



## CITY OF YORK COUNCIL

### HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

#### GUIDANCE NOTES FOR APPLICANTS



#### PLEASE RETAIN FOR YOUR FUTURE REFERENCE

This information can be provided in your own language.


我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (ہولی) میں بھی مہیا کی جا سکتی ہیں۔ (Urdu)

 (01904) 551550

**This booklet is intended to give you guidance on applying for a hackney carriage or private hire driver's licence.**

### **HOW TO CONTACT TAXI LICENSING**

The contact address for Taxi Licensing is: 9 St. Leonard's Place  
York  
YO1 7ET

Please ring York 551438 if you need to speak to a member of the Taxi Licensing staff.

If you need to see a member of the Taxi Licensing staff, you must ring the office first to make an appointment for a Tuesday or Thursday at 9 St. Leonard's Place, York.

**N.B.** The Taxi Licensing Office is not based at 9 St. Leonard's Place, therefore, if you turn up at St. Leonard's Place without an appointment, you will not be seen by a member of the Taxi Licensing team. This is why we operate an appointment system on a Tuesday and Thursday.

**TO APPLY FOR A HACKNEY CARRIAGE OR PRIVATE HIRE DRIVER'S LICENCE YOU NEED TO BE:-**

- a) over 18 years of age
- b) the holder of a full DVLA driving licence for a period exceeding one year
- c) a fit and proper person to drive a vehicle on public/private hire

**FIRST APPLICATION FOR A DRIVER'S LICENCE**

- a) All applicants are required to complete an application form and are reminded that it is an offence to knowingly or recklessly make any false statement or omit relevant information.

All applicants are required to complete and pass the Driving Standards Agency (DSA) Private Hire and Hackney Carriage Driving Assessment and their pass certificate must be submitted with the applicant form. Application forms will not be accepted without this. Further information regarding the DSA Private Hire and Hackney Carriage Driving Assessment can be found in the DSA booklet accompanying these guidance notes. The DSA Driving Assessment is available at the York Test Centre, Murton Way, Osbaldwick, York.

- b) All applicants are required to undertake an Enhanced Disclosure with the Criminal Records Bureau (CRB). The City of York Council is empowered in law to check with the Criminal Records Bureau for the existence and content of any criminal record held in the name of the applicant (Part V of the Police Act 1997). Information received from the Criminal Records Bureau will be kept in strict confidence while the licensing process takes its course and will be retained for no longer than is necessary. The disclosure of a criminal record or other information will not debar the applicant from gaining a licence unless City of York Council considers that the conviction(s) render them unsuitable. In making this decision, City of York Council will consider the nature of the offence, how long ago and what age you were when it was committed and any other factors which may be relevant. Please note that information contained on the CRB Disclosure may cause us to invite an applicant for interview to discuss the information received and this will be done before any decision regarding the application is made. Any applicant refused a Driver's Licence on the grounds that he/she is not a fit and proper person to hold such a licence will be notified in writing.

The Criminal Records Bureau have a Code of Practice for the handling and storage of Disclosure information. We abide by the Code of Practice. A copy of this can be made available to you on request.

Further information regarding convictions can be found in the sections headed:-

- Guide to the Rehabilitation of Offenders Act 1974
- Guidelines for Assessing Applicants for Hackney Carriage and Private Hire Drivers' Licences

Further information on the Criminal Records Bureau – Applying for a Disclosure can be found on Page 5.

- c) In addition to a CRB Disclosure, where an applicant has resided outside of the United Kingdom, a Certificate of Good Conduct from the country/countries in which they have previously resided since the age of 18 years must be provided in English. This may usually be obtained from the relevant embassy. Should an applicant be unable to provide a Certificate of Good Conduct, they must provide a separate signed declaration detailing the attempts made to obtain such a certificate. The declaration must also state whether they have been found guilty or have been convicted or charged with any offence against the law in any country. This declaration must be signed in the presence of a solicitor and be duly countersigned and the form stamped by the solicitor.
- d) All applicants must pass a Knowledge Test on the City of York. Further details on the Knowledge Test can be found on Pages 14 and 15.

All applicants must be aware of the requirements of the Disability Discrimination Act (DDA) 1995 as amended in 2005, regarding the carriage in private hire and hackney carriage vehicles of guide, hearing and assistance dogs which help disabled people. Further details can be found at: [http://www.guidedogs.org.uk/fileadmin/gdba/downloads/Taxi\\_access\\_WEB.doc](http://www.guidedogs.org.uk/fileadmin/gdba/downloads/Taxi_access_WEB.doc)

- e) All applicants must complete and pass the City of York Council Disability Equality Training Level 1 (Taxi), or equivalent.

This is an on-line training package for disability awareness at no cost to the applicant. The training package can be accessed at [www.disabilitytrainingyork.org](http://www.disabilitytrainingyork.org). When you have completed and passed the training package, you will be able to print out a certificate of achievement which must be submitted to Taxi Licensing prior to your licence being issued.

Applicants are reminded that free access to computers is available at all city council libraries. Please contact Taxi Licensing if you have difficulty accessing or using a computer.

- f) All applicants must submit a medical certificate on the approved form issued by the Council which must be completed and signed by a registered medical practitioner. The medical examination is to be conducted to Group 2 DVLA medical standards for passenger carrying vehicles. It is the applicant's responsibility to arrange for the necessary medical examination at his/her own expense. Please note that the medical examination must be carried out with reference to your current medical records. It is therefore advisable that your medical is carried out at your own GP practice in order that reference can be made to your medical records. If the medical certificate produced is not satisfactory in any respect, you may be required to provide additional medical evidence concerning your fitness and to submit to a further examination by a doctor selected by the Council.
- g) All applicants are required to produce their Birth Certificate.

### **PROCEDURE FOR APPLYING FOR A LICENCE**

- 1) Applicant has initial interview and is given the Application Pack. DVLA Driving Licence produced by applicant and photocopied by TLO staff.
- 2) Applicant must complete and pass the Driving Standards Agency (DSA) Private Hire and Hackney Carriage Driving Assessment before making an appointment with the Taxi Licensing Office to return the completed hackney carriage or private hire application form and two colour passport type photographs. Application forms will not be accepted without a pass certificate for this assessment. Further information regarding the DSA Private Hire and Hackney Carriage Driving Assessment can be found in the booklet accompanying these guidance notes.

