APPENDIX B

Hackney Carriage & Private Hire Licensing Policy

Policy amended on the 10 January 2012
<table>
<thead>
<tr>
<th>Chapter</th>
<th>Contents</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>List of Appendices</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>Forward</td>
<td>7</td>
</tr>
<tr>
<td>1</td>
<td>Statement of Policy</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Introduction</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>Licensing Objectives</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>Consultation</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>Conditions</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Provision for the Vulnerable Population within Licensed Hackney Carriage</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Enforcement</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Integrating Strategies and the Avoidance of Duplication</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Other Legislation</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Decision Making</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Administration, Exercise and Delegation</td>
<td>15</td>
</tr>
<tr>
<td>2</td>
<td>Conditions of Licence</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Scope</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td><strong>Vehicles</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Conditions of Licence</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>Funeral Vehicles</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>Wedding Vehicles</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>Courtesy Cars</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Special Event Vehicles</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Consideration of Applications</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Grant and Renewal of Licenses</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td>Signage Conditions</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td>Advertising Conditions</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td>Enforcement Action</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td><strong>Drivers</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Requirements for a Licence</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>Qualification by Age</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>Driver Qualifications</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Medical Fitness</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Criminal Records Bureau (CRB) Disclosures</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Certificates of Good Conduct</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Relevance of Convictions and Cautions</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Fixed Penalties</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>Grant and Renewal of Driver Licences</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>Conditions of Driver Licences</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>Drivers Dress Code</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Medical Exemptions</td>
<td>27</td>
</tr>
<tr>
<td>Chapter</td>
<td>Contents</td>
<td>Page</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td></td>
<td><strong>Private Hire Operators</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Requirement for a Licence</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Criminal Record Check</td>
<td>28</td>
</tr>
<tr>
<td></td>
<td>Operators Conditions of Licence</td>
<td>28</td>
</tr>
<tr>
<td></td>
<td>Record Keeping</td>
<td>28</td>
</tr>
<tr>
<td></td>
<td>Operators Insurance</td>
<td>28</td>
</tr>
<tr>
<td></td>
<td>Granting a Licence to Operate Private Hire Vehicles</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td>Operators Offices Outside Plymouth Licensing Area</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td>Airport / Seaport transfers</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td>Review</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td><strong>3 Vehicle Specifications Policy</strong></td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>Scope</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>Specifications</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>Speciality Vehicles</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>Emissions</td>
<td>34</td>
</tr>
<tr>
<td></td>
<td>Disability Access</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Review</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td><strong>4 Enforcement Policy</strong></td>
<td>37</td>
</tr>
<tr>
<td></td>
<td>Scope</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>Enforcement</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>Informal Action</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>Formal Action</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>Notices &amp; Directions</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>Warnings &amp; Cautions</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>Suspension of Licence</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>Revocation of Licence</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>Refusal to Renew a Licence</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>Disciplinary Hearings</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>Prosecution of Licence Holders</td>
<td>43</td>
</tr>
<tr>
<td></td>
<td>Offences</td>
<td>43</td>
</tr>
<tr>
<td></td>
<td>Appeals</td>
<td>44</td>
</tr>
<tr>
<td></td>
<td><strong>5 Fares Policy</strong></td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>Scope</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>Fares</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>Hackney Carriage Fares Tariff</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>Fares Tariff Review</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Meters</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Environmental Levy</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Review</td>
<td>48</td>
</tr>
<tr>
<td>Chapter</td>
<td>Contents</td>
<td>Page</td>
</tr>
<tr>
<td>---------</td>
<td>---------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>6</td>
<td>Vehicle Testing Policy</td>
<td>49</td>
</tr>
<tr>
<td></td>
<td>Scope</td>
<td>51</td>
</tr>
<tr>
<td></td>
<td>Vehicle Compliance Testing</td>
<td>51</td>
</tr>
<tr>
<td></td>
<td>Certificates of Compliance</td>
<td>51</td>
</tr>
<tr>
<td></td>
<td>Appointment of Testing Station</td>
<td>52</td>
</tr>
<tr>
<td></td>
<td>Conditions of Agreement</td>
<td>52</td>
</tr>
<tr>
<td></td>
<td>Permitted Test Fees</td>
<td>52</td>
</tr>
<tr>
<td></td>
<td>Termination of Agreement</td>
<td>52</td>
</tr>
<tr>
<td></td>
<td>Review</td>
<td>52</td>
</tr>
<tr>
<td>Appendix</td>
<td>List of Appendices</td>
<td>Page</td>
</tr>
<tr>
<td>----------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>A</td>
<td>Guidelines on the Relevance of Convictions</td>
<td>53</td>
</tr>
<tr>
<td>B</td>
<td>Conditions of Private Hire Drivers Licence</td>
<td>55</td>
</tr>
<tr>
<td>C</td>
<td>Private Hire (Special Event) Vehicle Conditions of Drivers Licence</td>
<td>57</td>
</tr>
<tr>
<td>D</td>
<td>Hackney Carriages Conditions of Vehicle Licence</td>
<td>59</td>
</tr>
<tr>
<td>E</td>
<td>Private Hire Conditions of Vehicle Licence</td>
<td>63</td>
</tr>
<tr>
<td>F</td>
<td>Private Hire (Special Event) Conditions of Vehicle Licence</td>
<td>67</td>
</tr>
<tr>
<td>G</td>
<td>Private Hire Operators Conditions of Licence</td>
<td>69</td>
</tr>
<tr>
<td>H</td>
<td>Private Hire (Special Event) Vehicle Conditions of Operators Licence</td>
<td>71</td>
</tr>
<tr>
<td>I</td>
<td>Drivers Dress Code</td>
<td>73</td>
</tr>
<tr>
<td>J</td>
<td>Hackney Carriage Advertising Policy</td>
<td>75</td>
</tr>
<tr>
<td>K</td>
<td>Signage Policy for Private Hire Vehicles</td>
<td>77</td>
</tr>
<tr>
<td>L</td>
<td>Hackney Carriage Table of Fares</td>
<td>79</td>
</tr>
<tr>
<td>M</td>
<td>Testing Stations Conditions of Agreement</td>
<td>81</td>
</tr>
<tr>
<td>N</td>
<td>Hackney Carriage &amp; Private Hire Drivers &amp; Vehicle Offences</td>
<td>83</td>
</tr>
<tr>
<td>P</td>
<td>Specifications for Hackney Carriages</td>
<td>87</td>
</tr>
<tr>
<td>Q</td>
<td>Specifications for Private Hire Vehicles</td>
<td>91</td>
</tr>
<tr>
<td>R</td>
<td>Specifications for Private Hire (Special Event) Vehicles</td>
<td>95</td>
</tr>
</tbody>
</table>
**Foreword**

The aim of the policy is to secure the safety and amenity of the travelling public and to ensure that the drivers provide taxi services while facilitating a sustainable taxi industry. The Council, in adopting the licensing policy recognises both the needs of residents and visitors to the City for safe, healthy, convenient and effective taxi transport and the importance of this provision to the local economy and vibrancy of the City.

In the preparation and publication of this policy Plymouth City Council has had regard to:

1. **The Department for Transport Best Practice guidance**

   The Department for Transport (DfT) has national responsibility for hackney carriage and private hire legislation in England and Wales. This Government department has recently supplied all local authorities with a copy of its draft Best Practice Guidance for those trades.

   Whilst the best practice guidance is still in draft form, it has nevertheless been considered when formulating this policy document. That is not to say that all that it contains has been adopted, but it has been used as a form of reference and policies adapted where it has been considered that best practice is what is best for Plymouth. The Department for Transport itself recognises this approach, and it recognises that individual Council’s are best placed to “decide for themselves the extent to which they wish to make use of it or adapt it to suit their own purposes”.

2. **Existing legislation and future tabled amendments.**

   This policy is intended to create a foundation upon which other polices and procedures and guidance are built. The Council will seek to encourage and improve good operating practice, promote partnership and to drive out unjustified inconsistencies and poor practice.

   Whilst formally this policy will be reviewed on a three-year basis, it will also be informally re-evaluated from time to time in the context of social and economic changes, the continued development of the City and any relevant representations arising from this.
The Council sees the licensing process as an integral part of its approach to achieving its strategic and corporate objectives, which encompasses the four visionary goals of:

- A Healthy place to live and work
- A Wealthy city which creates and shares prosperity
- A Safe and Strong city
- A Wise City – a location for learning, achievement and leisure

Glenn Jordan
Portfolio Holder for Healthy Communities and Leisure
Plymouth City Council
Hackney Carriage and Private Hire Vehicle Licensing

Chapter One
Statement of Policy

Plymouth City Council
<table>
<thead>
<tr>
<th>Para</th>
<th>Contents</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>Introduction</td>
<td>11</td>
</tr>
<tr>
<td>2.0</td>
<td>Licensing Objectives</td>
<td>11</td>
</tr>
<tr>
<td>3.0</td>
<td>Consultation</td>
<td>13</td>
</tr>
<tr>
<td>4.0</td>
<td>Conditions</td>
<td>14</td>
</tr>
<tr>
<td>5.0</td>
<td>Provision for the Vulnerable Population Within Licensed Hackney Carriage and Private Hire Services</td>
<td>14</td>
</tr>
<tr>
<td>6.0</td>
<td>Enforcement</td>
<td>14</td>
</tr>
<tr>
<td>7.0</td>
<td>Integrating Strategies and the Avoidance of Duplication</td>
<td>14</td>
</tr>
<tr>
<td>8.0</td>
<td>Other Legislation</td>
<td>15</td>
</tr>
<tr>
<td>9.0</td>
<td>Decision Making</td>
<td>15</td>
</tr>
<tr>
<td>10.0</td>
<td>Administration, Exercise and Delegation</td>
<td>15</td>
</tr>
</tbody>
</table>
1. Introduction

1.1 This Statement of Licensing Policy is based upon the powers granted to the Council by Town and Police Clauses Act 1847, the Plymouth City Council Act 1975 and the Plymouth City Council Act 1987.

1.2 The policy relates to the regulation of the Hackney Carriage and Private Hire trades within the City of Plymouth through a licensing process.

1.3 The aim of the licensing process is to regulate licensable activities so as to promote the licensing objectives contained in section 2. It is the Council's wish to facilitate well run and managed businesses with licence holders displaying professionalism and customer care.

1.4 The Council recognises that the Hackney Carriage and Private Hire industry is a major contributor to the economy of the City, providing an important service to tourists and visitors, making for a vibrant City.

1.5 The Council currently licences 366 hackney carriages and approximately 742 private hire vehicles. It licences approximately 488 hackney carriage drivers, 852 private hire drivers, and 17 private hire operators. (Numbers quoted as at May 2008)

1.6 The purpose of this policy document is to provide clarity for licensed vehicle owners, drivers, operators and the public as to the way that Plymouth City Council will undertake its licensing functions. In addition, the policy document will provide a framework to assist the Council in reaching a decision on a particular application, setting out those matters that will normally be taken into account.

1.7 The Council will formally review the policy statement every three years and consult where appropriate and informally re-evaluate it from time to time. Where revisions are made, the Council shall publish a statement of such revisions or a revised licensing policy statement.

2. Licensing Objectives

2.1 The Council will adopt and carry out its Hackney Carriage and Private Hire licensing functions with a view to promoting:

1. Safety and health of drivers and the public
2. Vehicle safety, comfort and access
3. To prevent crime and disorder and to protect consumers
4. To encourage environmental sustainability

The Council when making decisions will take these objectives into account.

In promoting these objectives the Council will expect to see licence holders and applicants continuously demonstrate they can meet or exceed specifications set by the Council in the following matters, which may include:
Safety and health of drivers and the public:
- Consideration of history of convictions and cautions
- Driver training, qualification and performance
- Knowledge of Plymouth
- Health and fitness to fulfil the role of a licensed driver
- Crime prevention measures
- Vehicle specifications
- Safety at ranks
- Regular driver health checks
- Support for smoking cessation

Vehicle safety, comfort and access
- Standards of vehicle comfort and appearance
- Location of ranks
- Use of ranks
- Integration of transport systems
- Provision of disabled facilities
- Number of vehicles available
- Provision for the aged and the young
- Provision of safe and comfortable premises for customers to use

To prevent crime and disorder and to protect consumers
- Operating rules conditions and disciplinary processes
- Vetting, qualification, training and monitoring of licensees
- Policies regarding hail downs, servicing of city centre ranks at night and support for the provision of rank marshalling
- Support for the dispersal of customers from licensed premises as necessary
- Measures to prevent noise, odour and light nuisance from hackney carriage and private hire activities
- Commitment to work with the police and licensing authorities
- Provision of safe premises for driver and public use

To encourage environmental sustainability
- Work with stakeholders in the trade in finding methods of reducing vehicle emissions and not permitting licences for vehicles that are unable to comply with Euro Technology requirements (see Chapter 3)
- Investigate alternative fuels and conversion systems
- Investigate the potential for providing for an environmental levy or reducing licence fees for cleaner vehicles

2.2 It is recognised that the licensing function is only one means of securing the delivery of the above objectives. The Council will therefore continue to work in partnership with the industry, its neighbouring authorities, the Police, local businesses and local people towards the promotion of the objectives.

2.3 In undertaking its licensing function, the Council will have regard to: -

2.3.1 Legislation
- Town and Police Clauses Act 1847
- The Plymouth City Council Act 1975
- The Plymouth City Council Act 1987
• Transport Act 1985
• Crime and Disorder Act 1998
• Environmental Protection Act 1990
• Disability Discrimination Act 1995
• Road Traffic Acts
• Health Act 2006 and Smoke-free Regulations 2006/7

2.3.2 The Council will also have regard to strategies, policies and guidance in its decision-making – see below:

2.3.3 Strategies
• Action Plan for Tackling Alcohol Related Crime, Disorder and Nuisance
• Safer Clubbing
• Crime and Disorder Reduction Strategy
• Alcohol Harm Reduction Strategy for England
• Clean Air Strategies
• Planning
• Healthy life styles / healthy eating
• Economic regeneration

2.3.4 Policies
• Regulators Compliance Code
• Local Plan
• Local Transport Plan

2.4 The Council will also have regard to wider considerations affecting visitors, employers and the residential population of the City. These include the availability of Hackney Carriage and Private Hire transport at all times, public nuisance, pollution, crime and the capacity of the trade to cope with the customer demand, particularly at night.

2.5 In determining a licence application the overriding principle adopted by the Council will be that each application will be determined on its merits.

3. Consultation
3.1 Before determining this policy statement the Council has consulted with the following:
• The Police
• Devon & Somerset Fire and Rescue Service
• A body competent to advise on child protection
• A representative sample of licence holders
• Local businesses and their representatives
• Local residents and their representatives
• Representatives of the transport industry serving Plymouth
• Environmental Health
• Office of Fair Trading
• Department for Transport
• Planning Authority
• Health Authority
3.2 Proper weight has been given to the views of all those consulted prior to this policy statement taking effect.

3.3 The policy statement will remain in existence for a maximum period of 3 years and will be subject to review and further consultation.

4. Conditions

4.1 Licensing relates to the control of licensed Hackney Carriage vehicles and drivers and Private Hire vehicle operators and drivers. The Council has adopted conditions or Byelaws. These conditions or Byelaws will relate to the licensable activities and the impact of those activities.

4.2 The Council has standard conditions on licences, but also has the discretion in appropriate cases to allow additional conditions if it can be demonstrated to the satisfaction of the Council that the Licensing Objectives can be met by these. Conditions will only be attached if they are practical, achievable and necessary.

5. Provision for the Vulnerable Population within Licensed Hackney Carriage and Private Hire Services

The Council expect applicants to satisfy the Council that they have considered the provision of facilities and operating practices in relation to taxi services for the young, aged and vulnerable.

5.1 The use of appropriate seatbelts and restraints for disabled users and their chairs will be expected.

5.2 Drivers will be expected to prove to the Council that they are fit and able to assist the vulnerable population of the City. Where this cannot be demonstrated, a medical certificate will be required.

6. Enforcement

6.1 The Council will establish protocols with the Police and other enforcing authorities. These protocols will provide for the targeting of agreed priorities. Enforcement will be proportionate and intelligence led.

6.2 In general, action will only be taken in accordance with agreed enforcement principles and in line with the Council's own enforcement policy. The key principles of consistency, transparency and proportionality will be maintained.

7.0 Integrating Strategies and the Avoidance of Duplication

7.1 By consulting widely prior to this policy statement being published, the Council will endeavour to secure proper integration with local crime prevention, planning, transport, tourism, race equality schemes and cultural strategies.

7.2 The Council will integrate its various strategies to achieve the Licensing Objectives in the interests of clarity for applicants and effective determination.

7.3 In order to avoid duplication with other statutory regimes as far as possible the Council will not adopt policies nor attach conditions on a licence unless they are considered necessary for the promotion of the stated objectives. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation e.g. health and safety at work.
8.0 **Other Legislation**
8.1 Other statutory requirements may apply to the provision of any regulated activities provided by a licensed vehicle or at a premises and the responsibility for compliance lies with the licence holder and / or proprietor.

8.2 In reaching a decision on whether or not to grant a licence, the Council may take account of any non-compliance with other statutory requirements brought to its attention, if these undermine the Licensing Objectives. This is because any non-compliance with other statutory requirements may demonstrate that the licence holder, vehicle or premises are unsuitable for the activities proposed.

8.3 The grant of a licence does not imply the approval of other legislative requirements.

9.0 **Decision Making**
9.1 The powers of the Council may be carried out by the Licensing Committee (Hackney Carriage) or by one or more officers acting under delegated authority.

9.2 Many of the licensing procedures will be largely administrative with no perceived areas of contention. In the interests of efficiency and effectiveness officers will generally carry these out. Licensing committee would receive regular reports on decisions made by officers.

