their work, if you think that your driver has provided an excellent service, please take the time to say thank you. You may even wish to contact the Licensing Authority to let them know about the excellent service you received.

For advice, information or concerns about the licensed trade you can contact the Licensing Authority: licensing@wyre.gov.uk

Appendix 12 b – Passenger information

Wyre Private Hire Vehicle licence number XXXXXXXXXX

This information is produced by the Licensing Authority who have licensed this vehicle and its driver.

The following information is for the benefit of passengers and the driver.

Passengers and drivers should show mutual respect and be polite to each other. Passengers please:

- Let the driver know of any specific requirements before you commence your journey
- If you have not prepaid for the journey, make sure you have adequate funds to pay for your journey
- For the comfort of future passengers do not eat, smoke, or drink inside this vehicle
- Do not ask the driver to speed or to take unnecessary risks on the road.
- Make sure you do not leave any property in the vehicle
- Ask the driver if you would like any assistance
- Ask the driver if you would like a receipt, one should be provided on request
- Be aware that the driver is likely to be restricted by traffic regulations in relation to where they can stop the vehicle

Passengers if you have concerns about your journey:

- Take note of the vehicle licence number at the top of this information sheet.
- If you feel unsafe tell the driver and use your mobile phone to contact a responsible person.

Complaints

- If you are unhappy about the service provided, please contact the private hire operator and provide details of your complaint. The operator will investigate your complaint and advise you of the outcome. If you are dissatisfied with the outcome you may wish to contact the Licensing Authority at licensing@wyre.gov.uk.

Compliments

- Private hire drivers often face lots of challenges when undertaking their work, if you think that your driver has provided an excellent service, please take the time to say thank you. You may even wish to

contact the private hire operator or the Licensing Authority to them know about the excellent service you received.

In any event, for advice, information or concerns about the licensed trade you can contact the Licensing Authority at: licensing@wyre.gov.uk¹⁸

Appendix 13 - Code of Conduct when working with Vulnerable Passengers

A vulnerable passenger is a passenger whose age or disability means that they are more susceptible to harm than a typical passenger. This may be a child, an elderly person or somebody with learning difficulties. In addition, an individual should be considered vulnerable if they do not fall within the description above, but their condition is such as to render them more susceptible to harm than may otherwise be the case (for example as a result of being under the influence of alcohol).

This code of conduct aims to promote good safeguarding practice for all licence holders and staff working with vulnerable passengers in the taxi or private hire trade. The following safeguarding principles should be embedded into driver working practice:

- Drivers must carry photo ID at all times and wear it in accordance with the conditions of licence
- A vulnerable passenger should be transported in the rear passenger seat of the vehicle wherever possible
- The driver / operator must confirm that appropriate provision has been made for the vulnerable person prior to accepting the booking or commencing the journey. This does not necessarily mean that the driver / operator is responsible for the provision of appropriate measures, however if appropriate measures are not in place, then the driver / operator must not undertake the journey
- Operators should ensure that all persons involved in the allocation and dispatch of bookings understand their legal responsibilities towards vulnerable persons
- When making a journey with vulnerable passengers, photo-identification should be produced where required to the carer responsible for the vulnerable person. If necessary, the driver should obtain a record of the carer's contact details if there is no chaperone
- If a vulnerable passenger is refused service, a responsible person should be informed so that alternative arrangements can be made. For example, if the customer has an assistance dog, and the driver has a medical exemption granted by the Licensing Authority
- Drivers should always ask if a vulnerable passenger needs help and should not make assumptions
- Drivers must always remain professional and should -
 - Not touch a person inappropriately
 - Not make offensive or inappropriate comments (such as the use of swearing or sexualised or discriminatory language)

- Not behave in a way that may make a passenger feel intimidated or threatened
- Not attempt to misuse personal details obtained via the business about a person

These standards are equally applicable when working with vulnerable and non-vulnerable passengers.

- A log should be maintained by drivers when a service has been provided to a vulnerable passenger including the details of any incidents occurring/ actions taken, or refusals of service.
- Drivers and operators must remain alert to issues around the safeguarding of children and vulnerable adults. If a driver/ operator is concerned about the safety, welfare or behaviour of a vulnerable person, they should report this to the police by telephoning 101 (or in cases of an immediate emergency by calling 999).
- If a driver/ operator is concerned about someone else's conduct, they should report their concerns to the licensing department (licensing@wyre.gov.uk), Lancashire Police (101) or Crimestoppers (0800 555111).

The legal responsibilities of licence holders are detailed in legislation in particular the Equality Act 2010 and Taxis and Private Hire Vehicles (Disabled Persons) Act 2022.