On 1 July 2007 England became ‘smokefree’. The Health Act 2006 was introduced to protect employees and the public from the harmful effects of second-hand smoke which prohibited smoking in virtually all enclosed public places, workplaces and public and work vehicles.

There are three offences:

**Smoking in Smokefree Premises or Vehicles**

Penalty: A fixed penalty notice of £50 (discounted to £30 if paid in 15 days) imposed on the person smoking or a maximum fine of £200 if prosecuted and convicted by a court.

**Failure to Display No-Smoking Signs**

Penalty: A fixed penalty notice of £200 (discounted to £150 if paid in 15 days) imposed on whoever manages or occupies the smokefree premises or vehicle, or a maximum fine of £1000 if prosecuted and convicted by a court.

**Note:** Failure to pay a fixed penalty notice within the prescribed time i.e. 29 days will result in the matter being referred to court for the original offence.

**Failing to Prevent Smoking in a Smokefree Place**

Penalty: A maximum fine of £2500 imposed on whoever manages or controls the smokefree premises or vehicle if prosecuted and convicted by a court. There is no fixed penalty notice for this offence.

If you manage, drive or are responsible for smokefree premises or vehicles you will have legal responsibilities to ensure that they remain smokefree and that the required signs are displayed. This guidance is supplied to help the taxi and private hire trades comply with their legal obligations.

**Taxis and Private Hire Vehicles (PHV’s)**

Smoking is prohibited in all licensed taxis and PHV’s by the driver and occupants at all times (including private use or when the vehicle is not for hire).

All taxis and PHV’s will need to display a no-smoking sign in a prominent position in each compartment of the vehicle in which people can be carried. The sign must show the international no-smoking symbol at least 70mm in diameter. There are no exemptions to these requirements.

Given the variety of vehicles licensed it is not possible to prescribe where no-smoking signs should be located. However, when deciding where to display the signs the following guidelines should be followed:

- Signs must be in a prominent position
- There must be one sign in each compartment of the vehicle in which people can be
• carried
• The driver’s visibility is not impeded
• Signs do not obstruct air bag covers

We recommend that for most standard taxis and PHV’s two signs are sufficient to comply with these requirements.

**Private Hire Offices**

If the public have access to your office or it is a place of employment for more than one person the premises will be required to be smokefree. You are required to display nosmoking signs at entrances to office ensuring that employees and customers are aware that they should not smoke on the premises.

All smokefree premises must display a no-smoking sign at every entrance to the premises.

Signs must meet the following requirements:

• Be a minimum of A5 in area (210mm x 148mm)
  
  Display the international no-smoking sign at least 70mm in diameter. Carry the following words: “No smoking. It is against the law to smoke in these premises”.

No smoking signs, including bilingual versions, can be downloaded and printed or ordered from [www.smokefreeengland.co.uk/resources](http://www.smokefreeengland.co.uk/resources). Signs can also be ordered from the Smokefree England information line on 0800 169 1697.

Private hire operators who work on their own from home will not be required to make their premises smokefree but they will be expected to provide a smokefree environment during licensing compliance inspections.

**Preventing Smoking in a Smokefree Place**

In the event that someone does smoke in a taxi or PHV or at a private hire office, the person in charge of the vehicle or premises should take reasonable steps to stop it happening. The following practical steps to deal with such situations are based on Department for Health advice:

• Point to the no-smoking signs and ask the person to stop smoking
• Inform them that you would be committing an offence if you allowed them to smoke and that it is smokefree premises or vehicle.

If the customer refuses to stop smoking:

• You should consider not serving or providing a service to a person who is breaking the smokefree law. This includes refusing to accept a hiring if the sole reason is that the customer refuses to stop smoking
• Keep a record of where and when the incident took place, the name of the person involved (if possible) and the outcome.

Further information can also be obtained from the Smokefree England website at [www.smokefreeengland.co.uk](http://www.smokefreeengland.co.uk)

Your cooperation with this matter would be appreciated

If you require any further information please contact the **Taxi Licensing Section**.
Quitting Smoking

Stopping smoking remains the single best thing you or someone you know can do to improve health. Effects of quitting smoking can be experienced within hours such as breathing easier, reducing blood pressure and having more money. If you want to quit, the best way is to get support from the NHS Stop Smoking Service as you are four times more likely to succeed. To contact the NHS Stop Smoking Service please call on 01752 314040 clinics are held throughout the city at various times in week including evenings and Saturdays, alternatively visit www.smokefree.nhs.uk

Don’t delay - quit today.