9.3 The impact of Plymouth City Council’s policies on the Hackney Carriage and Private Hire industry in Plymouth will be monitored. Where there is an indication that such policies are in conflict with licensing requirements the policy will be revisited with a view to investigating how the situation might be improved.

9.4 Authorised officers of the Council will investigate complaints and will take appropriate action.

10.0 **Administration, Exercise & Delegation**
10.1 The approval of policies will generally be undertaken by Cabinet, the City Council or where suitable delegation exists, the nominated Cabinet Member.

10.2 The Licensing Committee (Hackney Carriage) operates under terms of reference contained in the Council Constitution. This includes the setting of any terms and conditions, fees and charges, determine applications, revoke or suspend any licence, registration or permit within its terms of reference.

10.3 The discharge of the administration and exercise of the licensing process will be undertaken either by the Committee or officers where delegated authority exists. The Licensing Committee (Hackney Carriage) may from time to time produce a written Scheme of Delegation prescribing the authority delegated to officers to administer and exercise functions.

10.4 Any Scheme of Delegation authorized by the Licensing Committee (Hackney Carriage) will be published on the Council’s website.
Hackney Carriage and Private Hire Vehicle Licensing

Chapter Two
Conditions of Licence

Plymouth City Council
<table>
<thead>
<tr>
<th>Para</th>
<th>Contents</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>Scope</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td><strong>Vehicles</strong></td>
<td></td>
</tr>
<tr>
<td>2.0</td>
<td>Conditions of Licence</td>
<td>19</td>
</tr>
<tr>
<td>3.0</td>
<td>Funeral Vehicles</td>
<td>19</td>
</tr>
<tr>
<td>4.0</td>
<td>Wedding Vehicles</td>
<td>19</td>
</tr>
<tr>
<td>5.0</td>
<td>Courtesy Cars</td>
<td>20</td>
</tr>
<tr>
<td>6.0</td>
<td>Special Event Vehicles</td>
<td>20</td>
</tr>
<tr>
<td>7.0</td>
<td>Consideration of Applications</td>
<td>20</td>
</tr>
<tr>
<td>8.0</td>
<td>Grant and Renewal of Licences</td>
<td>21</td>
</tr>
<tr>
<td>9.0</td>
<td>Signage Conditions</td>
<td>21</td>
</tr>
<tr>
<td>10.0</td>
<td>Advertising Conditions</td>
<td>21</td>
</tr>
<tr>
<td>11.0</td>
<td>Enforcement Action</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td><strong>Drivers</strong></td>
<td></td>
</tr>
<tr>
<td>12.0</td>
<td>Requirements for a Licence</td>
<td>22</td>
</tr>
<tr>
<td>13.0</td>
<td>Qualification by Age</td>
<td>22</td>
</tr>
<tr>
<td>14.0</td>
<td>Driver Qualifications</td>
<td>23</td>
</tr>
<tr>
<td>15.0</td>
<td>Medical Fitness</td>
<td>23</td>
</tr>
<tr>
<td>16.0</td>
<td>Criminal Records Bureau (CRB) Disclosures</td>
<td>24</td>
</tr>
<tr>
<td>17.0</td>
<td>Certificates of Good Conduct</td>
<td>25</td>
</tr>
<tr>
<td>18.0</td>
<td>Relevance of Convictions and Cautions</td>
<td>25</td>
</tr>
<tr>
<td>19.0</td>
<td>Fixed Penalties</td>
<td>26</td>
</tr>
<tr>
<td>20.0</td>
<td>Grant and Renewal of Driver Licences</td>
<td>26</td>
</tr>
<tr>
<td>21.0</td>
<td>Conditions of Driver Licences</td>
<td>26</td>
</tr>
<tr>
<td>22.0</td>
<td>Drivers Dress Code</td>
<td>27</td>
</tr>
<tr>
<td>23.0</td>
<td>Medical Exemptions</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td><strong>Private Hire Operators</strong></td>
<td></td>
</tr>
<tr>
<td>24.0</td>
<td>Requirement for a Licence</td>
<td>27</td>
</tr>
<tr>
<td>25.0</td>
<td>Criminal Record Checks</td>
<td>28</td>
</tr>
<tr>
<td>26.0</td>
<td>Operators Conditions of Licence</td>
<td>28</td>
</tr>
<tr>
<td>27.0</td>
<td>Record Keeping</td>
<td>28</td>
</tr>
<tr>
<td>28.0</td>
<td>Operators Insurance</td>
<td>28</td>
</tr>
<tr>
<td>29.0</td>
<td>Granting a Licence to Operate Private Hire Vehicles</td>
<td>29</td>
</tr>
<tr>
<td>30.0</td>
<td>Operators Offices Outside Plymouth Licensing Area</td>
<td>29</td>
</tr>
<tr>
<td>31.0</td>
<td>Airport / Seaport Transfers</td>
<td>29</td>
</tr>
<tr>
<td>32.0</td>
<td>Review</td>
<td>29</td>
</tr>
</tbody>
</table>
1.0 Scope

1.1 The aim of the policy is to provide safe, regulated transport and ensure that the drivers provide taxi services while facilitating sustainable taxi industry. The Council, in adopting this licensing policy recognises both the needs of residents and visitors for safe, healthy convenient and effective taxi transport and the importance of this provision to the local economy and vibrancy of the City.

1.2 This policy describes how the Council set and use conditions of licence to regulate the hackney carriage and private hire trade.

1.3 The Council when developing this policy took account of its licensing objectives. These are:

- Public and driver safety and health
- Vehicle safety, comfort and access
- To prevent crime and disorder and to protect consumers
- To encourage environmental sustainability

Vehicles

2.0 Conditions of Licence

2.1 The Council is empowered to impose such conditions, as it considers reasonably necessary, in relation to the grant of a hackney carriage or private hire vehicle licence.

2.2 In accordance with those powers the Council has set standard conditions of licence with respect to hackney carriages and private hire. These are provided in Appendix D to F. However where it considers it reasonably necessary additional conditions may be imposed. In considering what is reasonably necessary the Council will take into account its licensing objectives.

3.0 Funeral Vehicles

3.1 Vehicles owned by funeral directors wholly or mainly for the purposes of funerals are not required to be licensed. Other private hire vehicles are exempted from the display of any licence plate whilst being used in connection with the business of a funeral director, provided notice has been given to the Council by the proprietor of the vehicle.

4.0 Wedding Vehicles

4.1 Private Hire vehicles used in connection with a wedding ceremony are exempt from the display of any licence plate or other Private Hire identifying mark whilst being used in that capacity.
4.2 Wedding ceremony vehicles are not exempt from the requirement to be licensed under the Plymouth City Council Act 1975. The Authority will, however, not seek to enforce these provisions in relation to any vehicle ordinarily being used wholly for the traditional purposes of weddings.

5.0 **Courtesy cars**

5.1 Courtesy vehicles used for transporting customers to and from specific venues such as hotels and nightclubs, whether operated with or without charge to the customer are considered as private hire vehicles. The Council require the correct licences to be in place for this service to be provided.

6.0 **Special Event Vehicles**

6.1 The Council considers the following types of vehicle to be “Special Event Vehicles” when considered in the context of licensing:

- American stretched limousines;
- Decommissioned emergency service vehicles;
- Other non-standard type converted vehicles used for special events.

The above list is not exhaustive, and other types of vehicle may be considered from time to time.

6.2 In formulating a standard set of conditions for such vehicles, the Council has taken into account that special event vehicles will in general:

- Travel at lower speeds than other vehicles;
- Not normally overtake;
- Be easily recognisable by the hirer;
- Be heavier and/or considerably longer than standard vehicles;
- Be converted or adapted vehicles.

6.3 Private hire special event vehicles will be licensed as follows: a licence for these types of vehicles will be issued for a period of 12 months, but the licence would be conditional upon the vehicle being tested and passing a compliance test at four monthly intervals.

6.4 Drivers intending to drive Special Event Vehicles will be required to pass the driving standards test for that type of vehicle.

7.0 **Consideration of Applications**

7.1 The Council will consider all applications for vehicle licences on their own merits, once it is satisfied that the appropriate criteria have been met and the application form and supporting documents are complete, and the relevant fee paid. A licence will be issued.
8.0 **Grant and Renewal of Licences**

8.1 The Council will, providing all requirements are met, issue a 12-month vehicle licence for vehicles under 5 years old, providing it has passed a Council compliance test at an appointed test station.

8.2 Vehicles over five years of age will be issued with a 12-month licence, but will be required to be compliance tested after six months of the licence being issued. The pass certificate from that test must be produced as evidence that the vehicles still meet the required standard and a new compliance certificate will then be issued.

8.3 In all instances, the Council retains its discretion to issue any vehicle licence for a period of less than 12 months, should individual circumstances determine that this is a reasonable course of action to follow.

9.0 **Signage Conditions**

9.1 The Council requires hackney carriages and private hire vehicles to clearly indicate to the public that they are licensed vehicles.

9.2 Hackney carriage and private hire vehicles must be clearly distinguishable to allow the public to clearly identify them from other vehicles and each other. The Council accept that clear signage and approved advertising can achieve this.

9.3 The Council has set standards on the acceptable type of signage for Hackney Carriages and Private Hire Vehicles; these can be found in Appendix J and K and form part of this policy. They include:

- The permitted position of licence plates
- Colours to be used for licence plates.
- Positioning of door signs for private hire vehicles.
- Required wording for door signs on private hire vehicles.
- Requirements for internal dash or bulkhead mounted signs.

10.0 **Advertising Conditions**

10.1 The Council will permit advertising on hackney carriage and private hire vehicles. Adverts must be approved by the Council. In making a decision on proposals for advertising the Council will take into account:

- The licensing objectives
- Discrimination of any form
- The Council’s objectives, specifically in relation to health promotion and crime reduction.
- The likelihood of the advert causing offence.
- The requirements set out in appendix J for Hackney Carriage or K for Private Hire Vehicles.
10.2 Hackney carriage owners and private hire operators are permitted to advertise the company name or trade name or mark and telephone number on most parts of the vehicle.

10.3 Advertisements on vehicles must not, in the opinion of the Council, obscure or detract from the clarity of signage required by the Authority to be displayed on licensed vehicles.

10.4 All adverts must conform to the standards required by the Advertising Standards Authority.

11.0 Enforcement Action

11.1 A breach of the requirements of the conditions of licence may result in the vehicle being considered unfit for its purpose under S.26 of the Plymouth City Council Act 1975, and the provisions of that section shall apply. In addition or as an alternative, such breach of these requirements may be considered a breach of the conditions of the vehicle licence, which could result in the suspension, or revocation of the licence.

Drivers

12.0 Requirements for a Licence

12.1 It is a legal requirement that drivers of either hackney carriages or private hire vehicles obtain a licence to drive those vehicles from the Council.

12.2 The Council will issue a licence to an applicant provided the applicant has held a full driving licence for at least 12 months, and is a “fit and proper” person. In assessing whether an applicant is a “fit and proper” person to hold a licence, the Council will consider each case on its own merit.

12.3 In determining whether a driver is “fit and proper” the Authority will consider amongst other things; the applicant’s relevant skills, knowledge, experience, qualifications, medical fitness, criminal record and previous history as a licence holder. The convictions which the Council consider to be relevant offences when considering an application for either the grant or renewal of a licence are provided in Appendix A.

13.0 Qualification by Age

13.1 The Council will not have regard to the age of an applicant when determining their suitability providing they have had a licence for 12 months and reach the required medical standards entitling the driver to drive in the UK without restriction.
14.0 Driver Qualifications

14.1 The Council would prefer that all drivers, as a minimum, have successfully passed a Level 2 VRQ (Vocationally Related Qualification) in Transporting Passengers by Taxi and Private Hire or equivalent qualification.

14.2 New applicants will be required to:

Pass the topographical knowledge of Plymouth assessment and the driving standards test before being licensed and complete the Level 2 VRQ in Transporting Passengers by Taxi and Private Hire or an equivalent in within 12 months from the date of being first licensed.

14.3 The Authority will work with the trade and local training providers to improve driver standards and to encourage a 100% compliance of the VRQ award (or equivalent) by 2010.

14.4 It is the responsibility of the licence holder to notify the Council at the earliest opportunity, if they consider that they will not be able to comply with the qualification requirement, to have successfully completed a Level 2 VRQ or equivalent, within the 12-month probationary period.

15.0 Medical Fitness

15.1 Applicants for the grant of driver licence are required to provide evidence, in the form of a certificate obtainable from the Licensing Team, signed by a medical practitioner stating that the applicant satisfies the requirements of the DVLA Group II medical standards of fitness to drive. All costs associated with obtaining the medical certificate are to be met by the applicant. The certificate must have been issued within the three months preceding application for a licence.

15.2 Applicants renewing an existing Hackney Carriage or Private Hire driver licence must provide the Council with a medical certificate signed by a registered medical practitioner, stating that they satisfy the requirements of the DVLA group II standards of fitness to drive at the following intervals; every 5 years from age 45 until age 65 and annually from age 70. All costs associated with obtaining the medical certificate are to be met by the applicant.

15.3 If an existing licence holder wishes to continue to be licensed on reaching 70 years of age, the Council shall require the driver to obtain the medical certificate aforementioned at annual intervals.

15.4 All licence holders are required to inform the Council of any illness or condition that affects their ability to drive.

15.5 In all cases, it is for the applicant for the grant or renewal of a licence to obtain the required medical certificate as evidence of their fitness to drive, and to satisfy the Authority that they are “fit and proper” to be granted a licence.
15.6 The Council may direct any licence holder to supply satisfactory evidence, in the form of a medical certificate stating the licence holder meets the required Group II standards, should their medical fitness be called into question. All costs associated with obtaining the medical certificate will be met by the licence holder.

15.7 Any applicant for the grant or renewal of licence that is unable to satisfy the Authority that they meet the required medical standard shall not have a licence granted to them, or the licence shall not be renewed, or shall be revoked.

15.8 Applicants and existing drivers with insulin treated diabetes may be granted a licence or permitted to renew an existing licence provided that the diabetes treatment would permit the person to be entitled to drive DVLA category C1 vehicles. All other aspects of the Group II medical standards for these applicants must be achieved.

16.0 Criminal Records Bureau (CRB) Disclosures

16.1 Applicants and licence holders are required to submit to an enhanced CRB disclosures check for each new application and on each renewal of licence. All licence holders are obliged to notify the Council of any convictions or cautions received during their licence period. The results of this disclosure will be used to assist the Council in deciding whether or not the applicant is a fit and proper person in accordance with Appendix A of this policy.

16.2 The Council will only accept enhanced CRB disclosure certificates, not applied for through Plymouth City Council, in the following instances:

- all disclosure certificates must have been issued within three months of the date of application;
- the disclosure certificate must be the registered body copy (applicant copies will not be accepted as additional information from the police will not be included in this copy);
- the registered body must have a statutory duty to have requested that enhanced disclosure.

16.3 For renewal applicants, the CRB disclosure is applied for at the time renewal of licence takes place. The licence issued is conditional upon there being no adverse information revealed on the CRB disclosure that would otherwise render the applicant not “fit and proper”. If a licence is issued and relevant information is later revealed on a disclosure certificate, then that licence will be subject to review.

16.4 All applicants for the grant or renewal of a licence requiring a CRB disclosure shall be responsible for the costs of obtaining the CRB certificate.
17.0 Certificates of Good Conduct

17.1 The Council recognise there are occasions where requiring a CRB certificate from an applicant will not achieve its original aim, for example, where the CRB are unlikely to have any information recorded against them, due to the short period of time they have resided in this country.

17.2 The Council requires all such applicants to obtain a Certificate of Good Conduct from their relevant embassy or consulate, at the applicant’s expense, authenticated, translated and sealed by the embassy or consulate, which accounts for all periods (in excess of three months) that they have not been resident in the UK.

18.0 Relevance of Convictions and Cautions

18.1 When considering the relevance of convictions the Council will have regard to Appendix A.

18.2 In assessing whether an applicant is a “fit and proper” person to hold a licence, the Council will consider each case on its own merits.

18.3 It will take account of cautions and convictions, whether they are spent or unspent, but only insofar as they are relevant to an application for a licence (See Appendix A). Upon receipt of a disclosure certificate from the CRB, or Certificate of Good Conduct, the appropriate officer will assess whether any or all of the convictions are capable of having real relevance to the issue of whether or not the applicant is a “fit and proper” person to hold a licence. If it is determined that the convictions are relevant, then the officer will refer the application to Members of the Licensing Committee (Hackney Carriage) for determination. Where a Scheme of Delegations is subsequently agreed by the Licensing Committee (Hackney Carriage) this scheme of delegations will supersede current operating practices. A copy will be available on the Council’s website.

18.4 In relation to cautions, the Council will have regard to the nature and age of the offence, when considering their relevance to an application. Cautions accepted more than one year before the date of application will generally be treated as irrelevant.

18.5 In relation to previous convictions, the Authority will have regard to the following:

- Whether the convictions are spent or unspent;
- The nature of the offence;
- The age of the offence;
- The apparent seriousness, as gauged by the penalty.
- The relevance of the conviction in relation to the promotion of the Licensing Objectives.
18.6 Guidance in relation to determining the relevance of offences, together with the principles of the Rehabilitation of Offenders Act 1974, is provided in Appendix A, which forms part of this policy. In general terms, the more recent, serious and relevant to the Council's licensing objectives the offence is, the less likely that an application shall be granted.

19.0 Fixed Penalties

19.1 The Council will have regard to fixed penalties when considering if an applicant is a “fit and proper” person.

19.2 Having fixed penalty endorsements on a licence will not automatically prevent an applicant from obtaining a licence, but having more than two endorsements of any kind on a licence which is less than 12 months old from the date of offence, will require the application to be determined by Members of the Licensing Committee (Hackney Carriage).