The CRB Disclosure Form is to be completed at this appointment and the supporting documents required by the CRB are to be produced.

**N.B.** There is a payment of £36.00 (cash only) due at the time a hackney carriage or private hire application form is returned and the CRB Disclosure Form is completed. This is to cover the cost of the CRB Disclosure application. City of York Council have payment on account terms with the CRB. The £36.00 fee must be paid in cash to the Council and the CRB will then invoice us for the payment.

Please note that the medical form can be requested at any time during the licence application process, however, it is entirely at the applicant's own financial risk should they choose to undergo the medical examination before all other aspects of the application have been successfully completed.

- 4 -

- 3) Once all forms have been returned, an appointment will be made for the Knowledge Test. Applicants should be aware, however, that a licence will not be granted until all aspects of the application have been successfully completed.

Applications normally take at least 8 weeks to process, depending on the length of time that the Criminal Records Bureau take to process a Disclosure application. Please note that failure of the knowledge test will significantly delay the application. At the time a hackney carriage or private hire driver's licence is granted, the CRB Disclosure Certificate and medical form must be dated within 6 months preceding the issue of the licence. It will be necessary for an applicant to undertake an additional CRB Disclosure and/or medical if either of them are outside of this timescale.

If the Officers are not satisfied that the applicant should be granted a driver's licence, the applicant will be notified in writing.

**N.B.** The main legislation dealing with hackney carriage and private hire licensing is the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 and 1889. If you require advice on this legislation you are advised to consult a Solicitor.

## **CRIMINAL RECORDS BUREAU – HOW TO COMPLETE THE DISCLOSURE APPLICATION FORM**

Please complete sections A, B and C.

Questions 28 and 29 of Section A do **not** need to be completed.

Please do **not** complete section D.

All fields, except those details above, must be completed in order for the CRB to process the application form. Some guidance is provided below for common mistakes or omissions. A member of staff from taxi licensing will assist you with the completion of the CRB form.

The form must be completed in **BLOCK CAPITALS** using **BLACK INK**. Commence each line on the first square – do not indent any line. Please leave one square between words. Please leave any fields unanswered blank – do **not** draw a line through them.

Section A: *Forenames* – Please include **all** forenames (even if you do not use a middle name)

*Date of birth* – Format to be used is DDMMYYYY (e.g. 14051971 would mean 14<sup>th</sup> May 1971)

You must provide details of your national insurance number, UK driving licence number and passport details (if you are in possession of a valid passport) – please bring these with you to your appointment.

If you are registered with the Scottish Vetting and Barring Scheme you must also bring details of your Scottish Vetting and Barring number.

Section B: *Current address*

*Question 37* – Format to use for the date is month and year (MMYYYY), i.e. 072003 would mean July 2003

Section C: *Other addresses*

If you have not lived at your current address for five years, you must provide your address history for the last five **full** years (use a continuation sheet if necessary).

*Dates from and to* – Please give month and year (e.g. 011997 to 062002)

### **N.B. Do not complete Section D.**

Please ask for a continuation sheet if you need one to complete name and/or address history.

You need to provide documents to prove your identity and current address. The more documents you can produce to the Taxi Licensing Office, the quicker your disclosure application can be processed by the CRB. You will be advised which documents we require when you make the appointment to return the form to Taxi Licensing.

### **Payment Method**

The cost of a Disclosure is **£36.00**. City of York Council have payment on account terms with the CRB. The £36.00 fee must be paid **in cash** at the time the CRB Disclosure form is returned to the Council. The CRB will then invoice us for the payment.

You will receive a copy of the disclosure as well as the Taxi Licensing Office.

- 6 -

## **WHAT YOU NEED TO DO TO OBTAIN A VEHICLE LICENCE**

When purchasing a vehicle which you intend to licence for private hire use, please ensure that it fully complies with the private hire vehicle licence conditions. Please pay particular attention to the internal space and seating sizes. The vehicle must not have tinted windows which do not comply with the vehicle licence condition, i.e. 75% light transmittance through the front windscreen and 70% light transmittance through **all** other windows (including the rear window). There is an exception for estate vehicles. Please see the vehicle licence conditions for the full wording. The onus is on the applicant to prove that windows which are tinted comply with this condition. The vehicle boot or luggage space must be capable of carrying two suitcases (a large one measuring 720mm x 460mm x 280mm and a medium one measuring 660mm x 430mm x 280mm) and a folding wheelchair (but not at the same time).

The vehicle to be licensed must be inspected by the Council at its Depot at Hazel Court, James Street. Arrangements for the date and time of inspection should be made with the Taxi Licensing Office. The vehicle must be presented in a mechanically sound condition with bodywork in good order and comply in all other respects with the conditions set out below. All vehicles are tested before the initial grant of a vehicle licence and then on an annual basis. Additionally, vehicles exceeding five years old (from the date of first registration) on the day of licensing, will be subjected to a vehicle safety examination approximately 6 months from the date of initial grant or annual inspection as part of the periodic inspection programme at a date determined by the Council. We will notify you when the vehicle is due for either an annual inspection or the six month vehicle safety examination. Vehicle tests will also be carried out when the licensed vehicle is changed for another and immediately after accident damage repairs (at the Officer's discretion). The Vehicle Registration Document, M.O.T. Test Certificate and normal insurance must be made available at the time of inspection. Private hire/public hire insurance must be produced before the issue of any vehicle licence.

Vehicles equipped with a taximeter of an approved design (these are compulsory for a hackney carriage but optional for a private hire vehicle) must also submit the meter for a test. Meters are tested over the "measured distance" located on Fulford Road by the Taxi Licensing Vehicle Inspector.

**Please note, meters will not be tested until the vehicle has been licensed.**

The suitability of the vehicle is determined by the mechanical and general condition of the vehicle under the main headings listed on the inspection report reproduced on page 8. Additional items that are subject to byelaws and vehicle conditions will also be examined. The vehicle must be presented for test in a clean and tidy condition, which includes the engine compartment, so that close examination may be carried out.

Where it is intended to use a vehicle with a roof rack, the vehicle must be presented for test with the rack fitted so it can be examined and passed fit and suitable.

Unauthorised signs and notices must not be displayed in or on the vehicle without the approval of the Council. (Further information regarding advertising can be found on page 9).