19.3 Similar provisions are proposed for existing drivers who receive endorsements on their driving licence. An isolated fixed penalty will not generally require any action by the Council; a driver receiving a further endorsement during their licence period will be sent a warning letter. A further endorsement, after being sent a warning letter, will require the driver to appear before Members of the Licensing Committee for the status of the licence held, to be reviewed.

20.0 Grant and Renewal of Driver Licences

20.1 The Council will issue three yearly licences to renewal applicants. However the Authority does have the discretion to issue licences of a shorter duration, if it considers this to be reasonable given the circumstances.

20.2 For new applicants making their first application for a licence, the licence shall have a maximum duration of 12 months. This is to be considered a probationary period, during which it is expected that the licence holder shall complete the necessary VRQ (or equivalent) qualification (Section 14 – Driver Qualification), and demonstrate that they meet the expectations of the Council for the grant of a full three year renewal licence.

20.3 The Council will issue a yearly licence renewal instead of a three-yearly renewal if requested to do so by the licence holder.

21.0 Conditions of Driver Licences

21.1 The Council is not permitted to attach conditions to a hackney carriage driver’s licence. Byelaws are used for this purpose. The Authority may attach such conditions to a private hire driver’s licence as are considered necessary.

21.2 The Hackney Carriage byelaws are not contained within this document (although they do form part of the policy) as at the time of the preparation of this document they are still subject to consultation. A copy of the byelaws,
once confirmed by the Secretary of State will be available on the Council’s website. The byelaws will be reviewed from time to time.

21.3 The conditions that the Council considers reasonable to attach to a private hire driver’s licence are contained in Appendix B.

22.0 Drivers Dress Code

22.1 The Council considers that, in order to raise the profile of the licensed trade, drivers should operate in a professional manner and conform to a minimum standard of dress. A voluntary dress code for licensed drivers is provided in Appendix I.

23.0 Medical Exemptions

23.1 Hackney Carriage drivers are not permitted to refuse disabled persons, unless the driver holds a medical exemption certificate excusing him from such duties, or, for example, the physical characteristics of the person’s wheelchair prevent access to the vehicle. This should only be in exceptional circumstances.

23.2 The Council expect drivers of both hackney carriages and private hire cars to accept assistance dogs, unless the driver holds a medical exemption certificate excusing them from such duties.

23.3 The Council will not accept a medical certificate that is more than three months old and will as a consequence require new medical certificates where a medical condition continues for an extended period.

23.4 In circumstances where a driver either has a temporary or permanent medical condition preventing the performance of their duty towards disabled passengers, or the ability to carry assistance dogs, the driver may apply for a medical exemption certificate from the Council. The authority reserves the right to review a licence on medical grounds.

23.5 An applicant for a medical exemption certificate will be required to have their application determined by the Licensing Committee (Hackney Carriage) in the following circumstances:-

- Where there is an application for a “lifetime” exemption; or
- Where an applicant already holding a medical exemption, not being a lifetime exemption, applies for an extension of the exemption period.

Private Hire Operators

24.0 Requirements for a Licence

24.1 Any person who operates a private hire service must apply to the Council for a private hire operator's licence to ensure safety of the public.
24.2 All applications for a grant or renewal of a private hire operator’s licence will be determined to ensure the applicant is “fit and proper” and also having regard to any previous business activities performed by the applicant.

25.0 Criminal Records Checks

25.1 Private hire operators will require a CRB check. A basic disclosure from the CRB or a certificate of good conduct from a relevant embassy for foreign national applicants is deemed to be appropriate.

25.2 Any fees associated with obtaining either a basic CRB certificate or a certificate of good conduct, are the sole responsibility of the applicant. As with other CRB certificates, the Council shall only consider it as relevant if it has been issued within 3 months of making the application.

26.0 Operators Conditions of Licence

26.1 The Council has the power to impose such conditions on an operators licence as it considers necessary to uphold the licensing objectives.

26.2 Standard conditions are provided in Appendix G of this document.

27.0 Record Keeping

27.1 The Council requires operators to keep records of each booking. Information should include the date and time of the booking, the name of the passenger, the destination, the name of the driver and the licence number of the vehicle. The records must be in the format required by condition of licence.

27.2 The Council require that comprehensive records are kept in respect of all bookings, vehicles and drivers, and this shall be the minimum requirement of the Council. The conditions of licence are set out in Appendix G.

27.3 The operator shall permit an authorised officer of the authority access to records required by their licence at all reasonable times.

28.0 Operators Insurance

28.1 Before an application for a private hire operator’s licence is granted, the applicant must produce evidence that they have taken out appropriate public liability insurance for the premises to be licensed.

28.2 All operators are similarly recommended to ensure that they have suitable insurance indemnifying the operator against any third party claim made against the operator arising as a result of the use of a vehicle operated by virtue of their operator’s licence.
29.0 Granting a Licence to Operate Private Hire Vehicles

29.1 Future grants of an operators licence will be for a period of twelve months from the date of grant of the licence, and renewals to take place at those prescribed intervals.

30.0 Operators Offices Outside the Plymouth Licensing Area

30.1 The Council shall not grant a Private Hire Operators licence to any person intending to have a base of operation that is located outside the Plymouth City Council area.

31.0 Airport / Seaport Transfer

31.1 Any person providing the services of an airport transfer company or other similar service must hold a private hire operators licence issued by the Council. The licence may be restricted to providing this type of service.

31.2 The driver licensed to perform Airport transfers and similar services, shall be exempted from the requirement to obtain a pass in the knowledge of Plymouth test. All other pre-requisites for obtaining a licence will need to be satisfied. A driver wishing to provide traditional private hire or hackney carriage services must comply with all the requirements required for the issue of that type of licence.

31.3 All drivers providing an airport/seaport transfer service must be a private hire driver. The private hire licence for the driver will be restricted to providing this service unless they satisfy the requirement of a standard Private Hire drivers licence

31.4 The vehicle specification will meet the same requirements and standards as for a private hire vehicle and will be licensed for the purpose of airport/seaport transfer.

31.5 Companies providing airport/seaport services or other services of a similar kind, but excluding traditional private hire or taxi journeys, will be required to provide the Council with a schedule of the types of services they provide.

32.0 Review

32.1 The Council will keep the policy statement under constant review and make such revisions to it, as it considers appropriate. Where revisions are made, the Council shall publish a statement of such revisions or a revised licensing policy statement.
Hackney Carriage and Private Hire Vehicle Licensing

Chapter Three
Vehicle Specifications

Plymouth City Council
<table>
<thead>
<tr>
<th>Para</th>
<th>Contents</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>Scope</td>
<td>33</td>
</tr>
<tr>
<td>2.0</td>
<td>Specifications</td>
<td>33</td>
</tr>
<tr>
<td>3.0</td>
<td>Speciality Vehicles</td>
<td>33</td>
</tr>
<tr>
<td>4.0</td>
<td>Emissions</td>
<td>34</td>
</tr>
<tr>
<td>5.0</td>
<td>Disability Access</td>
<td>35</td>
</tr>
<tr>
<td>6.0</td>
<td>Review</td>
<td>35</td>
</tr>
</tbody>
</table>

32
1.0 Scope

1.1 The aim of the policy is to provide safe, regulated transport and ensure that the drivers provide taxi services while facilitating sustainable taxi industry. The Council, in adopting this licensing policy recognises both the needs of residents and visitors for safe, healthy, convenient and effective taxi transport and the importance of this provision to the local economy and vibrancy of the City.

1.2 This policy sets out how the Council will regulate the specification of licensed vehicles operated by the Hackney Carriage and Private Hire trades within the City of Plymouth.

1.3 The Council when developing this policy took account of its licensing objectives. These are:

- Public and driver safety and health
- Vehicle safety, comfort and access
- To prevent crime and disorder and to protect consumers
- To encourage environmental sustainability

2.0 Specifications

2.1 All vehicles which are presented to the Council for licensing, and all vehicles whilst licensed must comply with the vehicle specifications contained within Appendix P, Q & R.

2.2 The Council reserve the right to carry out or require any form of test, examination or assessment as it sees fit to determine the suitability of a vehicle for licensing. The applicant will be expected to cover all the Council’s costs incurred in making this determination.

2.3 The Council whilst making standard conditions of licence and vehicle specifications, may amend those conditions and specifications, or make additional conditions for a vehicle, as individual circumstances require.

3. Speciality Vehicles

3.1 All vehicles used for the purpose of the business must meet relevant British or European standards. Any imported vehicle, which falls within the requirements of Single Vehicle Type Approval (SVA) will require a test compliance certificate or equivalent.

3.2 When imported into this country the importer must produce a declaration from the testing authority (VOSA) that the vehicle will never carry more than eight passengers.
3.3 The Council will have regard to the points below when considering the suitability of the vehicle to be licensed as a Speciality Vehicle. It is noted that such vehicles:

- generally travel at lower speeds than other vehicles
- do not normally overtake
- are easily recognisable by the hirer
- are heavier and/or considerably longer than standard vehicles
- are converted or adapted vehicles

3.4 When considering an application for a Speciality Vehicle the Council will have regards to existing specification, conditions, policies and the licensing objectives

4.0 Emissions

4.1 The Council’s emissions policy was amended by delegated decision (Ref. CS(SSCLSC) 6 11/12), effective from the 10 January 2012. The amended policy is set out below;

**Hackney Carriage and Private Hire Vehicle Emissions Policy**

1. All hackney carriage or private hire vehicles must achieve a Euro 3 technology standard, unless the vehicle has already been subject to an adaptation or conversion approved by the Council.

2. With effect from the 1 April 2012 any hackney carriage or private hire vehicle presented for its first license to Plymouth City Council will not be granted unless the vehicle has been manufactured to Euro 4 or higher specification.

3. With effect from the 1 April 2015 no hackney carriage or private hire vehicle licence will be issued or renewed unless the vehicle has been manufactured to Euro 4 or a higher specification. The use of Bio-diesel, bio-fuel or LPG conversions will not be accepted after this date.

4. The Council may approve conversions or adaptation systems for vehicles to comply with the requirements of the Council emissions standards. The Council must be provided with satisfactory evidence that the conversion or adaptation system achieves the required emission standard and that test data complies with the European test standards for vehicle emissions. Such approval may be engine/vehicle specific. The cost of obtaining approval of new conversion of adaptation systems will not be met by the Council.

5. Vehicles may be approved to meet the Euro 3 standard where they are fitted with a PCO/Energy savings Trust (EST) approved emissions reduction system approved by the Council.

6. The use of bio-diesel, bio-fuels or LPG will no longer be accepted as a way to meet the emissions policy. Vehicles currently converted or adapted to
use bio-diesel, bio-fuels or LPG may continue to be licensed until 1 April 2015, subject to satisfactory documented evidence that they continue to use appropriate quantities of bio-diesel, bio-fuels or LPG. Where satisfactory evidence is not provided the Council will not renew the vehicle licence or may revoke the vehicle licence.

7. Euro 1 or 2 vehicles fitted with hydrogen fuel cells will no longer be licensed on or after 1 April 2012. Any new hydrogen fuel cell adaptation will need to confirm to the requirements of paragraph 4.

8. It is for the vehicle proprietor to provide satisfactory evidence to the Council or the approved testing station that any vehicle presented for licence or inspection complies with the requirements of this policy.

9. These provisions do not apply to Special Event Vehicles.

4.2 These provisions shall not apply to Special Event Vehicles.

5.0 Disability Access

5.1 All hackney carriage vehicles on first being licensed by Plymouth City Council must be wheelchair accessible and capable of carrying wheelchair passengers safely. All hackney carriages being re-licensed by Plymouth City Council from 2010 must be also be wheelchair accessible and capable of carrying wheel chair passengers safely.

6.0 Review

6.1 The Council will keep the policy statement under constant review and make such revisions to it, as it considers appropriate. Where revisions are made, the Council shall publish a statement of such revisions or a revised licensing policy statement.
<table>
<thead>
<tr>
<th>Para</th>
<th>Contents</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>Scope</td>
<td>39</td>
</tr>
<tr>
<td>2.0</td>
<td>Enforcement</td>
<td>39</td>
</tr>
<tr>
<td>3.0</td>
<td>Informal Action</td>
<td>39</td>
</tr>
<tr>
<td>4.0</td>
<td>Formal Action</td>
<td>40</td>
</tr>
<tr>
<td>5.0</td>
<td>Notices and Directions</td>
<td>40</td>
</tr>
<tr>
<td>6.0</td>
<td>Warnings and Formal Cautions</td>
<td>40</td>
</tr>
<tr>
<td>7.0</td>
<td>Suspension of Licence</td>
<td>41</td>
</tr>
<tr>
<td>8.0</td>
<td>Revocation of Licence</td>
<td>42</td>
</tr>
<tr>
<td>9.0</td>
<td>Refusal to Renew a Licence</td>
<td>42</td>
</tr>
<tr>
<td>10.0</td>
<td>Disciplinary Hearings</td>
<td>42</td>
</tr>
<tr>
<td>11.0</td>
<td>Prosecution of Licence Holders</td>
<td>43</td>
</tr>
<tr>
<td>12.0</td>
<td>Offences</td>
<td>43</td>
</tr>
<tr>
<td>13.0</td>
<td>Appeals</td>
<td>44</td>
</tr>
</tbody>
</table>

1.0 Scope
1.1 The aim of the policy is to provide safe, regulated transport and ensure that the drivers provide taxi services while facilitating sustainable taxi industry. The Council, in adopting this licensing policy recognises both the needs of residents and visitors for safe, healthy, convenient and effective taxi transport and the importance of this provision to the local economy and vibrancy of the City.

1.2 This policy sets out how the Council will enforce the rules and regulations that apply to the hackney carriage and private hire trades within the City of Plymouth.

1.3 The Council when developing this policy took account of the licensing objectives. These are:

- Public and driver safety and health
- Vehicle safety, comfort and access
- To prevent crime and disorder and to protect consumers
- To encourage environmental sustainability

1.4 Authorised officers, when making enforcement decisions, will be guided by this policy and any future general enforcement policy adopted by the Council. Any departure from the policy must be capable of justification.

2.0 Enforcement

2.1 Plymouth City Council endorses the principles of good enforcement as set out in the Enforcement Concordat published by The Cabinet Office in March 1998. The Council formally adopted the Concordat on 20th July 1998. In addition the Council will comply with the requirements of the Regulators Compliance Code and will also consider guidance issued by the Crown Prosecution Service.

2.2 The Council shall take enforcement action where it considers it necessary and proportionate to do so, having regard to the licensing objectives. Having considered all relevant information and evidence, the enforcement options are to take no action, informal action or to take formal action.

2.3 A record of any action whether informal or formal will be recorded on the licensee’s file and may be brought to the attention of the Licensing Committee (Hackney Carriage) or the Court if further action is undertaken.

3.0 Informal Action

3.1 Informal action to secure compliance with legislation will include offering advice, requests for action, verbal warnings, the use of written instructions and the issue of inspection reports.

4.0 Formal Action
4.1 The Council in dealing with a breach of any license condition or any law or byelaw relating to the hackney carriage or private hire trade in Plymouth may:

- Issue a verbal notice or direction;
- Issue a written warning or caution;
- suspend a licence issued by Plymouth City Council;
- revoke a licence issued by Plymouth City Council;
- refuse to renew a licence;
- institute criminal proceedings in a magistrates court;

4.2 These powers may be exercised by the Licensing Committee or where appropriate by authorised officers.

5.0 Notices and Directions

5.1 An authorised officer of the Council may issue a notice that requires a vehicle to be inspected, tested or to be rectified. Where statute allow, the notice may also temporarily suspend the licence until the specified actions or works are completed to the satisfaction of the officer.

5.2 Notices may include time limits within which the requirements of the notice must be met.

6.0 Warning and Formal Cautions

6.1 Written warnings and formal cautions may be used for minor, technical or first time transgressions where it may not be in the public interest to prosecute.

6.2 Formal Cautions may be considered where:

- there is sufficient evidence to justify a prosecution;
- the licence holder admits guilt and;
- the licence holder agrees to the caution.
- a caution is an appropriate means of disposal

When considering a formal caution officers will take into account the public interest principles in the Code for Crown Prosecutors

Where a formal caution is refused the Council will seek to pursue a prosecution.
7.0 Suspension of Licence

Drivers Licence

7.1 Where the Licensing Committee (Hackney Carriage) is satisfied that a person is, for example no longer a “fit and proper” person or a breach of a condition of licence has been proved they may revoke or suspend a driver’s licence for any specified period. The Council’s full powers to suspend/revoke a licence are contained within section 19 of the Plymouth City Council Act 1975.

Vehicle Licence

7.2 Vehicles will be subject to periodic, random inspections by Authorised Officers of the Council or its agents (e.g. VOSA) to ensure the vehicle and/or its taximeter is fit for purpose.

7.3 Where the Licensing Committee (Hackney Carriage) is satisfied that a vehicle fails in any respect to meet any specification or condition of license or the relevant construction and use regulations required by law they may suspend, revoke or refuse to renew a vehicles license for any specified period.

7.4 Where an officer of the Council has reasonable grounds to suspect that the condition of the vehicle poses a danger to either passengers or other members of the public, he/she may serve on the driver / proprietor a vehicle defect notice. In such cases the vehicle licence shall immediately be suspended, until such time as the defect(s) have been remedied. The suspension shall not be lifted until it is proved to the authorised officer that the vehicle defect has been corrected. The defect notice may require the vehicle to be tested at an approved Council appointed testing station, at the proprietor’s expense.

7.5 Failure to comply with a vehicle defect notice within the statutory period for compliance will result in the revocation of the vehicle licence.