Fire extinguishers must conform with the European Standard BS EN3 - please ensure this is printed on your fire extinguisher.

### **Engine Size**

Licensed vehicles shall have a minimum engine capacity of 1250cc except for vehicles fitted with an engine rated with a Euro 4 emissions standard or better.

**Spare Wheels**

All vehicles must carry a spare wheel and the tools required to undertake a change of wheel. Exemption from this policy will be granted under the following conditions:-

- The use, in emergencies only, of a space-saver tyre, run flat tyres (when punctured) or puncture repair kit for all vehicles that are manufactured and delivered with such tyres or kits as standard.
- That in the event of a space-saver tyre, run flat tyres (when punctured) or puncture repair kit being used, it is only to complete a fare and must comply precisely with the manufacturers' recommendations. Any such defective wheel should be replaced before taking another fare to ensure passenger safety.
- In cases where a rear loading wheelchair accessible conversion or a LPG conversion where the tank occupies the usual site of the spare wheel, is considered suitable, the vehicle should be exempt from the requirement to carry a spare wheel matching those fitted to the vehicle. This would be subject to the vehicle meeting the luggage criteria and being approved by the specialist converters. In these instances an alternative space saver tyre or puncture repair kit must be carried on the vehicle for emergencies.
- All other licensed vehicles must carry a spare wheel matching those fitted to the vehicle and an appropriate means of changing the wheel.

**Please note that a licensed vehicle is always a licensed vehicle and cannot be driven by anyone other than a licensed person.**



**HACKNEY CARRIAGE / PRIVATE HIRE VEHICLE INSPECTION**

The mechanic and taxi licensing vehicle inspector will check all items listed below. This is not an exhaustive list as the inspection may show up a fault on a part not included on the list but is relevant to the safety of a vehicle being used as a hackney carriage or private hire vehicle. Additionally, the vehicle will be checked for compliance with all vehicle licence conditions.

<b>VEHICLE EXTERIOR</b>	<b>ENGINE BAY</b>
Condition/operation of obligatory lights, horn, wipers, washers & mirrors.	Brake/clutch master cylinder condition/fluid levels
Roof sign (approved & light working) (HC)	Condition of bonnet, fittings & inner wings
Condition/operation of doors, hinges, handles, locks & windows	Chassis members
Windscreen condition	
Condition & security of number plates	<b>WHEELS AND TYRES</b>
Condition & security of licence plate(s)	Condition of wheels including spare
Advertising (approved)	Condition of tyres & tread depth including spare
General conditions of bodywork & bumpers	Suitability/compatibility of tyres including spare
Visually check exhaust emissions	
Bull bars not fitted	
	<b>UNDERSIDE</b>
<b>INSIDE BOOT</b>	Condition of chassis, floor, sills & cross members
Boot interior cleanliness	Security & condition of suspension system & mounting
Boot floor/inner wings corrosion	Condition of front and rear anti-roll bars and components
Jack & tools in order	Condition of brake pipes, hoses & visible linings
<b>DRIVING CONTROLS</b>	Condition and operation of brake discs & pads
Condition & operation of driving controls including steering wheel, pedals, parking brake lever, switches & other controls	Condition & operation of parking brake
Seat security & condition	Condition of fuel system
	Condition of exhaust system
	Evidence of any fluid leaks
<b>INTERIOR OF VEHICLE</b>	Security & condition of transmission shafts
Cleanliness & condition of headlining, seats and floor covering	Security & condition of steering system
Security, condition & operation of seat belts	Security & condition of inner & outer drive shaft boots
Suitability of wheel chair facilities, ramps, clamps or anchorage's etc.	Security & condition of wheels, hubs & bearings
	Condition of engine & transmission mountings
<b>ENGINE BAY</b>	
Cleanliness & lack of fluid leaks	<b>ROLLER BRAKE TEST</b>
Security & condition of engine & ancillaries	Service brake efficiency
Condition & security of any visible steering mountings	Parking brake efficiency
Condition & security of battery & accessories	
Visible wiring loom condition	

## **CONDITIONS UNDER WHICH ADVERTISING ON HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES WILL BE PERMITTED**

Where vehicle licence conditions permit, vehicle licence holders may place advertising material in or on their vehicle in accordance with their licence conditions. Approval must first be sought from the Taxi Licensing Office.

### **1) TYPE OF ADVERTISING PERMITTED**

- a) No advertising will be permitted which causes public offence.
- b) No vehicle shall display external advertising from more than one advertiser.
- c) Advertising material must comply with all aspects of Advertising Standards legislation and the published guidelines of the Advertising Standards Authority.
- d) No vehicle shall display advertising relating to:-
  - Alcohol
  - Cigarettes or other tobacco products
  - Any political or religious organisation or campaign
- e) No advertising material shall cause the vehicle to break Road Traffic Legislation or render the vehicle hazardous to its driver, passengers or other road users.
- f) All advertising artwork must be to a high standard.
- g) Artwork must be durable to the rigours of display on a vehicle in daily use.

### **2) ADVERTISING DISPLAYED ON VEHICLE BODYWORK**

Hackney carriage vehicles may display advertising material mounted or painted on the front and rear of the vehicle. The sides of the vehicle must remain free of advertising in order to give sufficient prominence to the coat of arms decal which aids identification of the vehicle as a City of York licensed hackney carriage. **The advertising must be inspected by the Taxi Licensing Office prior to the vehicle going into service.**

Private hire vehicles may display advertising material mounted or painted on the bonnet and boot of the vehicle. The doors must remain free of advertising in order to give sufficient prominence to the Operator's details. **The advertising must be inspected by the Taxi Licensing Office prior to the vehicle going into service.**

### **3) ADVERTISING IN THE FORM OF REAR WINDOW STICKERS**

One rear window sticker may be permitted per vehicle providing it does not obscure the driver's visibility. No other advertising window stickers may be displayed. Vehicle dealer stickers will be considered as advertising stickers therefore no other sticker may be displayed.

### **4) ADVERTISING INTERNALLY WITHIN THE VEHICLE**

Hackney carriages and private hire vehicles may display advertising within their vehicle in the form of a panel displayed in a position visible to passengers but not interfering with the driver's vision or the passenger's ability to see out of the windows.