7.6 Where an officer of the Council has reasonable grounds to suspect that the vehicle has defects of a minor or cosmetic nature, they may serve the driver / proprietor with a vehicle defect notice, and may specify a period of time to allow for those defects to be remedied to his satisfaction. The authorised officer may also direct that the vehicle be made available for further testing at a Council appointed testing station to ensure the defects have been satisfactorily rectified.

7.7 In the case of either 7.4 or 7.6 above, an authorised officer retains the authority to issue any licensed vehicle with a suspension notice by virtue of section 26 of the Plymouth City Council Act 1975 where the officer is not satisfied as to the fitness of the vehicle or the accuracy of the taximeter.

Private Hire Operators Licence

7.8 The Council through the Licensing Committee (Hackney Carriage) may suspend an operator’s licence using the provisions of section 20 of the Plymouth City Council Act 1975 for any specified period, or where it is satisfied that a condition of licence has not been complied with. In making
this decision the committee will have regard to meeting the licensing objectives.

7.9 The Council may suspend, revoke or refuse to renew on any of the following grounds:
- Any offence or non compliance with the provisions of the Plymouth City Council Act 1975
- Any conduct that may render the licence holder unfit
- Any material changes since the licence was granted or
- Any other reasonable cause

8.0 Revocation of Licences

8.1 The Council through the Licensing Committee (Hackney Carriage) may exercise its discretion to revoke any licence it issues where it is satisfied that a licence holder is, for example no longer a “fit and proper” person, or a breach of a condition of licence has been established. The Council’s full powers to revoke licences are contained within the Plymouth City Council Act 1975.

8.2 When considering the revocation of any licence, authorised officers or the Committee (as appropriate) will take into account all relevant facts and circumstances including the licensing objectives, the nature of the breach and any other information thought pertinent to the matter being considered.

9.0 Refusal to Renew a Licence

9.1 The Licensing Committee (Hackney Carriage) may decide that appropriate action is to order that the licence shall not be renewed.

9.2 The Licensing Committee (Hackney Carriage) will take into account all relevant facts and circumstances including the licensing objectives, the nature of the breach and any other information thought pertinent to the matter being considered.

9.3 In circumstances where an applicant has not provided all relevant information or documents or has failed to comply with any of the requirements to renew a licence, then an authorised officer of the Council with authority delegated by the Licensing Committee (Hackney Carriage) may be permitted to refuse to renew the licence. The person applying for a licence may then have the opportunity to appeal this decision to either the Licensing Committee or the Magistrates Court.

10.0 Disciplinary Hearings

10.1 A disciplinary hearing is for any matter concerning the breach of any condition of licence or statutory regulation that may require a sanction being sought against any licence issued by the Council and is brought before the Licensing Committee (Hackney Carriage) for determination.
10.2 Disciplinary matters, excluding some breaches of vehicle requirements, will normally be referred to Members of the appropriate committee for determination.

10.3 The Licensing Committee (Hackney Carriage) shall have the discretion to direct a driver appearing before them to complete further training or retraining, should the driver’s suitability to retain a licence be called into question.

11.0 Prosecution of Licence Holders

11.1 The Council having regard to the Regulators Compliance Code will consider prosecuting licence holders for relevant offences in the following circumstances:

- Where the allegation is of a serious or repeated offence;
- Where the Council proposes to issue a formal caution the licence holder, but the offence is not admitted or the formal caution is not accepted;
- Where there have been repeated breaches of legal requirements;
- Where a particular type of offence is prevalent;
- Where a particular contravention has caused public harm, particularly to the vulnerable or extreme inconvenience.

11.2 When considering whether to prosecute, the factors to be considered may include:

- The seriousness of the alleged offence;
- The risk or harm to the public;
- Failure to comply with a statutory notice served;
- Disregard of safety for financial reward;
- The previous history of the party concerned;
- Offences following a history of similar offences;
- Failure to respond positively to past warnings;
- The ability of any important witnesses and their willingness to co-operate;
- The probable public benefit of a prosecution and the importance of the case;
- Whether other action, such as issuing a formal caution, would be more appropriate or effective.

12.0 Offences

12.1 Offences in relation to Hackney Carriages are derived from the following sources:

- Town Police Clauses Act 1847;
- Plymouth City Council Act 1975 / 87
- Plymouth City Council Hackney Carriage Byelaws;
- Conditions of licence;
A list of principle relevant offences under the 1847 Act and 1975 Act are set out in Appendix P

12.2 Offences in relation to Private Hire are derived from the following sources:

- Plymouth City Council Act 1975 / 87;
- Conditions of licence;

A list of principle relevant offences under the 1847 Act and 1975 Act are set out in Appendix P

13.0 Appeals

13.1 Any notifications of enforcement actions will include information on how to appeal, where that right of appeal exists. This will include where and within what period an appeal may be brought.
Hackney Carriage and Private Hire Vehicle Licensing

Chapter Five
Fares Policy

Plymouth City Council
<table>
<thead>
<tr>
<th>Para</th>
<th>Contents</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>Scope</td>
<td>47</td>
</tr>
<tr>
<td>2.0</td>
<td>Fares</td>
<td>47</td>
</tr>
<tr>
<td>3.0</td>
<td>Hackney Carriage Fares Tariff</td>
<td>47</td>
</tr>
<tr>
<td>4.0</td>
<td>Tariff Review</td>
<td>48</td>
</tr>
<tr>
<td>5.0</td>
<td>Meters</td>
<td>48</td>
</tr>
<tr>
<td>6.0</td>
<td>Environmental Levy</td>
<td>48</td>
</tr>
<tr>
<td>7.0</td>
<td>Review</td>
<td>48</td>
</tr>
</tbody>
</table>
1.0 Scope

1.1 The aim of the policy is to provide safe, regulated transport and ensure that the drivers provide taxi services while facilitating sustainable taxi industry. The Council, in adopting this licensing policy recognises both the needs of residents and visitors for safe, healthy, convenient and effective taxi transport and the importance of this provision to the local economy and vibrancy of the City.

1.2 This policy sets out how the council will regulate fares to be charged for hackney carriage journeys.

1.3 The Council when developing this policy took account of the licensing objectives. These are:

- Public and driver safety and health
- Vehicle safety, comfort and access
- To prevent crime and disorder and to protect consumers
- To encourage environmental sustainability

2.0 Fares

2.1 The Council will review fare scales at regular intervals and have regard to:

- the needs of the travelling public with reference to what it is reasonable to expect people to pay;
- the need of the travelling public to understand how much they will be expected to pay.
- the need to give taxi drivers sufficient incentive to provide a service at the times when it is needed.

There may well be a case for higher fares at times of higher demand.

2.2 Hackney carriage fares are a maximum that may be charged and in principle are open to downward negotiation between passenger and driver. Taxi proprietors may set their own table of fares, provided that they are below the maximum fares set by the Council.

2.3 The review and setting of fees is a function of the Licensing Committee (Hackney Carriage)

3.0 Hackney Carriage Fares Tariff

3.1 The maximum fares charged for a journey in a hackney carriage within the Council shall be clearly displayed in the passenger compartment.

3.2 No fare greater than this shall be charged by the driver of the hackney carriage, unless the journey ends outside the Council Area of authority, and the fare is agreed with the hirer before the journey commences.
4.0 **Fares Tariff Review**

4.1 The Council shall review the prescribed fare tariff for hackney carriage vehicles annually between January and March and where possible for implementation on the 1st April following the review.

4.2 The Council reserves the right to review the fare tariff at any time.

4.3 A fares tariff is enforceable as a byelaw, and it is an offence for any person to charge more than the metered fare.

4.4 Tariffs may be set by the council to include the following:
- Distance travelled by the vehicle.
- Time of journey and waiting time.
- Passengers or goods carried.
- Day and time of travel
- Soiling of vehicle by passenger

5.0 **Meters**

5.1 The Council may from time to time publish a list of meters approved by the council for use to calculate fares.

5.2 Meters used to calculate fares must be accurate and checked for accuracy by a mile distance (or part thereof).

5.3 Meters in use must not facilitate fraudulent use, and must be clearly display the fare to the passenger throughout the journey.

6.0 **Environmental Levy**

6.1 The Council will investigate the potential for providing for an environmental levy on the taxi fares permitted to be charged in its tariff of fares, to allow the proprietor of vehicles affected by any emissions strategy, to recover the costs associated with complying with it’s requirements.

7.0 **Review**

7.1 The Council will keep the policy statement under review and make such revisions to it, as it considers appropriate. Where revisions are made, the Council shall publish a statement of such revisions or a revised licensing policy statement.
Hackney Carriage and Private Hire Vehicle Licensing

Chapter Six
Vehicle Testing Policy

Plymouth City Council
<table>
<thead>
<tr>
<th>Para</th>
<th>Contents</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>Scope</td>
<td>51</td>
</tr>
<tr>
<td>2.0</td>
<td>Vehicle Compliance Testing</td>
<td>51</td>
</tr>
<tr>
<td>3.0</td>
<td>Certificates of Compliance</td>
<td>51</td>
</tr>
<tr>
<td>4.0</td>
<td>Appointment of Testing Stations</td>
<td>52</td>
</tr>
<tr>
<td>5.0</td>
<td>Conditions of Agreement</td>
<td>52</td>
</tr>
<tr>
<td>6.0</td>
<td>Permitted Test Fees</td>
<td>52</td>
</tr>
<tr>
<td>7.0</td>
<td>Termination of Agreement</td>
<td>52</td>
</tr>
<tr>
<td>8.0</td>
<td>Review</td>
<td>52</td>
</tr>
</tbody>
</table>
1.0 Scope

1.1 The aim of the policy is to provide safe, regulated transport and ensure that the drivers provide taxi services while facilitating sustainable taxi industry. The Council, in adopting this licensing policy recognises both the needs of residents and visitors for safe, healthy, convenient and effective taxi transport and the importance of this provision to the local economy and vibrancy of the City.

1.2 This policy describes how the council will regulate the licensed vehicle compliance testing.

1.3 The Council when developing this policy took account of the licensing objectives. These are:

- Public and driver safety and health
- Vehicle safety, comfort and access
- To prevent crime and disorder and to protect consumers
- To encourage environmental sustainability

2.0 Vehicle Compliance Testing

2.1 Prior to the issue of a vehicle licence the Council requires the vehicle to have passed a vehicle test conducted at Council appointed vehicle-testing station.

2.2 The Council will specify the test the vehicles must pass. This is set out in the Council Addendum to Testing.

2.3 Vehicles over 5 years of age licensed as either Hackney Carriages or Private Hire, shall be required to pass a further compliance test, at a Council appointed testing station, within 6 months of the licence being granted to that vehicle. Failure on the part of any vehicle proprietor to comply with this requirement shall render the vehicle licence suspended until such time as the compliance test pass certificate is obtained and provided to the Council.

2.4 Further information on testing intervals is contained in appendix D for Hackney Carriages, appendix E for Private Hire vehicles and appendix F for Private Hire (Special Event) Vehicles in the Conditions of Licence policy.

3.0 Certificates of Compliance

3.1 The Council is permitted by law to issue a certificate of compliance confirming that a vehicle has reached the standard required to pass an MOT test plus additional requirements of the Council concerning safety, comfort and the aesthetics of the vehicle. This can be in place of an MOT certificate and is for testing to ensure compliance with regulations relating to motor vehicles.
3.2 The compliance certificate only relates to a vehicle for a maximum period of 12 months, provided that the vehicle is licensed as a hackney carriage or private hire vehicle during that period.

4.0 Appointment of Testing Station

4.1 The Council may appoint currently registered MOT stations as an Appointed Testing Station who will conduct tests on its behalf.  
4.2 The Council will make an appointment for the period of one year.  
4.3 A fee will be payable on application for testing station status. The fee will reflect the cost of administering the application process and to cover the supply of documentation. There will be a non-returnable assessment fee.

5.0 Conditions of Agreement

5.1 Every garage granted the status of an “Appointed Testing Station” should abide by the conditions of agreement contained within appendix N.

6.0 Permitted Test Fee

6.1 The council will from time to time determine the maximum fee appointed testing stations may charge a vehicle proprietor for presenting the vehicle for test.  
6.2 The fee shall be based on the maximum amount recoverable for the performance of a Department of Transport vehicle class IV MOT inspection, plus an additional fee to cover the other additional testing and assessments required.

7.0 Termination of Agreement

7.1 The Council reserves the right to terminate the registration of an Appointed Testing Station. Should the Council decide to terminate an appointment the Council shall give not less than 28 days notice.

8.0 Review

8.1 The Council will keep the policy statement under constant review and make such revisions to it, as it considers appropriate. Where revisions are made, the Council shall publish a statement of such revisions or a revised licensing policy statement.
Hackney Carriage and Private Hire Vehicle Licensing

Appendices

Plymouth City Council
<table>
<thead>
<tr>
<th>Appendix</th>
<th>List of Appendices</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Guidance on the Relevance of Convictions</td>
<td>53</td>
</tr>
<tr>
<td>B</td>
<td>Conditions of Private Hire Drivers Licence</td>
<td>55</td>
</tr>
<tr>
<td>C</td>
<td>Private Hire (Special Event) Vehicle Conditions of Drivers Licence</td>
<td>57</td>
</tr>
<tr>
<td>D</td>
<td>Hackney Carriages Conditions of Vehicle Licence</td>
<td>59</td>
</tr>
<tr>
<td>E</td>
<td>Private Hire Conditions of Vehicle Licence</td>
<td>63</td>
</tr>
<tr>
<td>F</td>
<td>Private Hire (Special Event) Conditions of Vehicle Licence</td>
<td>67</td>
</tr>
<tr>
<td>G</td>
<td>Private Hire Operators Conditions of Licence</td>
<td>69</td>
</tr>
<tr>
<td>H</td>
<td>Private Hire (Special Event) Vehicle Conditions of Operators Licence</td>
<td>71</td>
</tr>
<tr>
<td>I</td>
<td>Drivers Dress Code</td>
<td>73</td>
</tr>
<tr>
<td>J</td>
<td>Hackney Carriage Advertising Policy</td>
<td>75</td>
</tr>
<tr>
<td>K</td>
<td>Signage Policy for Private Hire Vehicles</td>
<td>77</td>
</tr>
<tr>
<td>L</td>
<td>Hackney Carriage Table of Fares</td>
<td>79</td>
</tr>
<tr>
<td>M</td>
<td>Testing Stations (Hackney Carriage &amp; Private Hire) Conditions of Agreement</td>
<td>81</td>
</tr>
<tr>
<td>N</td>
<td>Hackney Carriage &amp; Private Hire Drivers &amp; Vehicle Offences</td>
<td>83</td>
</tr>
<tr>
<td>P</td>
<td>Specifications for Hackney Carriages</td>
<td>87</td>
</tr>
<tr>
<td>Q</td>
<td>Specifications for Private Hire Vehicles</td>
<td>91</td>
</tr>
<tr>
<td>R</td>
<td>Specifications for Private Hire (Special Event) Vehicles</td>
<td>95</td>
</tr>
</tbody>
</table>
Appendix A

Guidelines on the Relevance of Convictions

Statement of policy regarding the determination by the Council of applications for Hackney Carriage and Private Hire driver licences

1. The Council when fulfilling its statutory obligations will require an applicant to complete a Criminal Records Bureau application form, or supply a certificate of good conduct if a foreign national. The information divulged from this check will be kept confidential and will be used only for the application process and kept no longer than is necessary. The disclosure of a criminal record or other information will not automatically prevent any applicant from obtaining a licence, unless the Council considers the conviction renders the applicant unsuitable. In making its decision the Council will consider the relevance of any offence, the seriousness of the offence, the length of time since the offence occurred and any pattern of offending behaviour.

2. The Council considers the following offences to be relevant offences when considering the suitability of a person to hold or retain a licence:
   - Dishonesty
   - Violence (including Criminal Damage & Sexual Offences)
   - Alcohol Related Offences
   - Public Order Offences
   - Motoring Offences
   - Substance Abuse (which includes the possession or distribution of unlawful substances)
   - Obscene Materials (which includes the retention or distribution of unlawful obscene images/materials on computer or the internet)
   - Discrimination
   - Offences involving Indecency or other offences of a Sexual Nature
   - Contravention of Licensing Laws or Conditions
   - Disqualification from driving a motor vehicle at any time in the five years prior to applying for a licence (the time to run from the expiry of the disqualification)

3. Generally licences will not be granted to people who have convictions involving the taking of life, offences of a sexual related nature or offences involving drugs and those with such offences may be referred to the Licensing Committee (Hackney Carriage) for the matter to be considered.
4. Other convictions will be determined in the following manner:
   If there is an isolated conviction for a relevant offence, the terms of the
   Rehabilitation of Offenders Act 1974 concerning “spent” convictions will be
   considered.

5. If a person has more than one conviction for a relevant offence or a pattern of
   offending behaviour is identified, and there is less than five years since the last
   conviction or caution, then the application shall be determined by the Licensing
   Committee (Hackney Carriage).

   Similarly, if a person has been disqualified from driving at any time in the five
   years prior to making an application for a licence, then the application will be
determined by Members of the Committee.

   Any application may be referred to the Licensing Committee (Hackney Carriage)
at the discretion of the licensing officer.

6. As the grant of a private hire or hackney carriage licence permits the transport
   of members of the public about the city, it follows that driving licence
   endorsements, which include fixed penalties, are highly relevant. Having an
   endorsement upon a licence will not automatically preclude a person from
   obtaining a licence, subject to the following guidance:-

   If a person has two or more endorsements on their driving licence that are less
   than 12 months old from the date of conviction at the time of application, then
   the application shall be determined by Members of the Committee.

7. If a person has cautions, this will not automatically preclude that person from
   obtaining a licence, subject to the following guidance.

   If a person has a caution for a relevant offence and it is less than 12 months old,
   and it is an isolated incident, it shall not prevent that person from obtaining a
   licence.

   If a person has more than one caution for a relevant offence, and they are less
   than 12 months old, then the application shall be determined by Members of the
   Licensing Committee.

   If a person has cautions that are more than 12 months old, they shall not, in
   ordinary circumstances, be considered.

8. Any driver who receives a relevant conviction within their licence period will be
   referred to the Licensing committee (Hackney Carriage) in order that the status
   of their licence may be reviewed. The above guidance will be followed in such
   cases.

   This policy shall have application to all applicants for a licence and existing
   licence holders on or after the effective date, and super-cede any previous
   policy in relation to the relevance of convictions.
Appendix B

Conditions of Private Hire Driver’s Licence
Made by virtue of section 9(2) of the Plymouth City Council Act 1975

1. The licensed driver shall notify the Licensing Unit in writing of any alteration to his/her declared circumstances or material particulars, within 7 days of such alteration, which might affect the accuracy of the information revealed below, that is any: -

   (a) change of address;
   (b) change of office from which he/she operates;
   (c) conviction in a court of law in respect of any Motoring and / or Criminal Offences following the grant of a licence;
   (d) Injury or illness sustained since the grant of a licence that may affect their driving ability.
   (e) The licence holder shall further inform the Council of any motoring fixed penalty endorsements received, in writing within 7 days of receiving the endorsement.

2. Any licensed private hire driver who drives a licensed private hire vehicle for hire and reward other than through or by virtue of his own operators licence, shall deposit the white copy of his private hire drivers licence with the operator for the time being of that vehicle.

3. Every driver of a licensed private hire vehicle shall be required to produce a Medical Certificate duly completed and signed by a registered medical practitioner stating that the licence holder satisfies the medical standards required by the Council, at the following intervals; upon reaching 45 years of age and then every five years until age 65, then annually from age 70.

4. Once a licence holder reaches the age of 70 years, they shall provide the Council with a medical certificate duly signed by a registered medical practitioner stating that they meet the required DVLA Group II medical standard on an annual basis.

5. The driver or proprietor of any private hire vehicle shall, if any property is accidentally left therein by any person who may have been conveyed in the vehicle be found by or handed to him, deposit it with their operator for safekeeping.

6. Every driver of a private hire vehicle shall, when requested by any person hiring or seeking to hire the vehicle;

   (a) afford reasonable assistance in loading and or unloading the belongings of the hirer;
   (b) afford reasonable assistance in removing the belongings to or from the entrance of any house, station or place at which he may take up or set down such person.
7. The driver of a private hire vehicle shall:

(a) 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;
(b) not smoke, or permit smoking in the vehicle at any time.
(c) not without the express consent of the hirer play any radio or sound reproducing equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle;
(d) at no time cause or permit the noise emitted by any radio or sound reproducing equipment in the vehicle which he is driving or in control of, to be the source of annoyance to any person, whether inside or outside the vehicle.
(e) Not operate the vehicle horn for the purpose of signalling to the hirer that the vehicle has arrived.

8. The licensed driver shall wear the drivers badge supplied to him/her in a manner that is plainly visible. Upon the expiry of the private hire drivers licence, the badge shall be returned to the Council forthwith. If the licence is suspended, revoked or renewal is refused, by virtue of Section 19 of the Plymouth City Council Act 1975, then the provisions of that section shall apply. The badge remains the property of the Council at all times.

9. If the licensed driver loses the drivers badge and / or private hire licence, or the vehicle licence plate or licence issued by the Council, then it shall be reported to the police and the licensing unit within 48 hours of the loss.

The licence holder and / or driver is hereby required by virtue of Section 9(2) of the Plymouth City Council Act 1975, to comply with all the conditions of this licence.

These conditions of licence shall have application to all licensed private hire drivers licensed on or after the effective date, and super-cede all previous conditions of licence.
1. The licensed driver shall notify the Licensing Unit **in writing** of any alteration to his/her declared circumstances or material particulars, within 7 days of such alteration, which might effect the accuracy of the information revealed below, that is any:-

   (a) change of address;
   (b) change of office from which he/she operates;
   (c) conviction in a court of law in respect of any Motoring and / or Criminal Offences following the grant of a licence;
   (d) Injury or illness sustained since the grant of a licence that may affect their driving ability.
   (e) The licence holder shall further inform the Council of any motoring fixed penalty endorsements received, in writing within 7 days of receiving the endorsement.

2. Any licensed private hire (special event) driver who drives a licensed private hire (special event) vehicle for hire and reward other than through or by virtue of his own operators licence, shall deposit the white copy of his private hire drivers licence with the operator for the time being of that vehicle.

3. Every driver of a licensed private hire vehicle shall be required to produce a Medical Certificate duly completed and signed by a registered medical practitioner stating that the licence holder satisfies the medical standards required by the Council, at the following intervals; upon reaching 45 years of age and then every five years until age 65, then annually from age 70.

4. Once a licence holder reaches the age of 70 years, they shall provide the Council with a medical certificate duly signed by a registered medical practitioner stating that they meet the required standard on an annual basis.

5. The driver or proprietor of any private hire (special event) vehicle shall, if any property accidentally left therein by any person who may have been conveyed in the vehicle be found by or handed to him, deposit it with their operator for safekeeping.

6. The driver of a private hire (special event) vehicle shall: -

   a. 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;
   b. not smoke, or permit smoking in the vehicle at any time
   c. not without the express consent of the hirer play any radio or sound reproducing equipment in the vehicle;
   d. at no time cause or permit the noise emitted by any radio or sound reproducing equipment in the vehicle which he is driving or in control of, to be the source of nuisance or annoyance to any person, whether inside or outside the vehicle.
Not operate the vehicle horn for the purpose of signalling to the hirer that the vehicle has arrived;

- When carrying out any journey carry with him the hiring agreement for that vehicle and produce that agreement for inspection upon demand by an authorised officer.

7. The licensed driver shall carry on his person at all times the drivers badge supplied to him/her and present it for inspection when requested by an authorised officer or any other person having reason to see it. Upon the expiry of the private hire (special event) drivers licence, the badge shall be returned to the Council forthwith. If the licence is suspended, revoked or renewal is refused, by virtue of Section 19 of the Plymouth City Council Act 1975, then the provisions of that section shall apply. The badge remains the property of the Council at all times.

8. If the licensed driver loses the drivers badge and / or private hire (special event) driver licence, or the vehicle licence plate or licence issued by the Council, then it shall be reported to the police and the licensing unit within 48 hours of the loss.

9. A private hire (special event) driver licence shall be restricted to entitle the holder to drive private hire (special event) vehicles only, unless that driver satisfies the Council that the pre-requisites for obtaining an unrestricted private hire driver licence have been met.

The licence holder and / or driver is hereby required by virtue of Section 9(2) of the Plymouth City Council Act 1975, to comply with all the conditions of this licence.

These conditions of licence shall have application to all licensed private hire drivers licensed on or after the effective date, and super-cede all previous conditions of licence.
Appendix D

Hackney Carriage Conditions of Vehicle Licence

Made by virtue of section 4(1) of the Plymouth City Council Act 1975

1. The vehicle shall only be licensed by Plymouth City Council and shall comply with all the requirements contained within the Council’s “Specifications for Hackney Carriage Vehicles”, a copy of which has been supplied, and the “Addendum to testing”.

2. The vehicle shall at all times bear the plate, such other signs issued by the Council. Such plate and signs shall be affixed to the vehicle in the prescribed positions and shall be kept visible and un-obscured, viz:

   **Rear External Plate:** - Shall be displayed on the rear of the vehicle but in such a position so as not to obscure the number plate. The plate shall be affixed using a suitable bracket supplied for that purpose.

   **Front External Plate:** - Shall be affixed either to the grill or bumper to the front of the vehicle in such a position so as not to obscure the number plate. The plate shall be affixed using a suitable bracket supplied for that purpose.

   **Internal Plate:** - shall be affixed within the passenger compartment in such a position so as to make it easily seen by passengers.

   **Internal Driver ID:** - Shall be affixed on the bulkhead screen of the vehicle in the pouch supplied for that purpose, and shall be is such a position so as to make it easily seen by passengers.

   The licensed vehicle shall display all required signs and plates at all times during the duration of the licence period saving for the exceptions contained within the Plymouth City Council Act 1975.

   Failure to comply with this clause without reasonable excuse is an offence.

3. The licence plate referred to in these conditions shall remain the property of the Council at all times. If the vehicle licence expires the plate must be returned to the Council immediately. If the licence is suspended, revoked or renewal has been refused, by virtue of Section 18 of the Plymouth City Council Act 1975, then the provisions of that section shall apply.

4. A certificate of insurance or copy shall be carried in the vehicle at all times and be subject to inspection by an authorised officer. A vehicle proprietor having more than one vehicle covered on the certificate of insurance, shall produce the schedule of insurance on request, and prior to the licence being issued to any vehicle. Such schedule will have thereon the registration numbers of those vehicles so insured under that policy.

5. The vehicle shall at all times bear a roof sign displaying the word “Taxi”, the roof sign shall be linked with the taximeter, so that when the meter is running, the roof sign is not illuminated.
6. Only advertising material of a type, which complies with the councils advertising policy may be displayed on a licensed vehicle. Such material shall be displayed only in such a manner and position as may be approved by the Council, and subject to the requirements of the “Hackney Carriage Advertising Policy”.

7. All vehicles to be licensed as hackney carriage vehicles shall undergo vehicle compliance testing at a Council appointed testing station(s). All vehicles shall be licensed for a period of 12 months, subject to vehicles meeting the standards of the compliance test at the intervals provided herewith:-(the age of the vehicle is taken from the date of first registration with DVLA or if imported the declared date of production)

Vehicles being under 5 years of age will be tested annually from the date of licence issue.
Vehicles being over 5 years of age will be tested every 6 months from the date of licence issue.

Should a vehicle fail to pass an inspection, on any one or more items which are considered by the testing mechanic or other authorised officer to affect the safety of the vehicle, or persons travelling therein, then the licence shall be suspended until such time as the vehicle passes the compliance test, by virtue of the provisions in section 18 of the Plymouth City Council Act 1975 to which there is a right of appeal.

If a compliance test is not carried out and the vehicle pass within 28 days of the date of the 6 month compliance test then the matter will be referred to the Licensing Committee who will consider the revocation or suspension of the vehicle licence for breach of licence conditions. It is the vehicle proprietor’s responsibility to ensure that these inspections are carried out as and when required.

8. Any authorised officer may detain for inspection any licensed vehicle at any time to ensure its fitness for use as a hackney carriage, and / or examine the documentation of the driver of that vehicle, in the interests of public safety. The driver of the vehicle shall remain with the vehicle during inspection and shall not proceed until the authorised officer has given approval. Due consideration shall be given to any vehicle carrying fare paying passengers. Should the officer not be satisfied as to the fitness of the vehicle for use as a licensed vehicle, then the vehicle licence shall be immediately suspended by virtue of section 26 of the Plymouth City Council Act 1975, and the provisions of that section shall apply.

9. No vehicle shall carry more passengers than those permitted on its licence. No vehicle shall carry any child, unless the child is suitably restrained as required by the Motor Vehicles (Wearing of Seat Belts by Children)(Amendment) Regulations 2006.

10. No vehicle licence shall be issued to or held by any person under the age of 18 years.

11. No animals other than those owned by bona-fide fare paying passengers shall be carried in or on any licensed vehicle whilst the vehicle is so engaged under the terms of its licence.

12. If the holder of this licence holds no other hackney carriage vehicle licence issued by the Council he shall within 14 days of the issue of this licence furnish the Council with a list of the names and addresses of all persons employed or otherwise engaged by him
for the purpose of driving the vehicle, and shall inform the Council of any change in such list within 14 days thereof.

13. If the holder of this licence holds any other hackney carriage vehicle licence issued by the Council, and operates such licensed vehicles as a fleet and employs or otherwise engages a number of licensed hackney carriage drivers for the purposes of driving any of those vehicles he shall:

- supply a list of the names and addresses of such drivers within 14 days of the issue of the licence;
- inform the Council of any change in such list within 14 days thereof;
- maintain a record of the periods for which a particular licensed driver drives a licensed hackney carriage and on demand produce such record to any constable or duly authorised officer of the Council;
- obtain and hold for the period of employment or engagement the top copy of every such driver’s licence and record thereon the overall period or periods of employment or engagement.

14. The proprietor must inform the licensing unit within 72 hours if any licensed hackney carriage has been involved in an accident or sustained damage. Allowances shall be made for such events occurring over a bank holiday period, or the driver sustaining injuries that prevent him/her from complying. A licensing officer may then examine the vehicle, and if the damage warrants it, the vehicle licence shall be suspended until such time as repairs are completed.

15. No fittings, devices or lights may be attached to the exterior or carried upon the inside of the vehicle which are not part of the original manufacturers construction or manufacturers retro parts, which could injure or harm any passenger or other person either inside or outside of the vehicle. No lights or other fittings shall be permitted on the vehicle that would obscure any licence plates or obscure the drivers or passengers view out of the vehicle.

16. All tyres and wheels (including the spare) must meet the legal requirements as to suitability for use on the vehicle. Tyres must have a minimum tread depth as required by law. They must be kept in good order and at the correct pressures. A wheel brace and car jack to enable the effective change of tyre and wheel must be carried. The tyre must be of such a size so as to ensure the correct operation of the fare meter. If a vehicle is equipped with a space saver spare tyre, it may only be used to get the vehicle to a location for the tyre to be changed for a full sized tyre. It is not permitted to carry passengers using a space saver tyre.

17. The vehicle including all fittings must be well maintained and kept clean, both inside and outside the vehicle.

The licence holder and / or driver is hereby required by virtue of Section 4(1) of the Plymouth City Council Act 1975, to comply with all the conditions of this licence. Any person who without reasonable excuse, fails to comply, shall be guilty of an offence.

These conditions of licence shall have application to all licensed vehicles, licensed on or after the effective date and super-cede all previous conditions of licence relating to hackney carriages.
Appendix E

Private Hire Conditions of Vehicle Licence
Made by virtue of section 5(2) of the Plymouth City Council Act 1975

1. The vehicle shall only be licensed by Plymouth City Council and shall comply with all the requirements contained within the Council’s “Specifications for Private Hire Vehicles”, a copy of which has been supplied, and the “Addendum to testing”.

2. Subject to the exceptions contained in Section 35(4) of the Plymouth City Council Act 1975, the vehicle shall at all times bear the plate, door signs and such other signs issued by the Council. Such plate and signs shall be affixed to the vehicle in the prescribed positions and shall be kept visible and un-obscured, viz -

   **Rear External Plate:** - Shall be displayed on the rear of the vehicle but in such a position so as not to obscure the number plate. The plate shall be affixed using a suitable bracket supplied for that purpose.

   **Front External Plate:** - Shall be affixed either to the grill or bumper to the front of the vehicle in such a position so as not to obscure the number plate. The plate shall be affixed using a suitable bracket supplied for that purpose.

   **Internal Driver ID:** - Shall be affixed on the passengers side dashboard of the vehicle in the pouch supplied for that purpose, and shall be in such a position so as to make it easily seen by passengers.

   **External Door Stickers:** - Shall be affixed directly to the vehicle so as to provide a sufficient degree of permanence and to prevent unauthorised removal from the vehicle, and shall not be affixed by means of magnets or any other intermediate method.

The licensed vehicle shall display all required signs and plates at all times during the duration of the licence period saving for the exceptions contained within the Plymouth City Council Act 1975.

Failure to comply with this clause without reasonable excuse is an offence by virtue of S.5(6)(a) of the Plymouth City Council Act 1975.

3. The licence plate referred to in these conditions shall remain the property of the Council at all times. If the vehicle licence expires the plate must be returned to the Council immediately. If the licence is suspended, revoked or renewal has been refused, by virtue of Section 18 of the Plymouth City Council Act 1975, then the provisions of that section shall apply.

4. A certificate of insurance or copy shall be carried in the private hire vehicle at all times and be subject to inspection by an authorised officer. A vehicle proprietor having more than one vehicle covered on the certificate of insurance, shall produce the schedule of insurance on request, and prior to the licence being issued to any vehicle. Such schedule will have thereon the registration numbers of those vehicles so insured under that policy.

5. The vehicle may bear a roof sign of a design approved by the Council.
6. Private Hire vehicles may advertise in the locations provided for in the “Advertising Policy for Private Hire Vehicles”, and subject to the controls and regulations in that policy.

7. All vehicles to be licensed as private hire vehicles shall undergo vehicle compliance testing at Council approved testing stations. All vehicles shall be licensed for a period of 12 months, subject to vehicles meeting the standards of the compliance test at the intervals provided herewith: -(the age of the vehicle is taken from the date of first registration with DVLA or if imported the date of declared manufacture)

Vehicles being under 5 years of age will be tested annually, from the date of licence issue.
Vehicles being over 5 years of age will be tested every 6 months from the date of licence issue.

Should a vehicle fail to pass an inspection, on any one or more items which are considered by the testing mechanic or other authorised officer to affect the safety of the vehicle, or persons travelling therein, then the licence shall be suspended until such time as the vehicle passes the compliance test, by virtue of the provisions in section 18 of the Plymouth City Council Act 1975 to which there is a right of appeal.

If a compliance test is not carried out and the vehicle pass within 28 days of the date of the 6 month compliance test then the matter will be referred to the Licensing Committee who will consider the revocation or suspension of the vehicle licence for breach of licence conditions. It is the vehicle proprietor’s responsibility to ensure that these inspections are carried out as and when required.

8. Any authorised officer may detain for inspection any licensed vehicle at any time to ensure its fitness for use as a private hire vehicle, and / or examine the documentation of the driver of that vehicle, in the interests of public safety. The driver of the vehicle shall remain with the vehicle during inspection and shall not proceed until the authorised officer has given approval. Due consideration shall be given to any vehicle carrying fare paying passengers.