### **5) COMPLIANCE WITH THESE CONDITIONS**

Vehicles displaying advertising without approval contravene the vehicle licence conditions and in the case of hackney carriages, the Byelaws, and if prosecuted would be liable to a fine of up to £500. The vehicle licence could also be suspended until such time as the material has been removed from the vehicle (subject to the right of appeal to the Magistrates' Court). A vehicle licence will also be suspended if artwork is incomplete due to bodywork repairs.

The Taxi Licensing Office will exercise this authority in the interests of the citizens and visitors to York.

- 10 -

### WHAT THE LICENCE WILL COST YOU

The following fees are currently charged:-

Private Hire Driver's Licence - New Application	£97.00
Private Hire Driver's Licence - Renewal	£58.00
Fee for holders of current Hackney Carriage Driver's Licence on first application for Private Hire Driver's Licence - Note: subsequent renewals are at the normal renewal fee	£39.00
Private Hire Vehicle Licence - New Application	£150.00
Private Hire Vehicle Licence - Renewal	£120.00
Vehicle Inspection Fee	£38.00
Vehicle Re-test Fee	£27.00
Change of Vehicle Fee	£27.00
Private Hire Driver's Badge - Replacement Charge	£6.00
Private Hire Vehicle Plates (set of 2) - Replacement Charge	£27.00
Private Hire Plates - Cost to New Applicants (includes interior plate)	£33.00
Vehicle Licence Transfer Fee	£22.00
Duplicate Licence Fee – per licence	£13.00
Knowledge Test Fee – per test	£15.00
Administration Charge for various activities including bounced cheques	£20.00
Private Hire Operators Licence - between 1 and 3 vehicles	£48.00
- between 4 and 10 vehicles	£67.00
- between 11 and 20 vehicles	£82.00
- between 21 and 30 vehicles	£102.00
- between 31 and 40 vehicles	£123.00
- more than 40 vehicles	£150.00
Hackney Carriage Driver's Licence - New Application	£107.00
Hackney Carriage Driver's Licence - Renewal	£65.00
Fee for holders of current Private Hire Driver's Licence on first application for Hackney Carriage Driver's Licence - Note: subsequent renewals are at the normal renewal fee	£39.00
Hackney Carriage Vehicle Licence - New Application	£170.00
Hackney Carriage Vehicle Licence - Renewal	£130.00
Vehicle Inspection Fee	£38.00
Vehicle Re-test Fee	£27.00
Change of Vehicle Fee	£27.00
Hackney Carriage Driver's Badge - Replacement Charge	£6.00
Hackney Carriage Vehicle Plate - Replacement Charge	£24.00
Hackney Carriage Vehicle Crests – Magnetic (per set)	£21.00
Adhesive (per set)	£13.00
Vehicle Licence Transfer Fee	£22.00
Duplicate Licence Fee – per licence	£13.00
Knowledge Test Fee – per test	£15.00
Administration Charge for various activities including bounced cheques	£20.00

The above fees are reviewed annually and are likely to change on the 1st April each year.

Hackney carriage licences are renewed for the 1st June each year and private hire licences are renewed for the 1st November each year. **There is no reduction for licenses issued part way through the licensing year. N.B. The licence fee is paid for the grant of the licence regardless of the length of time it is issued for.**

There are at present 177 hackney carriage vehicle licences issued for the City.

The Council cannot limit the number of private hire vehicle licences but all vehicle licence holders must work for a private hire company with a private hire operator's licence issued by City of York Council or must hold their own private hire operator's licence.

**THE REHABILITATION OF OFFENDERS ACT 1974**

**GUIDELINES FOR ASSESSING APPLICANTS FOR  
HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES**

## GUIDE TO THE REHABILITATION OF OFFENDERS ACT 1974

### SENTENCE

### REHABILITATION PERIOD

Imprisonment or suspended sentence exceeding 6 months but not exceeding 30 months

10 years

Imprisonment or suspended sentence of 6 months or less

7 years

Fines, compensation order, probation (for people convicted on or after 3 February 1995), community service, combination order, action plan, curfew order, drug treatment, reparation order

5 years

NOTE: THE ABOVE PERIODS ARE SUBJECT TO REDUCTION FOR PERSONS UNDER 17

Borstal training (abolished 1983)

7 years

Detention Centre Order (abolished 1988)

3 years

Absolute discharge

6 months

Probation order (for people convicted prior to 3 February 1995) conditional discharge, bind over, supervision order, care order

Until the order expires (minimum period of 1 year)

Attendance Centre Order

Length of the order plus 1 year

Hospital order

2 years after the order expires (with a minimum of 5 years from the date of conviction)

Driving disqualification's, endorsements etc. when no fine is imposed

The date on which the disqualification etc. ceased to have effect

If a fine is imposed in addition to a driving disqualification or endorsement, the rehabilitation period is 5 years from date of conviction.

Where 2 or more sentences have been imposed in respect of a single conviction, the longer period applies to both. Generally, where a person commits a further offence during a rehabilitation period, neither can be regarded as spent until both periods have elapsed.

**NOTE:** It is the sentence imposed by the Court that counts (even if it is a suspended sentence) not the time actually spent in prison.

### SENTENCES EXCLUDED FROM REHABILITATION

Life imprisonment  
Preventative detention

}  
} These sentences must

Sentence of imprisonment or corrective training exceeding  
30 months

} always be revealed  
}

Annex B

## **GUIDELINES FOR ASSESSING APPLICANTS FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES**

Under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, Schedule 2 as amended by the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendments) Order 2003, \*taxi driver licences are listed under Excepted Licences and under Schedule 3, proceedings relating to a taxi driver licence are listed as Excepted Proceedings. This means that the Rehabilitation of Offenders Act 1974 does not apply to any person applying for a private hire or hackney carriage driver's licence on initial grant or on renewal. You are therefore required to declare every offence for which you have been convicted or received a formal caution from the Police, whether or not it is spent within the terms of the Rehabilitation of Offenders Act 1974.

\* "taxi" driver is defined as both hackney carriage and private hire

When considering the effect a conviction or convictions may have on an application for a private hire or hackney carriage licence, each individual case will be decided on its own merits.

The offences listed below are examples of those considered particularly relevant but are not exhaustive and all convictions will be considered including those which are spent. Regard will be had both to the seriousness of an offence and to repeated offending. The overriding consideration will be the protection of the public. In addition to their right of appeal to the Magistrates' Court under the Local Government (Miscellaneous Provisions) Act 1976, applicants will be offered an opportunity to appeal against the refusal of an application to the Council's Environment Appeals Committee.