Should the officer not be satisfied as to the fitness of the vehicle for use as a licensed vehicle, then the vehicle licence shall be immediately suspended by virtue of section 26 of the Plymouth City Council Act 1975, and the provisions of that section shall apply.

9. No vehicle shall carry more passengers than those permitted on its licence. No vehicle shall carry any child, unless the child is suitably restrained as required by the Motor Vehicles (Wearing of Seat Belts by Children)(Amendment) Regulations 2006.

10. No vehicle licence shall be issued to or held by any person under the age of 18 years.

11. No animals other than those owned by bona-fide fare paying passengers shall be carried in or on any licensed vehicle whilst the vehicle is so engaged under the terms of its licence.

12. If the holder of this licence holds no other private hire vehicle licence issued by the Council he shall within 14 days of the issue of this licence furnish the Council with a list of the names and addresses of all persons employed or otherwise engaged by him for the purpose of driving the vehicle, and shall inform the Council of any change in such list within 14 days thereof.
13. If the holder of this licence holds any other private hire vehicle licence issued by the Council, and operates such licensed vehicles as a fleet and employs or otherwise engages a number of licensed private hire drivers for the purposes of driving any of those vehicles he shall:-

a. supply a list of the names and addresses of such drivers within 14 days of the issue of the licence;

b. inform the Council of any change in such list within 14 days thereof;

c. maintain a record of the periods for which a particular licensed driver drives a licensed private hire vehicle and on demand produce such record to any constable or duly authorised officer of the Council;

14. The proprietor must inform the licensing unit within 72 hours if any licensed private hire vehicle has been involved in an accident or sustained damage. Allowances shall be made for such events occurring over a bank holiday period, or the driver sustaining injuries, which prevent him/her from complying. An authorised officer may then examine the vehicle, and if the damage warrants it, the vehicle licence shall be suspended until such time as repairs are completed.

15. No fittings, devices or lights may be attached to the exterior or carried upon the inside of the vehicle which are not part of the original manufacturers construction or manufacturers retro parts, which could injure or harm any passenger or other person either inside or outside of the vehicle. No lights or other fittings shall be permitted on the vehicle that would obscure any licence plates or obscure the drivers or passengers view out of the vehicle.

16. All tyres and wheels (including the spare) must meet the legal requirements as to suitability for use on the vehicle. Tyres must have a minimum tread depth as required by law. They must be kept in good order and at the correct pressures. A wheel brace and car jack to enable the effective change of tyre and wheel must be carried. If a vehicle is equipped with a space saver spare tyre, it may only be used to get the vehicle to a location for the tyre to be changed for a full sized tyre. It is not permitted to carry passengers using a space saver tyre.

17. The vehicle including all fittings must be well maintained and kept clean, both inside and outside the vehicle.

The operator is hereby required by virtue of Section 5(a) of the Plymouth City Council Acts 1975 / 87, to comply with all the conditions of this licence. Any person who without reasonable excuse, fails to comply, shall be guilty of an offence.

These conditions of licence shall have application to all licensed vehicles, licensed on or after the effective date and super-cede all previous conditions of licence relating to private hire vehicles.
Appendix F

Private Hire (Special Event) Conditions of Vehicle Licence

Made by virtue of section 5(1)(a) of the Plymouth City Council Act 1975

1. The vehicle shall only be licensed by Plymouth City Council and shall comply with the requirements contained within the “Private Hire (Special Event) Vehicle Specifications”, relating to that type of vehicle, and the “Vehicle Testing Addendum”.

2. Subject to the exceptions contained in Section 35(4) of the Plymouth City Council Act 1975, the vehicle shall at all times bear the licence plate/disc issued by the Council in the front windscreen and shall be kept visible and un-obscured. The Council has the discretion to accept alternative methods of display, and each case can be judged on its merits.

3. The licence plate referred to in these conditions shall remain the property of the Council at all times. If the vehicle licence is suspended, revoked or expires the plate must be returned to the Council immediately.

4. A certificate of insurance or copy shall be carried in the vehicle at all times and be subject to inspection by an authorised officer.

5. Any special event vehicle is not permitted to display any form of roof sign. The only exception to this condition is special event vehicles being of ex emergency service types, which may display decommissioned lights etc. No light or sign should be capable of confusing any person to believe that the vehicle is an emergency services vehicle. All two-tone horns or other audible warning instruments of an emergency type must be decommissioned.

6. No form of advertising shall be permitted on or in any part of the vehicle, which does not advertise the company supplying the vehicle.

7. All vehicles licensed as Private Hire (Special Event) vehicles shall undergo compliance testing at a Council appointed testing station capable of performing the test on the class of vehicle being presented. All vehicles shall be licensed for a period of 12 months subject to the vehicle meeting the standards required in the compliance test at intervals no greater than 4 months from the date of licence issue, and every 4 months thereafter.

If a compliance test is not carried out and the vehicle pass within 28 days of the date of the 4 month compliance test then the matter will be referred to the Licensing Committee who will consider the revocation or suspension of the vehicle licence for breach of licence conditions. It is the vehicle proprietor’s responsibility to ensure that these inspections are carried out as and when required.

Should a vehicle fail to pass an inspection, on any one or more items which are considered by the testing mechanic or other authorised officer to affect the safety of the vehicle, or persons travelling therein, then the licence shall be suspended until such time as the vehicle passes the compliance test, by virtue of the provisions in section 18 of the Plymouth City Council Act 1975, to which there is a right of appeal.
8. Any authorised officer may detain for inspection any licensed vehicle at any time to ensure its fitness for use as a Private Hire (Special Event) vehicle, and / or examine the documentation of the driver of that vehicle, in the interests of public safety. The driver of the vehicle shall remain with the vehicle during the inspection and shall not proceed until the authorised officer has given approval. Due consideration shall be given to any vehicle carrying fare paying passengers. Should the officer not be satisfied as to the fitness of the vehicle for use as a licensed vehicle, then the vehicle licence shall be immediately suspended by virtue of section 26 of the Plymouth City Council Act 1975, and the provisions of that section shall apply.

9. No vehicle shall carry more passengers than those permitted on its licence. No vehicle shall carry any child, unless the child is suitably restrained as required by the Motor Vehicles (Wearing of Seat Belts by Children)(Amendment) Regulations 2006.

10. No vehicle licence shall be issued or held by any person under the age of 18 years.

11. The holder of this licence shall inform the Council in writing of any change of address of the licensee within 7 days of that change.

12. The proprietor must inform the Council within 72 hours if any Private Hire (Special Event) vehicle has been involved in an accident or sustained damage. Allowances shall be made for such events occurring over a bank holiday period, or the licence holder sustaining injuries, which prevent this condition from being complied with. They vehicle may then be examined by an authorised officer, and if the damage warrants it, the vehicle licence shall be suspended until such time as repairs are completed.

13. No fittings, devices or lights may be attached to the exterior of the vehicle, which were not part of the manufacturers original construction or fitted at the time of conversion.

14. All tyres and wheels (including the spare) must meet the legal requirements as to suitability for use on the vehicle. Tyres must have a minimum tread depth as required by law. They must be kept in good order and at the correct pressures. A wheel brace and car jack to enable the effective change of tyre and wheel must be carried, or a contract with a professional company to replace the tyre at the roadside must be in being.

15. The vehicle including all fittings must be well maintained and kept clean, both inside and outside the vehicle.

16. Any drinks glasses to be non-breakable or strengthened (polycarbonated or shatterproof). No glass bottles to be allowed in the vehicle unless they are in champagne buckets or secure side pockets.

17. That where alcohol is sold or supplied, the relevant licences must be in place in accordance with the Licensing Act 2003.

The licence holder and / or driver is hereby required by virtue of Section 5(a) of the Plymouth City Council Acts 1975 / 87, to comply with all the conditions of this licence. Any person who without reasonable excuse, fails to comply, shall be guilty of an offence.

These conditions of licence shall have application to all licensed vehicles, licensed on or after the effective date and super-cede all previous conditions of licence relating to private hire vehicles.
Appendix G

Private Hire Operators Conditions of Licence
Made by virtue of section 13(3) of the Plymouth City Council Act 1975

1. The operator shall at all times keep a record in a form approved by the Council in which there shall be recorded the registration number and private hire licence number of each private hire vehicle operated by him together with the name, address and private hire driver's licence number of every driver of such vehicle. Such record shall be submitted to the Council Licensing Section on a monthly basis, and shall reach the Council by the seventh day of the month following the month to which the record relates.

2. The operator shall at all times keep a record of bookings in a form approved by the Council in which there shall be recorded prior to the commencement of each journey undertaken by a private hire vehicle operated by him, details of the date, time and source of the booking, the name of the hirer, the place of commencement of the journey and destination, and the name and registration number of the driver and vehicle respectively undertaking the journey. All such records must be legible and retained for a period of not less than 12 months from the date of the commencement of the journey.

3. The operator shall obtain from every licensed driver employed or otherwise engaged by him, a copy of that driver's licence, and shall retain it for the period of such employment or engagement and shall record thereon the overall period or periods for which such employment or engagement continues. At the termination of the period of employment or engagement, either by the Operator or licensed driver, the copy of that drivers licence shall be returned to the driver. The copy of that driver licence shall also be returned to the Council Licensing Section should a request be received from the Council requiring the same. The operator shall further obtain from the licensed driver a copy of the motor insurance relating to the vehicle being used by the driver for the purposes of private hire, and record the validity dates of that insurance, and take all reasonable precautions to ensure continuity of cover.

4. The operator shall supply to the Licensing Section the following information with regard to complaints received by that operator in relation to the provision of private hire services supplied. The name and address of the complainant, date and time of the incident that gave rise to the complaint, the nature of the complaint, the driver and/or vehicle to which the complaint relates, and if the complaint has been resolved by the operator. The notification of complaints shall be forwarded on a monthly basis, to be received by the Council by the seventh day of the month following the month to which the complaint relates.

5. The Operator shall ensure that the vehicle is in attendance at the appointed time and place unless delayed or prevented by some reasonable cause.

6. If provision is made by the operator for the reception of members of the public adequate arrangements shall be made for the seating of customers within the premises.

7. The licensed operator must obtain adequate public liability insurance, should the public have access to the operators premises, indemnifying the operator against any claim for loss, damage or personal injury by any person using those premises.
8. Access to the premises shall be allowed to any authorised officer or constable, during
the business hours of the appropriate operator, for the furtherance of his duties of
inspection and/or enforcement. And all such records as aforementioned shall be made
available for inspection without hindrance to the officer or constable upon demand.

N.B YOUR ATTENTION IS DRAWN TO VARIOUS PROVISIONS CONTAINED IN THE
PLYMOUTH CITY COUNCIL ACT 1975, WHICH YOU ARE ADVISED TO OBTAIN AND READ
CAREFULLY.
Appendix H

Private Hire (Special Event) Vehicle Conditions of Operators Licence
Made by virtue of section 13(3) of the Plymouth City Council Act 1975

1. The operator shall at all times keep a record in a form approved by the Council in which there shall be recorded the registration number and Private Hire (Special Event) licence number of each private hire vehicle operated by him together with the name, address and Private Hire (Special Event) driver’s licence number of every driver of such vehicle. Such record shall be submitted to the Council Licensing Section on a monthly basis, and shall reach the Council by the seventh day of the month following the month to which the record relates.

2. The operator shall at all times keep a record of bookings in a form approved by the Council in which there shall be recorded prior to the commencement of each journey undertaken by a Private Hire (Special Event) vehicle operated by him, details of the date, time and source of the booking, the name of the hirer, the place of commencement of the journey and the name and registration number of the driver and vehicle respectively undertaking the journey. All such records must be legible and retained for a period of not less than 12 months from the date of the commencement of the journey.

3. The operator shall obtain from every licensed driver employed or otherwise engaged by him, a copy of that driver’s licence, and shall retain it for the period of such employment or engagement and shall record thereon the overall period or periods for which such employment or engagement continues. At the termination of the period of employment or engagement, either by the Operator or licensed driver, the copy of that drivers licence shall be returned to the driver. The copy of that driver licence shall also be returned to the Council Licensing Section should a request be received from the Council requiring the same. The operator shall further obtain from the licensed driver a copy of the motor insurance relating to the vehicle being used by the driver for the purposes of private hire, and record the validity dates of that insurance, and take all reasonable precautions to ensure continuity of cover.

4. The operator shall supply to the Licensing Section the following information with regard to complaints received by that operator in relation to the provision of private hire services supplied. The name and address of the complainant, date and time of the incident that gave rise to the complaint, the nature of the complaint, the driver and/or vehicle to which the complaint relates, and if the complaint has been resolved by the operator. The notification of complaints shall be forwarded on a monthly basis, to be received by the Council by the seventh day of the month following the month to which the complaint relates.

5. The Operator shall ensure that the vehicle is in attendance at the appointed time and place unless delayed or prevented by some sufficient cause.

6. If provision is made by the operator for the reception of members of the public adequate arrangements shall be made for the seating of customers within the premises.
7. Access to the premises shall be allowed to any authorised officer or constable, during
the business hours of the appropriate operator, for the furtherance of his duties of
inspection and/or enforcement. And all such records as aforementioned shall be made
available for inspection without hindrance to the officer or constable upon demand.

8. Adequate public liability insurance must be obtained by the licensed operator, should
the public have access to the operators premises, indemnifying the operator against
any claim for loss, damage or personal injury by any person using those premises.

9. An operator shall ensure that he is in possession of all relevant licences for the sale or
supply of alcohol if sale or supply of alcohol is to take place during the vehicle period of
hire. No alcohol of any description shall be supplied to any person under the age of 18
years.
Appendix I

Drivers Dress Code

The purpose of a driver’s dress code is to seek a standard of dress that portrays a positive image of the City of Plymouth, to enhance a professional image of drivers licensed by the Council and to ensure that public and driver safety is not compromised.

The dress code is not a condition of licence and will not be enforced as such, however the Council expects that drivers will comply with the requirements.

Acceptable Standards of Dress

Tops

- Shirts, blouses, T-shirts, or sweat top should cover the shoulders and be capable of being worn inside trousers or shorts.
- Shirts or blouses may be worn with a tie or open necked.

Trousers/Shorts/Skirts

- Trousers may be either full length or shorts
- Shorts shall be tailored
- Trousers/Shorts or Skirts shall be of material of one colour

Footwear

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

Unacceptable Standards of Dress

The following are deemed unacceptable

- Clothing not being kept in a clean condition and 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.
Appendix J

Hackney Carriage Advertising Policy

This policy supercedes all previous policies and or minutes relating to the provision of advertising on hackney carriages.

Permitted Sites for Advertisements

1. Advertisements may be permitted on any external body panel of the vehicle so long as, in the opinion of the Council they do not have the potential under any circumstances to distract the driver or other road users.

2. Advertisements may be displayed on the occasional (tip up) seats of any vehicle.

3. An advertisement of one subject matter from one advertiser, may be permitted on driver/passenger bulkhead, but must not obscure the passenger’s view of the meter.

Sites Where Advertisements are not Permitted

4. No advertisement shall be permitted in any front windscreen of the vehicle, excepting such permits or permissions or other form of identity required by a condition of licence.

5. No signage or advertisement shall be permitted in any window of the vehicle, unless the sign is informing passengers not to smoke, eat or drink, or advising of a driver exemption.

6. No signage or advertisement on any window or screen shall obscure or restrict the vision of the driver or passenger.

7. No signage or advertisement may hinder or obscure or otherwise prevent the vehicle registration number, vehicle lamps or Council licence plate from being readily seen.

Content of Advertisements

8. All advertisements must comply with the requirements of the Advertising Standards Agency. The Council will not permit advertisements or signs of a pornographic, obscene, offensive or political nature to be displayed on any part of the vehicle. Advertising should not conflict with the licensing objectives.
Appendix K

Signage Policy for Private Hire Vehicles

Permitted Sites for Advertisements

1. Advertisements may be permitted on external body panels of the vehicle excluding the front doors, so long as, in the opinion of the Council, they do not have the potential under any circumstances to distract the driver or other road users.

2. A private hire car may display the operators company name, telephone number and/or web site address on any body panel of the vehicle, excluding the front doors, which must only display the Council licence door stickers.

3. Advertising will only be permitted where there are clear and prominent indications, that are visible when viewed from the front, rear and either side of the vehicle that make it clear to any person, that the vehicle is not available for immediate hire.

Sites where Signage and Advertising is Not Permitted

4. No signage or advertising shall be permitted in any front windscreen of the vehicle, except such permits or permissions or other form of identity required by a condition of licence.

5. No signage or advertising shall be permitted in any window of the vehicle, unless the sign is informing passengers not to smoke, eat or drink, or advising of a driver exemption.

6. No signage or advertisement shall on any window or screen obscure or restrict the vision of the driver or passenger.

7. No signage or advertisement must hinder or obscure or otherwise prevent the vehicle registration number, vehicle lamps or Council licence plate from being readily seen.

Content of Advertisements

8. All advertisements must comply with the requirements of the Advertising Standards Agency. The Council will not permit advertisements or signs of a pornographic, obscene, offensive or political nature to be displayed on any part of the vehicle. Advertising should not conflict with the licensing objectives.
# Appendix L

## Hackney Carriage Table of Fares

Made by virtue of section 23 of the Plymouth City Council Act 1975

To be amended as and when a new Table of Fares comes into operation under s23 Plymouth City Council Act 1975

Hackney Carriage Table of Fares

Plymouth City Council Act 1975

Current Table of Fares is available on this web page
1. The tester shall test hackney carriages and private hire vehicles to ensure that they comply with the relevant vehicle specifications and the Addendum to Testers Manual for vehicles subject to Class IV Testing. Private hire vehicles of a special event type (e.g. stretched limousine, decommissioned emergency service vehicle) shall be tested to the appropriate MOT class for that type of vehicle, provided the tester has the facilities to enable those vehicles to be correctly tested.

2. The specifications with which the vehicles are required to comply may from time to time be varied by the Council provided that the Council shall give not less than one months notice in writing of such variation.

3. The testing of hackney carriages and private hire vehicles shall be carried out by the Tester and the Tester’s premises shall comply in all respects with the latest requirements laid down from time to time by the Secretary of State for Transport in respect of the premises used for M.O.T. tests.

4. The Tester shall provide at the Tester’s premises a testing bay for the testing of hackney carriages and private hire vehicles under this agreement.

5. The testing bays provided in accordance with condition 4 shall be kept in a clean and tidy state and condition in accordance with the current requirements of the Secretary of State for Transport.

6. The Tester shall take out suitable public liability indemnity insurance from the date of this agreement (and maintain such insurance for a period of 6 years following the termination of this agreement) with an indemnity limit of not less that £5 million for each occurrence or each series of occurrences arising from a single event and shall produce to the Council on demand copies of the policy and schedule for inspection.

7. The tester will comply with all statutes, orders, regulations and other relevant legislation governing the business of the station.

8. The tester will comply with all Health and Safety legislation affecting the business of the station and will indemnity the Council against all actions, proceedings, claims, demands, loss or other liability, which may be incurred by the Council as a result of any breach of the provisions of this clause by the tester.

9. The Tester shall not at any time carry out any work of improvement or repair to any vehicle which may be tested under this agreement or which has been
tested under this agreement, neither shall the Tester engage in the sale of
spare parts for any vehicle which either is or has been licensed by the Council
as a hackney carriage or private hire vehicle.

10. The Tester shall permit a Licensing Officer of the Council, and any person
accompanying the officer, to visit and inspect the Tester’s premises provided
that any person visiting the Tester’s premises under this condition shall comply
with all reasonable directions given by the Tester or any duly authorised
person acting on behalf of the Tester during the course of such visit.

11. The applicant shall be responsible for booking vehicle tests and shall deliver
information relating to result of tests to the vehicle proprietor together with the
appropriate pass/failure certificate.

12. The Tester shall supply the person presenting the hackney carriage or private
hire vehicle for test with the appropriate pass/failure certificate and inspection
report sheet.

13. The Tester shall by monthly return inform the licensing officer of all vehicles
presented for test. The return should include the vehicle licence plate number
whether the vehicle passed or failed, and if failed the inspection report should
accompany the return. The returns to be submitted to the Licensing Section by
the 7th day of the month following the month in which the report refers. A form
will be supplied by the Licensing Section for this purpose.

14. The Tester shall comply with all reasonable directions given by the Council in
respect of tests to be carried out under this agreement and shall, in particular,
remove the Licence plate from any vehicle which fails the test and return to
the Licensing Office of Plymouth City Council.

15. The Tester shall provide or have access to a suitable an area accurately
marked at the distances determined by the hackney carriage table of fares for
the testing of any fare calculating device fitted within the vehicle to be tested.
Such measured area should be located on a road or other place that is
suitably straight to ensure consistency of testing.
The distance required for testing the accuracy of any taximeter fitted to a
Hackney Carriage is one mile.

This policy shall have application to all applicants for a licence and existing
licence holders on or after the effective date, and supercede any previous
policy in relation to the testing conditions.
Appendix N

Hackney Carriage and Private Hire Driver and Vehicle Offences

Introduction

Two statutes principally create offences relating to Hackney Carriage and Private Hire vehicles and drivers, these are:

- Town Police Clauses Act 1847 (referred to as the 1847 Act)
- Plymouth City Council Act 1975 / 87

The offences are set out below. Those in section A and B relate to Hackney Carriages and are contrary to the 1847 Act, and Plymouth City Council Act 1975 / 87. Those in the section C are contrary to the Plymouth City Council Act 1975 / 87, and relate to Private Hire.

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

<table>
<thead>
<tr>
<th>Level</th>
<th>Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 1</td>
<td>£200</td>
</tr>
<tr>
<td>Level 2</td>
<td>£500</td>
</tr>
<tr>
<td>Level 3</td>
<td>£1,000</td>
</tr>
<tr>
<td>Level 4</td>
<td>£2,500</td>
</tr>
</tbody>
</table>

A  Town Police Clauses Act 1847

<table>
<thead>
<tr>
<th>Section</th>
<th>Offence</th>
<th>Maximum Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>40</td>
<td>Giving false information on application for HC proprietor’s licence.</td>
<td>Level 1</td>
</tr>
<tr>
<td>44</td>
<td>Failure to notify change of address of HC proprietor.</td>
<td>Level 1</td>
</tr>
<tr>
<td>45</td>
<td>Plying for hire without HC proprietor’s licence.</td>
<td>Level 4</td>
</tr>
<tr>
<td>47</td>
<td>Driving a HC without a HC driver’s licence.</td>
<td>Level 3</td>
</tr>
<tr>
<td>47</td>
<td>Lending or parting with HC driver’s licence.</td>
<td>Level 3</td>
</tr>
<tr>
<td>47</td>
<td>HC proprietor employing unlicensed driver.</td>
<td>Level 3</td>
</tr>
<tr>
<td>48</td>
<td>Failure by HC proprietor to hold HC driver’s licence.</td>
<td>Level 1</td>
</tr>
<tr>
<td>48</td>
<td>Failure by HC proprietor to produce HC driver’s licence.</td>
<td>Level 1</td>
</tr>
<tr>
<td>52</td>
<td>Failure to display HC plate.</td>
<td>Level 1</td>
</tr>
<tr>
<td>53</td>
<td>Driver refusing to take passenger.</td>
<td>Level 2</td>
</tr>
<tr>
<td>54</td>
<td>Charging more than the agreed fare.</td>
<td>Level 1</td>
</tr>
<tr>
<td>55</td>
<td>Obtaining more than the legal fare.</td>
<td>Level 3 and 1 month’s imprisonment until the excess is refunded.</td>
</tr>
<tr>
<td>56</td>
<td>Travelling less than the lawful distance for an agreed fare.</td>
<td>Level 1</td>
</tr>
<tr>
<td>Section</td>
<td>Offence</td>
<td>Maximum penalty</td>
</tr>
<tr>
<td>---------</td>
<td>-------------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>4(3)</td>
<td>Proprietor of HC contravening HC vehicle licence conditions</td>
<td>Level 3</td>
</tr>
<tr>
<td>7</td>
<td>HC proprietor failing to notify transfer of vehicle</td>
<td>Level 3</td>
</tr>
<tr>
<td>8(1)</td>
<td>Proprietor of HC failing to present HC for inspection as required.</td>
<td>Level 3</td>
</tr>
<tr>
<td>8(2)</td>
<td>Proprietor of HC failing to notify the Council of where the HC is stored, if requested.</td>
<td>Level 3</td>
</tr>
<tr>
<td>8(3)</td>
<td>Proprietor of HC failing to report an accident to the Council.</td>
<td>Level 3</td>
</tr>
<tr>
<td>8(4)</td>
<td>Proprietor of HC failing to produce the vehicle licence for inspection upon request.</td>
<td>Level 3</td>
</tr>
<tr>
<td>11(3)</td>
<td>Driver of HC failing to produce his driver’s licence for inspection upon request.</td>
<td>Level 3</td>
</tr>
<tr>
<td>15</td>
<td>Making a false statement or withholding information to obtain a HC driver or vehicle licence.</td>
<td>Level 3</td>
</tr>
<tr>
<td>16(2)</td>
<td>Failure to return a plate after notice given following expiry, revocation or suspension of a HC proprietor’s licence.</td>
<td>Level 3</td>
</tr>
<tr>
<td>19(2)</td>
<td>Failure to surrender a driver’s badge after suspension, revocation or refusal to renew licence.</td>
<td>Level 3</td>
</tr>
<tr>
<td>22</td>
<td>Causing or permitting a vehicle other than a HC to wait on a HC stand</td>
<td>Level 3</td>
</tr>
<tr>
<td>24</td>
<td>Charging more than the meter fare for a journey ending outside the district, without prior agreement.</td>
<td>Level 3</td>
</tr>
<tr>
<td>25</td>
<td>Charging more than the meter fare when HC used as private hire vehicle.</td>
<td>Level 3</td>
</tr>
<tr>
<td>27</td>
<td>Driver of HC unnecessarily prolonging journey.</td>
<td>Level 3</td>
</tr>
<tr>
<td>33(1)(a)</td>
<td>Obstruction of an authorised officer or constable</td>
<td>Level 3</td>
</tr>
<tr>
<td>33(1)(b)</td>
<td>Failure to comply with a requirement of an authorised officer or constable.</td>
<td>Level 3</td>
</tr>
<tr>
<td>33(1)(c)</td>
<td>Failure to give information or assistance to an authorised officer or constable.</td>
<td>Level 3</td>
</tr>
</tbody>
</table>

**B Plymouth City Council Act 1975**
Offences Against Plymouth City Hackney Carriage Byelaws

The Byelaws for Hackney Carriages are reproduced after section C. It is an offence to contravene any of the provisions in the Byelaws. Offenders shall be liable to summary conviction and a fine not exceeding level 2 on the standard scale (£500).

C  Plymouth City Council Act 1975

<table>
<thead>
<tr>
<th>Section</th>
<th>Offence</th>
<th>Maximum Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>3(1)(a)</td>
<td>Using an unlicensed PH vehicle</td>
<td>Level 3</td>
</tr>
<tr>
<td>3(1)(b)</td>
<td>Driving a PH vehicle without a PH driver's licence.</td>
<td>Level 3</td>
</tr>
<tr>
<td>3(1)(c)</td>
<td>Proprietor of a PH vehicle using an unlicensed driver.</td>
<td>Level 3</td>
</tr>
<tr>
<td>3(1)(d)</td>
<td>Operating a PH vehicle without a PH operator’s licence.</td>
<td>Level 3</td>
</tr>
<tr>
<td>3(1)(e)</td>
<td>Operating a vehicle as a PH vehicle when the vehicle is not licensed as a PH vehicle.</td>
<td>Level 3</td>
</tr>
<tr>
<td>3(1)(e)</td>
<td>Operating a PH vehicle when the driver is not licensed as a PH driver.</td>
<td>Level 3</td>
</tr>
<tr>
<td>5(6)</td>
<td>Failure to display PH vehicle plate.</td>
<td>Level 3</td>
</tr>
<tr>
<td>5(8)</td>
<td>Proprietor of PH vehicle contravening vehicle licence conditions.</td>
<td>Level 3</td>
</tr>
<tr>
<td>7</td>
<td>PH vehicle proprietor failing to notify transfer of vehicle.</td>
<td>Level 3</td>
</tr>
<tr>
<td>8(1)</td>
<td>Proprietor of PH failing to present PH for inspection as required.</td>
<td>Level 3</td>
</tr>
<tr>
<td>8(2)</td>
<td>Proprietor of PH failing to notify the Council of where the PH is stored, if requested.</td>
<td>Level 3</td>
</tr>
<tr>
<td>8(3)</td>
<td>Proprietor of PH failing to report an accident to the Council.</td>
<td>Level 3</td>
</tr>
<tr>
<td>8(4)</td>
<td>Proprietor of PH failing to produce the vehicle licence for inspection upon request.</td>
<td>Level 3</td>
</tr>
<tr>
<td>8(4)</td>
<td>Proprietor of PH failing to produce the vehicle insurance certificate upon request.</td>
<td>Level 3</td>
</tr>
<tr>
<td>11(3)</td>
<td>Driver of PH failing to produce his driver’s licence for inspection upon request.</td>
<td>Level 3</td>
</tr>
<tr>
<td>12(2)</td>
<td>PH driver failing to wear visibly his driver’s badge.</td>
<td>Level 3</td>
</tr>
<tr>
<td>14(2)</td>
<td>PH operator failing to keep proper records of bookings.</td>
<td>Level 3</td>
</tr>
<tr>
<td>14(3)</td>
<td>PH operator failing to keep and/or to produce to authorised officer records of PH vehicles operated by him.</td>
<td>Level 3</td>
</tr>
<tr>
<td>14(4)</td>
<td>PH operator failing to produce his operator’s licence on request to authorised officer</td>
<td>Level 3</td>
</tr>
<tr>
<td>15</td>
<td>Making a false statement or withholding information to obtain a PH driver or vehicle licence.</td>
<td>Level 3</td>
</tr>
<tr>
<td>16(2)</td>
<td>Failure to return a plate after notice given following expiry, revocation or suspension of a PH proprietor’s licence.</td>
<td>Level 3</td>
</tr>
<tr>
<td>19(2)</td>
<td>Failure to surrender a driver’s badge after suspension, revocation or refusal to renew licence.</td>
<td>Level 3</td>
</tr>
<tr>
<td>22</td>
<td>Causing or permitting a vehicle other than a HC to wait on a HC stand</td>
<td>Level 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>27</td>
<td>Driver of HC unnecessarily prolonging journey.</td>
<td>Level 3</td>
</tr>
<tr>
<td>29</td>
<td>Interfering with a taxi meter</td>
<td>Level 3</td>
</tr>
<tr>
<td>33(1)(a)</td>
<td>Obstruction of an authorised officer or constable</td>
<td>Level 3</td>
</tr>
<tr>
<td>33(1)(b)</td>
<td>Failure to comply with a requirement of an authorised officer or constable.</td>
<td>Level 3</td>
</tr>
<tr>
<td>33(1)(c)</td>
<td>Failure to give information or assistance to an authorised officer or constable.</td>
<td>Level 3</td>
</tr>
</tbody>
</table>
Appendix P

Specifications for Hackney Carriages
Made by virtue of Section 4 of the Plymouth City Council Act 1975

1. Plymouth City Council may licence vehicles of a purpose built design for use as Hackney Carriages, and the body must be of a fixed head type and have a bulkhead partition. All such vehicles must have European Whole Vehicle Certification or Low Volume Type Approval, and have a category M1 classification. Such vehicles may be licensed to carry up to 8 persons providing the vehicle meets the requirements as laid down in these vehicle specifications and the Testing Addendum. Any vehicle on being first licensed with Plymouth City Council must be wheelchair accessible.

2. All licensed vehicles must comply in all respects with the requirements of any Acts and Regulations relating to motor vehicles in force at the time of licensing. Including any requirements under Plymouth City Council bylaws, and conditions of licence.

3. The steering wheel and driving controls must be fitted to the offside of the vehicle.

4. All vehicles must have at least four doors and four wheels. Vehicles must also have a serviceable spare wheel.

5. Windows must be provided at the sides and rear of the vehicle. Rear passenger door windows must be available for adjustment by passengers when required. Sunroofs will be permitted.

6. Passenger doors must be capable of being readily opened from inside and outside the vehicle by one operation of the latch mechanism. Central locking systems are permitted and must be in full working order. Double catches of approved types must be fitted to all doors. Sliding doors will be permitted, but such doors must have displayed a warning notice affixed securely to the inside of the door advising passengers to exercise caution when alighting from either side of the vehicle.

7. Seating Capacities:

   (a) Where separate seats for each person are provided one person shall be counted for each separate seat.

   (b) Where the vehicle is fitted with a continuous seat, one person shall be counted for each seating area provided that seat restraint belts are fitted for each position.

   (c) The vertical distance between the highest point of the undeflected seat cushion and the top of the floor covering must not be less than 35cm.

   (d) Where the seats are placed facing each other there must be a clear space of 38cm between any part of the front of a seat and any part of any other seat that faces it.

   (e) Occasional (tip up) seats must be so arranged as to rise automatically when not in use.

   (f) Suitable means must be provided to assist persons to rise from the rear seat.
(g) The front seat of a vehicle may be utilised for the use of conveying fare paying passengers, providing such seat is fitted by a suitably qualified mechanic, and provided such seat is fitted with a seat restraint belt. If the front seat is to be utilised in such a manner, the vehicle licence of the vehicle must reflect the additional passenger. i.e.: If the vehicle is currently licensed to carry 6 persons using the standard passenger compartment, then such a vehicle can be licensed to carry 7 persons if the front passenger seat is used. No person shall be permitted to be carried in the front seat as a passenger, over and above the permitted capacity displayed on the vehicle licence.

(h) The number of persons the vehicle is licensed to carry shall be permanently affixed and exhibited at all times on the outside of the vehicle in the form of the vehicle licence plate as issued by the Council. The licence plate shall bear the words “licensed to carry up to …passengers”. Additionally an internal sticker shall be displayed in the passenger compartment of the vehicle bearing the licence number of the vehicle and the number of persons it is permitted to carry, with the same wording as prescribed above.

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

9. Adequate lighting must be provided for the passenger’s compartment and must be capable of being controlled both by passengers and driver. Adequate lighting must also be provided in the driver compartment.

10. All body parts and trimmings that are manufacturers original equipment such as wheel trims, mirrors, bumpers, valances, fabrics, switches, internal and external door handles and locks must be fitted and in good working order.

11. All tyres and wheels (including the spare) must meet the legal requirements as to suitability for use on the vehicle. Tyres must have the minimum tread depth required by law. They must be kept in good order and at the correct pressures. A wheel brace and car jack to enable the effective change of tyre and wheel must be carried. The tyre must be of such a size so as to ensure the correct operation of the fare meter. If a vehicle is equipped with a space saver spare tyre or similar emergency repair system, it may only be used to get the vehicle to a location for the tyre to be changed for a full sized tyre. It is not permitted to carry passengers using a space saver tyre.

12. Any proprietor of a Hackney Carriage vehicle licensed by Plymouth City Council, wishing to display advertisements must conform to the requirements for advertising as required in the Hackney Carriage advertising policy.

13. An illuminated taximeter of an approved type must be fitted in an approved position.

14. An illuminated “Taxi” sign of approved design, clearly visible both by day and by night when the cab is not hired, must be fitted and in full working order.