### **Offences of a sexual nature or involving indecency or involving obscene materials**

These will include consensual sex with others under the age of consent. It is recognised that drivers carry great numbers of underage persons who could be vulnerable to improper advances.

Applicants with unspent convictions for these offences will not normally be considered fit and proper.

### **Offences of Violence**

A driver with violent tendencies, whether it is violence towards men or women or sexual aggression, may not be a suitable person to drive the public. The public may on occasions be difficult and unco-operative and on other occasions may be travelling on their own and be very vulnerable.

Applicants with unspent convictions for offences involving violence will not normally be considered fit and proper.

### **Offences of Dishonesty**

Drivers are in a position to illegally obtain money or property whilst carrying out their work. This could range from over charging to burglary. For example, drivers often become aware of when properties are empty and when the occupants are expected to return.

Applicants with unspent convictions for offences involving dishonesty will not normally be considered fit and proper.

### **Offences involving Drugs**

Drivers are in a position to be involved in the dealing and transportation of controlled drugs.



Applicants with unspent convictions for offences involving drugs will not normally be considered fit and proper.

- 13 -

### **Offences of Driving Under the Influence of Alcohol or Drugs**

Offences involving substance abuse may indicate an inability to control the use of such substances with a potential to affect the driver's safety on the roads.

Where a fine has been imposed, the rehabilitation period is five years. Where an applicant is convicted of this offence they will normally not be considered fit and proper until the expiry of five years.

### **Traffic Offences**

Motoring offences are important in relation to someone who intends to earn their living driving the public.

An applicant with an unspent conviction for a serious road traffic offence or repeated minor offences will not normally be considered a fit and proper person.

### **Offences involving Discrimination**

Offences concerning discrimination are a concern to all in society and drivers are in a position to discriminate against selected groups or individual passengers.

An applicant with an unspent conviction for discrimination against any sector of the community will not normally be considered a fit and proper person.

### **Convictions During the Currency of a Licence**

A current licence holder who is convicted of any offence contained within these guidelines during the course of the currency of a licence will normally have his/her licence suspended pending consideration of its revocation.

## **THE KNOWLEDGE TEST**

### **YORK CITY CENTRE PEDESTRIANISATION SCHEME**

### **KNOWLEDGE TEST GUIDANCE**

In preparation for the knowledge test you should familiarise yourself with the Council's **Taxi Licensing Guidance Notes for Applicants**.

Please note there is a charge of £15.00 to sit the knowledge test. This is charged per test, regardless of the number of knowledge tests taken.

Knowledge tests are conducted by the Taxi Licensing Unit and form part of the application procedure. Please arrive early for your appointment, if you are late you will not be allowed to sit the test on that day and this will delay the progress of your application. You may not take any papers, books or notes into the room where the knowledge test is conducted.

The knowledge test is designed to test your knowledge of the legislation and conditions that are attached to the grant of hackney carriage and private hire driver and vehicle licences issued by City of York Council. Also included in the test paper are questions which will examine your knowledge of the local area and the pedestrianisation scheme which is operated in the city centre.

The knowledge test is a written test and consists of two parts. You will be allowed 60 minutes to complete the test.

Part One consists of 15 multi choice questions which cover the following subjects:-

- Private Hire Driver and Vehicle Licence Conditions
- Hackney Carriage Vehicle Licence Conditions and Byelaws
- Local traffic regulations (including pedestrianisation scheme and Access Only Orders)
- The requirement under the Disability Discrimination Act 1995 as amended in 2005 regarding the carriage of registered guide, hearing and assistance dogs

Part Two consists of a further 15 questions and covers:-

- Routes within the York area
- Locations and places of interest

You are required to answer 12 questions correctly in **both** Part One and Part Two to successfully complete the test. You will be informed of the result by phone, usually within five working days. An applicant will be allowed to take as many knowledge tests as necessary in order to pass the test, however, please note the test paper will change depending on the number of tests taken. Failure of two knowledge tests will significantly delay the application procedure as applicants will be put on a waiting list to sit third and subsequent knowledge tests.

Should you feel that you may need assistance for any reason in sitting this test, please do not hesitate to contact the Taxi Licensing Office beforehand who will endeavour to assist you.

Examples of questions you may be asked are shown below: -

#### **Part One**

- 1) What is the difference between a private hire vehicle and a hackney carriage vehicle?
  - a) private hire vehicles can only carry pre-booked passengers
  - b) smoking is allowed in hackney carriages
  - c) private hire can only carry a maximum of 4 passengers
  - d) both (a) and (c) are correct

- 15 -

Knowledge Test Guidance – continued.....

- 2) The York City Centre Pedestrianisation Scheme forbids vehicles from entering or operating within the pedestrian zone between which hours on Sundays?
- 12 noon to 4.00 p.m.
  - 10.30 a.m. to 4.30 p.m.
  - 11.00 a.m. to 4.00 p.m.
  - There are no restrictions on Sundays
- 3) Under what circumstances may a licensed driver refuse to carry a registered assistance dog?
- they have no obligation to carry a registered assistance dog
  - at their own discretion
  - only on possession of an exemption certificate issued by the Council
  - if they don't like dogs

**Part Two**

Ensuring you use the shortest possible route, name the main roads that you would take between the following locations:-

1.	<p style="text-align: center;"><u>From</u></p> Energise Sports Centre <p style="text-align: center;"><u>To</u></p> Bishopthorpe	
2.	<p style="text-align: center;"><u>From</u></p> York Police Station <p style="text-align: center;"><u>To</u></p> York Magistrates Court	

In which roads are these locations: -

3.	The Gallery Nightclub	
4.	The Registry Office	
5.	Nuffield Hospital	

**SEATBELT REGULATIONS - FOR YOUR INFORMATION**

Hackney Carriage Drivers - The driver may choose not to wear the seatbelt when plying for hire or when passengers are in the vehicle.

Private Hire Drivers - The driver **must** wear the seatbelt at all times **except** when passengers are in the vehicle. It is the drivers own choice not to wear the seatbelt with passengers in the vehicle.

## **YORK CITY CENTRE PEDESTRIANISATION SCHEME**

### 1) **ACCESS ONLY**

Monday to Friday: 8.00 a.m. to 11.00 a.m.  
4.00 p.m. to 6.00 p.m.

Saturday: 8.00 a.m. to 10.30 a.m.  
4.30 p.m. to 6.00 p.m.

During the above times the same restrictions apply to Hackney Carriages and Private Hire vehicles as to private motorists, i.e. they may pick up or drop off passengers with heavy loads, goods or parcels which it would be quite impracticable to carry on foot. This applies to all the pedestrianised areas except the Blake Street/St. Helen's Square/Lendal "loop", where the only restriction is that passengers must require access to premises on or adjoining those three roads.

### 2) **FULLY PEDESTRIANISED PERIOD**

Monday to Friday: 11.00 a.m. to 4.00 p.m.

Saturday: 10.30 a.m. to 4.30 p.m.

Sunday: 12 noon to 4.00 p.m.

Hackney Carriages and Private Hire vehicles are forbidden from entering or operating within the pedestrianised zone unless exempt within the terms of the City of York (Central Area) (Pedestrianisation and Traffic Scheme) Order 1994. There is a list of specified exemptions within the body of the Traffic Order but the only ones likely to affect Hackney Carriages and Private Hire vehicles are:-

- a) The carriage of guests and their luggage to and from the Judges Lodgings Hotel on Lendal at the commencement and termination of their stay.  
  
Route: Blake Street, St. Helen's Square, Lendal.
- b) The carriage of guests and their luggage to and from the Galtres Lodge Hotel on Low Petergate at the commencement and termination of their stay.  
  
Route: Goodramgate, Church Street, Swinegate, Grape Lane, Low Petergate, King's Square, Colliergate.
- c) In connection with a wedding or funeral taking place at or from premises within the pedestrianised area.
- d) Within the terms of the "Blue Permit" disabled persons concession - when carrying the holder of the permit and only in Blake Street/St. Helen's Square/Lendal; Goodramgate/King's Square/Colliergate and Castlegate. The Blue Permit must be displayed whilst within the pedestrianised area (see below).
- e) Under the City Council's "Green Permit" for the specially disabled (in addition to the Blue Permit) but only via Davygate, St. Sampson's Square and Church Street. The Permit must be displayed within the pedestrianised area (see below).

- f) In connection with the Council's "Yellow Permit" for specially disabled persons who are temporary visitors or service - the effect of this Permit is exactly the same as the Green Permit.

- 17 -

- g) In connection with the Council's "Blue Permit" issued by the City Centre Services Manager for one day only for a specified use, time and route.

In connection with all the above Permits, the licensed driver must only used the route in and out of the pedestrianised area specified in relation to the particular Permit under which he is operating.

Although a strict interpretation of the law demands that the licensed driver, must display in his vehicle the relevant Permit at all times he is within the pedestrianised area, this is obviously not possible in all cases - e.g. where the licensed driver is called to pick up a disabled person with a Green Permit from St. Sampson's Centre, unless he has obtained the Permit from the holder some previous time, he cannot display the Permit on his inward journey, similarly, having dropped off a Permit holder, unless he is to return by appointment to pick up his fare and can therefore retain the Permit, he cannot display it on the outward journey. The Police and the City Officers have agreed that in these circumstances, the licensed driver may travel to or from (as appropriate) his pick-up/dropping off point without displaying the Permit but if he is challenged by a Police Officer, Traffic Warden or City Council Officer, he will be asked to supply details of his fare and it will be at the discretion of the Officer concerned whether he pursues enquiries to verify this or whether he accepts what he is told by the licensed driver.

The above paragraphs cover all the normal occasions when a licensed driver will be operating within the pedestrianised area. The only category which needs additional explanation is that covering an emergency such as sudden illness or injury not necessitating an ambulance but where the afflicted person needs to be taken home or to relatives. In this type of situation the overriding Police discretion to allow any vehicle into the pedestrianised area for whatever reason they feel fit is clear and unambiguous authority. Alongside the Police authority, the City Centre Manager, under "Permit powers" may authorise the entry of a Hackney Carriage/Private Hire vehicle under these circumstance. The City Centre Manager will normally give the authority verbally over the telephone to the Warden of the St. Sampson's Centre, the shop owner or whoever requests the permission, who will then contact the Private Hire Operator/Hackney Carriage of his/her choice. The Private Hire Operator/Hackney Carriage Proprietor may telephone the City Centre Manager if he/she is in any doubt about the genuineness of the call. In the meantime, the City Centre Manager will inform the Police Control Room of the permitted entry.

**PLEASE NOTE** that Parliament Street, High Ousegate, Spurriergate, Coney Street, Market Street, Feasegate and New Street are 24 hour pedestrian zone streets. Between 6.00 p.m. and 8.00 a.m. the following day, you may only enter these streets if you are setting down or picking up passengers. For example, a vehicle cannot travel through Spurriergate and Coney Street to pick up or set down passengers at the Varsity Public House on Lendal. This is part of the York (Central Area - 95/1) Traffic Order 1995.