15. A current fare table must be displayed in the approved fitting in a position, which is clearly visible in the passenger compartment.

16. A current certificate of insurance (or copy) as required by the Acts or Regulations relating to motor vehicles, must be carried and securely affixed to the licensed cab in the approved position.
17. Any vehicle to be licensed must have a maximum step height of 43cm.

18. Cabs using automatic or semi-automatic transmission must be fitted with a device to prevent the engine starting with the transmission selector in a DRIVE or REVERSE position.

19. Wheelchair accessible vehicles must have ramps or other approved devices readily available for use, to enable the loading of wheelchair passengers. Vehicles loading wheelchairs from the rear of the vehicle are not permitted.

20. The vehicle including all fittings must be well maintained and kept clean inside and out. The vehicle will at all times be subject to test and inspection and may if not properly maintained, or any part is found to be defective or missing, be served with a notice prohibiting the use of the vehicle until the defect has been remedied. A set of spare lamps to allow the replacement of the following on the vehicle, HEADLAMPS, REAR LAMPS, BRAKE LIGHTS, DIRECTIONAL INDICATORS and REVERSE LAMPS must be carried in the vehicle at all times. It shall only be necessary to carry one bulb for each external lamp. It shall also be a requirement that a spare fuser for each fuse rating shall be carried in the vehicle at all times.

21. No vehicle shall be fitted with any form of additional film to darken or tint the glass on any part of the vehicle.

22. Video camera monitoring devices, for the purpose of assisting driver, or passenger safety shall be permitted. If such devices are fitted within the vehicle, adequate signage must be displayed in the passenger compartment advising passengers that they are being monitored/recorded. It will be the driver/proprietors responsibility to comply with all aspects of the law regarding such surveillance equipment.

23. Vehicles (commonly referred to as “Eurocabs” or Eurotaxis”) but being of such a design as approved by the Council, may be granted a licence providing all such vehicles meet the criteria above and the additional specifications herewith:

   (a) All such vehicles must be wheelchair accessible, and be fitted with a bulkhead partition.

   (b) Such vehicles being fitted with sliding doors, must have a motion locking device in operation to prevent the doors from being opened by passengers whilst the vehicle is in motion. The doors must also have a warning notice affixed securely to the inside of the door so as to be easily seen, advising passengers to exercise caution when alighting from the vehicle.

   (c) Vehicles with sliding doors shall also have displayed an illuminated sign, clearly visible by day and by night, mounted on the rear of the vehicle in such a position so as to be readily seen by following traffic, but so as not to obscure the driver’s vision, indicating that the passenger doors are opening. The sign must be automatically linked to the passenger doors in order that when either door handle is activated to open the door, the sign is illuminated, and a warning device is activated in the driver compartment.
All vehicles must comply with Euro technology standards for emissions as specified by the Council.

The Council’s emissions policy was amended by delegated decision (Ref. CS(SSCLSC) 6 11/12), effective from the 10 January 2012. The amended policy is set out below;

**Hackney Carriage and Private Hire Vehicle Emissions Policy**

1. All hackney carriage or private hire vehicles must achieve a Euro 3 technology standard, unless the vehicle has already been subject to an adaptation or conversion approved by the Council.

2. With effect from the 1 April 2012 any hackney carriage or private hire vehicle presented for its first license to Plymouth City Council will not be granted unless the vehicle has been manufactured to Euro 4 or a higher specification.

3. With effect from the 1 April 2015 no hackney carriage or private hire vehicle licence will be issued or renewed unless the vehicle has been manufactured to Euro 4 or a higher specification. The use of Bio-diesel, bio-fuel or LPG conversions will not be accepted after this date.

4. The Council may approve conversions or adaptation systems for vehicles to comply with the requirements of the Council emissions standards. The Council must be provided with satisfactory evidence that the conversion or adaptation system achieves the required emission standard and that test data complies with the European test standards for vehicle emissions. Such approval may be engine/vehicle specific. The cost of obtaining approval of new conversion of adaptation systems will not be met by the Council.

5. Vehicles may be approved to meet the Euro 3 standard where they are fitted with a PCO/Energy savings Trust (EST) approved emissions reduction system approved by the Council.

6. The use of bio-diesel, bio-fuels or LPG will no longer be accepted as a way to meet the emissions policy. Vehicles currently converted or adapted to use bio-diesel, bio-fuels or LPG may continue to be licensed until 1 April 2015, subject to satisfactory documented evidence that they continue to use appropriate quantities of bio-diesel, bio-fuels or LPG. Where satisfactory evidence is not provided the Council will not renew the vehicle licence or may revoke the vehicle licence.

7. Euro 1 or 2 vehicles fitted with hydrogen fuel cells will no longer be licensed on or after 1 April 2012. Any new hydrogen fuel cell adaptation will need to confirm to the requirements of paragraph 4.

8. It is for the vehicle proprietor to provide satisfactory evidence to the Council or the approved testing station that any vehicle presented for licence or inspection complies with the requirements of this policy.

9. These provisions do not apply to Special Event Vehicles.

These specifications will be applied to all vehicles presented for licensing and supersede all previous documents relating to vehicle specifications made prior to this date.
Appendix Q

Specifications for Private Hire Vehicles
Made by virtue of section 5(1)(a) of the Plymouth City Council Act 1975

1. Plymouth City Council may licence as a Private Hire vehicle, any vehicle suitable for carriage of up to and including eight passengers provided that it has European Whole Vehicle Certification, and such vehicle complies with the requirements as laid down in these vehicle specifications and those of the Testing Addendum. Vehicles with a Low Volume Certification will be considered on an individual basis. Such vehicles may, if the Council so require, be presented to the Vehicle Inspectorate (or Council approved testing centre) for examination and receive from them a report indicating that the vehicle is fit for use as a Private Hire vehicle, prior to the issue of a licence plate from the Council. The fee for such test, which shall be determined by the Vehicle Inspectorate (or Council approved testing centre) shall be met by the vehicle owner, or such person presenting the vehicle for test. Costs will not be met by the Council. The vehicle must not be of such design or type as to lead the public at large to be confused with a Hackney Carriage. Additionally, all vehicles must have a category M1 classification.

2. All licensed vehicles must comply in all respects with the requirements of any Acts and Regulations relating to motor vehicles in force at the time of licensing. Including any conditions of licence issued by the Council.

3. The body must be a fixed head type. A sunroof may be fitted.

4. The steering wheel and driving controls must be fitted to the off side of the vehicle and shall have been at the time of registration.

5. (a) All vehicles must have at least four doors, excluding any tailgate.
(b) Estate and MPV type vehicles must be fitted with a grille or other manufacturer approved device, which prevents luggage entering the passenger compartment.
(c) All vehicles should have a wheelbase of at least 96” (2.4384 metres) and an engine size not less than 1290cc.

6. (a) Windows must be provided at the sides and rear of the vehicle.
(b) Rear passenger door windows must be available for adjustment.
(c) No vehicle shall be fitted with any form of additional film to darken or tint the glass on any part of the vehicle.
(d) Vehicles with third row of seats fitted at the rear of the vehicle must have ventilation windows available in the absence of an approved Air Conditioning system.

7. (a) Passenger doors must be capable of being readily opened from the inside and outside of the vehicle by one operation of the latch mechanism.
(b) Approved central locking systems are permitted and must be in full working order. Double catches of approved types must be fitted to all doors.
(c) The door to the offside of the vehicle fitted with sliding doors, must be capable of being opened ONLY in the case of an emergency, unless that vehicle has an illuminated sign, clearly visible by day and by night, mounted on the rear of the vehicle in such a position so as to be readily seen by following traffic, but not so as to obscure the driver's vision, indicating that the doors are opening. The sign must be automatically linked to the passenger doors in order that when either door handle is activated to open the door, the sign is illuminated. A warning notice must be affixed securely to the inside of the door so as to be easily seen, advising passengers to exercise caution when alighting from the vehicle.

8. Seating capacities:
   (a) Where separate seats for each person are provided: one person shall be counted for each separate seat.

   (b) Where the vehicle is fitted with a continuous seat, one person shall be counted for each completed length of the seating area provided that the seat restraint belts are fitted for each seating position.

   (c) The licence number of the vehicle together with the number of persons that the vehicle is licensed to carry shall be permanently affixed and exhibited at all times on the outside of the vehicle in the form of the vehicle licence plate as issued by the Council. i.e. On the rear licence plate and the front door licence plate signs. Magnetic signs are not permitted.

9. A manufacturer’s specified original heating and ventilation system must be fitted and fully operational for the driver and passengers.

10. All body parts and trimmings that are manufacturers original equipment such as wheel trims, mirrors, bumpers, valances, fabrics, switches, internal and external door handles and locks must be fitted and in good working order and or suitable condition.

11. All tyres and wheels (including the spare) must meet the legal requirements as to suitability for use on the vehicle. Tyres must have the minimum tread depth as required by law. They must be kept in good order and at the correct pressures. A wheel brace and car jack to enable the effective change of a tyre and wheel must be carried. If a vehicle is equipped with a space saver spare tyre or similar emergency repair system, it may only be used to get the vehicle to a location for the tyre to be changed for a full sized tyre. It is not permitted to carry passengers using a space saver tyre.

12. Vehicles commonly referred to as “Eurotaxis” or “Eurocabs” or vehicles which could lead the public to believe that such a vehicle is a Hackney Carriage, will not be licensed as Private Hire vehicles by Plymouth City Council.

13. If a roof carrier is to be used for luggage or goods, in addition to normal luggage, it must be of a type fitted to the guttering or to the roof rails provided by the manufacturer. If a trailer is to be used it must be of an approved design and be clearly signed with the speed restrictions attached to its usage.

14. (a) Any electronic communication equipment must be of an approved standard and type as required by regulation at the time of installation or test.

   (b) Radio TX aerials must be adequately affixed to the body of the vehicle, and if not permanently fixed must have a spring incorporated into the aerial between the magnet and the aerial so as to provide flexibility.
(c) Roof signs must be of an approved type and meet the specifications of the Council.

(d) Vehicles if fitted with roof signs or TX aerials whilst being used for the purpose of private hire, must, when presenting the vehicle for testing, have such items fixed in their normal working positions.

15. All registration marks must comply with the latest regulations.

16. A current certificate (or copy) of motor insurance (for private hire and reward) as required by any Acts or Regulations must be carried in the vehicle.

17. If a metering device is fitted in the vehicle for calculating the fare, such device must be of an approved type tested by or on behalf of the Council.

18. (a) The vehicle including all fittings must be well maintained and kept clean.

(b) The vehicle will at all times be subject to test and inspection and may if not properly maintained, or any part is found to be defective or missing, be served with a notice prohibiting the use of the vehicle until the defect has been remedied.

(c) A set of spare lamps to allow replacement of the following on the vehicle, HEADLAMPS, REAR LAMPS, BRAKE LIGHTS, DIRECTIONAL INDICATORS and REVERSING LAMPS must be carried in the vehicle at all times. It shall only be necessary to carry one bulb for each type of external lamp. It shall also be a requirement that a spare fuse for each fuse rating shall be carried in the vehicle at all times.

19. Video camera monitoring devices, for the purpose of assisting driver, or passenger safety, shall be permitted. If such devices are fitted within the vehicle, adequate signage must be displayed in the passenger compartment advising passengers that they are being monitored / recorded. It will be the driver / proprietors responsibility to comply with all aspects of the law regarding such surveillance equipment.

20. All vehicles must comply with Euro technology standards for emissions as specified by the Council.

The Council’s emissions policy was amended by delegated decision (Ref. CS(SSCLSC) 6 11/12), effective from the 10 January 2012. The amended policy is set out below;

Hackney Carriage and Private Hire Vehicle Emissions Policy

5. Vehicles may be approved to meet the Euro 3 standard where they are fitted with a PCO/Energy savings Trust (EST) approved emissions reduction system approved by the Council.

6. The use of bio-diesel, bio-fuels or LPG will no longer be accepted as a way to meet the emissions policy. Vehicles currently converted or adapted to use bio-diesel, bio-fuels or LPG may continue to be licensed until 1 April 2015, subject to satisfactory documented evidence that they continue to use appropriate quantities of bio-diesel, bio-fuels or LPG. Where satisfactory evidence is not provided the Council will not renew the vehicle licence or may revoke the vehicle licence.

7. Euro 1 or 2 vehicles fitted with hydrogen fuel cells will no longer be licensed on or after 1 April 2012. Any new hydrogen fuel cell adaptation will need to confirm to the requirements of paragraph 4.
8. It is for the vehicle proprietor to provide satisfactory evidence to the Council or the approved testing station that any vehicle presented for licence or inspection complies with the requirements of this policy.

9. These provisions do not apply to Special Event Vehicles.

These specifications will be applied to all vehicles presented for licensing, and supersede all previous documents relating to vehicle specifications made prior to this date.
**Appendix R**

**Specification Private Hire (Special Event) Vehicles**

Made by virtue of section 5(1)(a) of the Plymouth City Council Act 1975

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The Council may licence as a Private Hire (Special Event) vehicle, for the carriage of up to eight passengers provided that such a vehicle has been issued with at least a Single Vehicle Approval (SVA) certificate and that the requirements in these specifications can be satisfied. Only an original SVA certificate will be accepted by the Council as proof of the vehicle satisfying the requirements to obtain that approval. Prior to any licence being issued by the Council, a vehicle compliance pass certificate must be obtained from one of the testing stations appointed by the Authority for that purpose. All costs associated with obtaining the relevant approvals or tests must be met by the vehicle proprietor and will not be met by the Council under any circumstances.</td>
</tr>
<tr>
<td>2</td>
<td>All Special Event Vehicles must comply in all respects with the requirements of any Acts and Regulations relating to motor vehicles in force at the time of licensing. Including any conditions of licence issued by the Council.</td>
</tr>
<tr>
<td>3</td>
<td>The steering wheel and driving controls may be fitted to the near side of the vehicle.</td>
</tr>
<tr>
<td>4</td>
<td>All Special Event Vehicles must have at least four doors. At least two doors must be available for the use of passengers in the passenger compartment. The doors must be capable of being readily opened from the inside and the outside of the vehicle by one operation of the latch mechanism.</td>
</tr>
<tr>
<td>5</td>
<td>Rear passenger door windows must be available for adjustment.</td>
</tr>
<tr>
<td>6</td>
<td>Seating Capacities</td>
</tr>
<tr>
<td></td>
<td>(a) Where separate seats for each person are provided, one person shall be counted for each separate seat, provided each seat is fitted with seat restraints in each seating position.</td>
</tr>
<tr>
<td></td>
<td>(b) Special Event Vehicles fitted with bench type seating or other seating which is placed along the length of the vehicle (side facing), will not be permitted to use those seats for licensing purposes.</td>
</tr>
<tr>
<td>7</td>
<td>A manufacturer specified original heating and ventilation system must be fitted and fully operational for the driver and passengers.</td>
</tr>
<tr>
<td>8</td>
<td>All body parts and trimmings that are manufacturers original equipments such as wheel trims, mirrors, bumpers, valances, fabrics, switches internal and external door handles and locks must be fitted and in good working order and suitable condition.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>9</td>
<td>All tyres and wheels (including the spare) must meet the legal requirements as to suitability for use on the vehicle. Tyres must have the minimum tread depth as required by law. They must be kept in good order and at the correct pressures. The tyres must be designed and manufactured to support the maximum permitted axle weight for the axle when the vehicle is driven at the maximum speed. Tools for the effective changing of a tyre should also be carried. In the absence of a spare tyre, a contract with a competent and professional tyre changing company who can attend or recover the vehicle in situ must be produced.</td>
</tr>
<tr>
<td>10</td>
<td>No two way radio, citizens band radio, radio scanners or other transmitting device is permitted to be carried in the vehicle.</td>
</tr>
<tr>
<td>11</td>
<td>The maximum length of the stretch limousine conversion of the vehicle shall not exceed 120&quot; (3048mm) measured between the rear edge of the front door and the edge of the rear door. The extended conversion must have been performed by either the vehicle manufacturer or a specialist converter approved by the manufacturer, either Ford Qualified Vehicle Modifier (QVM) or Cadillac Master Coachbuilder (CMC) programmes.</td>
</tr>
<tr>
<td>12</td>
<td>All seats must be properly cushioned and free from rips, tears, holes and generally be clean and in good condition.</td>
</tr>
<tr>
<td>13</td>
<td>All registration marks must comply with the latest regulations.</td>
</tr>
<tr>
<td>14</td>
<td>A current certificate (or copy) of motor insurance (for private hire and reward) as required by any Acts or Regulations must be carried in the vehicle.</td>
</tr>
<tr>
<td>15</td>
<td>The vehicle including all fittings must be well maintained and kept clean.</td>
</tr>
<tr>
<td>16</td>
<td>The vehicle will at all times be subject to test and inspection and may if not properly maintained, or any part is found to be defective or missing, be served with a notice prohibiting the use of the vehicle until the defect has been remedied.</td>
</tr>
<tr>
<td>17</td>
<td>A set of spare lamps to allow replacement of the following on the vehicle, HEADLAMPS, REAR LAMPS, BRAKE LIGHTS, DIRECTIONAL INDICATORS and REVERSING LAMPS must be carried in the vehicle at all times. It shall only be necessary to carry one bulb for each type of external lamp. It shall also be a requirement that a spare fuse for each fuse rating shall be carried in the vehicle at all times.</td>
</tr>
<tr>
<td>18</td>
<td>Any decommissioned emergency service vehicle being used as a Special Event Vehicle, must have all emergency service lights, and sirens rendered in-operative. If the vehicle carries ladders or other equipment usually associated with emergency service vehicles, it must be secured so as not to pose any danger to people hiring the vehicle, or other road users.</td>
</tr>
</tbody>
</table>