**PRIVATE HIRE DRIVER'S LICENCE CONDITIONS**

**PRIVATE HIRE VEHICLE LICENCE CONDITIONS**

**PRIVATE HIRE OPERATOR'S LICENCE CONDITIONS**

**HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS**

**HACKNEY CARRIAGE BYELAWS**

**HACKNEY CARRIAGE RANKS**

**PRIVATE HIRE DRIVER'S LICENCE CONDITIONS**

- 1) Private Hire drivers shall act in a considerate manner ensuring the safety and comfort of passengers travelling in, entering or alighting from their vehicle. The driver must conduct him/herself in a civil and orderly manner in dealings with passengers, other drivers or proprietors or any other person they come into contact with when acting as a licensed driver. The driver shall be clean and tidy in appearance.
- 2) The driver of a Private Hire Vehicle shall not smoke whilst conveying a passenger.
- 3) Licensed drivers shall wear the badge provided at all times when operating their vehicles.
- 4) Licensed drivers shall submit a medical certificate on the first renewal after the age of 45, 50, 55, 60, 64 and on every renewal thereafter.
- 5) Licensed drivers shall submit details of any serious illness or prescription of any medication that may affect his/her ability to provide a public transport service.
- 6) Licensed drivers will not drive when their ability to do so is impaired by having worked excessive hours or when under the influence of drink or drugs.
- 7) The licensed driver shall within three days supply to the Council:-
  - i) Details of any change of address and/or telephone number
  - ii) Written details of any conviction being recorded against him/her or any Company of which he/she is a Secretary or Director.
  - iii) Details of any change of Private Hire Operator or vehicle proprietor for whom he/she is driving and the date of commencement or termination of such employment.
- 8) Licensed drivers who find property that has been accidentally left in a private hire vehicle by any passenger shall deliver it to the Licensing Office of the City Council or to the nearest Police Station within 48 hours of its discovery.
- 9) The licensed driver of a private hire vehicle, in whose vehicle there shall have been conveyed the dead body of any person, shall immediately he/she becomes aware of the fact, notify the Chief Environmental Health Officer of the Council.
- 10) On termination or surrender of a driver's licence, the badge must be returned to the Council or a financial penalty will be imposed.
- 11) The driver of a licensed private hire vehicle which has been hired by or for a disabled person with their guide, hearing or prescribed assistance dog; or by a person who will be accompanied in the licensed vehicle by such a disabled person, will carry the disabled passenger's dog and allow it to remain with the passenger and not make any additional charge for doing so.

Any person with a medical condition that would be aggravated by carrying dogs may apply to the Council for an exemption from this requirement.



**PRIVATE HIRE VEHICLE LICENCE CONDITIONS**

- 1) The licensed vehicle shall display the following signs: -
  - a) The licence plates issued by the Council, which should be securely fixed to the front and rear of the vehicle so that they are clearly visible. The licence plates will remain the property of the Council and must be returned to the Council immediately upon a change of vehicle or when requested upon the suspension, revocation or expiry of a vehicle licence. Temporary plates shall be affixed to the inside of the front screen and rear window providing they do not obscure the visibility of the driver.
  - b) A sign on the rear passenger doors including the name and telephone number of the firm and the words "PRIVATE HIRE VEHICLE - PRE BOOKED ONLY" in suitable lettering 50mm high. The approval of the Council should be sought before the display of the sign. The sign must **not** include the words "FOR HIRE", "TAXI", or "HACKNEY CARRIAGE".
  - c) A statement of fares and the means by which these are calculated placed in a prominent position inside the vehicle.
- 2) The licensed vehicle shall not display any other signs or notices except those detailed above or approved by the Council.
- 3) Every licensed proprietor shall: -
  - a) provide means by which any passenger in the vehicle may communicate or talk with the driver
  - b) keep the roof or covering watertight
  - c) maintain the seats in a clean, secure and well maintained condition, properly cushioned and covered
  - d) cover the floor with a proper carpet, mats or other suitable covering and maintain in a clean and sound condition
  - e) keep the furniture and fittings in a clean and fit condition and maintain all interior door coverings and head linings in a clean and sound condition
  - f) provide a fire extinguisher to comply with current standards
  - g) maintain in an operable condition all doors, hinges, handles, locks and windows
- 4) The licensed vehicle shall: -
  - a) be provided with at least two doors for the use of passengers conveyed in the vehicle together with a door for the driver (excluding tailgate)
  - b) be provided with any necessary windows and means of opening or closing not less than one window on either side
  - c) be fitted with effective means of heating and ventilation
  - d) be kept at all times in a good mechanical condition

- e) comply with the requirements of any statute or of any vehicle test which the Council shall enforce

- 20 -

- f) have a cubic capacity of not less than 1250 c.c. (engine) except for vehicles fitted with an engine rated with a Euro IV (or better) emission standard
  - g) not be fitted with bull bars or any other device on the front of the vehicle intended to supplement the resistance to impact offered by the vehicles standard bumper
- 5) The seating capacity of a licensed vehicle shall be determined as follows:-
- a) where separate seats for each person are provided, one person shall be counted for each separate seat provided.
  - b) where the vehicle is fitted with continuous seats, one person shall be counted for each completed length of 400mm measured in a straight line lengthwise over the centre of the seat. The centre of the seat shall be determined as half the distance from the forwardmost point of the front edge of the seat to the rear edge of the seat. Where the seat is fitted with arms for the purpose of separating the seating spaces and such arms are so constructed that they can be folded back or otherwise put out of use, such seat shall be measured as if it were not fitted with such arms.
  - c) All vehicles licensed shall comply with the following minimum standards of internal space:-
    - i) the distance from the rear seat-back to the rearmost part of the seat in front of that seat or other partition shall not be less than 610mm
    - ii) the distance from the foremost front edge of the rear seat to the rearmost part of the seat in front of that seat or other partition shall not be less than 200mm for the purpose of carrying passengers
- 6) The licensed vehicle must be of a suitable type and be in good condition. The vehicle must be maintained in such a condition as would satisfy the current M.O.T. vehicle safety and exhaust emission standards as prescribed by the Department for Transport.
- 7) The licensed vehicle shall not be a licensed Hackney Carriage or Private Hire Vehicle of any other Council.
- 8) If the licensed vehicle is fitted with a taximeter, the Council's Byelaws will apply, in particular: -
- a) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letters and figures shall be capable of being suitably illuminated during the period of hiring
  - b) The operator, owner or driver of a private hire vehicle shall not tamper or permit any person to tamper with the taximeter fitted to the vehicle, with the fittings thereof or with the seals affixed thereto, provided this shall not prevent the taximeter being removed from the vehicle to a place of safety when the private hire vehicle is not in use.
  - c) Unless the hirer wishes to engage by time, the taximeter shall be activated at the commencement of hiring and shut down immediately on completion of the hiring but the amount of fare recorded shall remain displayed to allow the hirer a reasonable opportunity to examine it.

- 9) No taximeter shall be used unless it has first been tested and approved by the Council. Arrangements must be made with the Council to re-test the taximeter upon a change in the scale of fares.
- 10) The licensed proprietor shall immediately notify the Council of the name and address of any other proprietor or person concerned in the keeping, employing or letting for hire of the licensed vehicle.  
- 21 -
- 11) Upon a change of proprietor, the Council shall be notified within 14 days of such change by the licensed proprietor (which expression includes both Companies and Partnerships).
- 12) The Council's Taxi Licensing Officer shall be notified within 72 hours of the following:-
  - a) any accident or incident affecting the safety, performance or appearance of the licensed vehicle or the comfort or convenience of passengers
  - b) any alteration in the design or construction of the vehicle
- 13) The licensed proprietor of a Private Hire Vehicle shall permit the inspection of all documents relating to the licensed vehicle at all reasonable times and by prior arrangement by the Officers of the Council.
- 14) Only one two way radio may be operational at any one time and this shall be an approved radio used exclusively for the Hackney Carriage or Private Hire trade and properly licensed. The radio shall be securely fixed to the vehicle.
- 15) Licensed vehicles exceeding five years old on the day of licensing (calculated from the date of first registration), will be subject to two vehicle inspections in any 12 month period. One inspection shall be the initial grant or annual inspection conducted by the Council, the second inspection will take place approximately six months from the date of the initial grant or annual inspection at a date determined by the Council and can be completed by:-
  - a) presenting the vehicle for inspection by the Council's vehicle examiner within a time scale determined by the Councilor
  - b) successfully completing a M.O.T. test within a time scale determined by the Council
- 16) Seatbelts must be available for each passenger that the vehicle is licensed to carry. Exemption will be granted where the proprietor can prove to the satisfaction of the Taxi Licensing Officer that it is technically impossible to provide a seat belt to comply with type approval.
- 17) Licensed vehicles must display a sign or signs in a prominent position visible to all passengers (whether seated in the front or rear seats of the vehicle) reminding them of their legal requirement to wear a seatbelt.
- 18) Licensed vehicles must display a sign supplied by the Council inside the vehicle in a visible position to passengers, displaying the Council's details and the plate number of the vehicle. The sign will remain the property of the Council and must be returned to the Council when requested upon the suspension, revocation or expiry of a vehicle licence.
- 19) i) All licensed vehicles shall be fitted with windscreen glass that has a light transmittance of 75%  
and

- ii) All other window glass shall have a light transmittance of not less than 70% except those parts of the rear window or any side windows adjacent to the luggage space in any estate-type vehicle which can be of any manufacturer's tint providing it is not opaque.
  - iii) Any self applied material shall satisfy the requirements of i) and ii) above if it has been approved by the Council.
  - iv) Neither i), ii) or iii) above shall apply to tinted glass fitted by the manufacturer in respect to vehicles currently licensed by this Council.
- 20) Every licensed proprietor shall provide means of carrying and securing luggage and in the case of any vehicle without a secure boot so as not to exceed the height of the rear seat.

- 22 -

- 21) The licensed vehicle shall have a luggage space, separate from the passenger compartment, which is capable of holding, at a minimum, two suitcases (a large one measuring 720mm x 460mm x 280mm and a medium one measuring 660mm x 430mm x 280mm) and a folded wheelchair (not at the same time). This condition shall not apply to vehicles already licensed by the Council.
- 22) The licensed vehicle shall not be equipped with any CCTV system unless approved by the Council.
- 23) Where the licensed vehicle is so constructed or adapted as to be a wheelchair accessible vehicle it shall only be driven by a licensed driver who has:
- a) Completed and passed the Driving Standards Agency wheelchair exercise or equivalent, and
  - b) Completed and passed the City of York Council Disability Equality Training Level 1 (Taxi) or equivalent.

### **GUIDANCE NOTES FOR NEW APPLICANTS FOR PRIVATE HIRE OPERATORS' LICENCES**

All new applicants for an operator's licence will have the application referred to the Council's Planning Department. If planning permission is required, this must be obtained by the applicant before the issue of the operator's licence. Due to this requirement, applicants must provide details of where vehicles will be parked.

An applicant who is buying an existing private hire business must complete an application form and pay the relevant fee for a new licence.

Applicants for operators' licences cannot use the same (or similar) name as any private hire firm currently operating within the district or any name previously used within the district and registered by the operator at Companies House.

Vehicle sideplates must bear the name of the private hire business and the telephone number. They must also include the wording "**PRIVATE HIRE VEHICLE - PRE BOOKED ONLY**" in suitable lettering at least 50mm (2") high. The sign must **not** include the words "FOR HIRE", "TAXI", or "HACKNEY CARRIAGE".

Artwork for vehicle sideplates must be submitted to the Council for approval. Artwork must comply with the following guidelines:-

- The design of the sideplate must be uncluttered and must clearly show the information required by the private hire vehicle licence conditions
- All lettering must be in solid block print, not just an outline and contrast in colour from the background so as to be easily read from a distance
- Sideplates may include the private hire company logo
- Advertising of third party products or services is not permitted on sideplates
- Sideplates must not contain any offensive or indecent information

To "operate" private hire vehicles means in the course of business to make provision for the invitation or acceptance of bookings for private hire vehicles at the premises specified in the licence. All telephone bookings must be made via a landline at the address specified in the licence and cannot be taken on a mobile telephone.

## **PRIVATE HIRE OPERATOR'S LICENCE CONDITIONS**

### **NEW APPLICANTS AND RENEWALS**

- 1) All applicants are required to complete an application form and are reminded that it is an offence to knowingly or recklessly make any false statement or omit relevant information.
- 2) The Booking Office premises of a Private Hire Operator shall be approved by the Council and shall conform to all Planning Regulations and other legal requirements in respect of business premises. In the event that it is found that the Booking Office is operating without all necessary planning consents or in breach of planning conditions, the Private Hire Operator's licence will be deemed suspended until planning consent is obtained.
- 3) The licensed Operator shall keep a record of the Hackney Carriage/Private Hire Vehicle Licence number, Plate number, registration number and make and model of all Hackney Carriages/Private Hire vehicles operating from his/her office and such records shall be available at all reasonable times for inspection by the Council.
- 4) The licensed Operator shall keep a record of the Hackney Carriage/Private Hire Driver's Licence number, Badge number, personal identity code name or number, name and address of each driver operating from his/her office and such records shall be available at all reasonable times for inspection by the Council.
- 5) The licensed Operator shall display in a prominent position visible to customers visiting his premises at his place of business a list of fares and booking fees chargeable by the Operator. The Council shall be supplied with an up to date list of fares within 14 days of any changes made.
- 6) The licensed Operator will ensure that the licence issued by the Department of Trade and Industry for all radio equipment used is current and valid. All equipment must only be used on the frequencies stipulated in the D.T.I. licence and the licensed Operator must allow the Council access to inspect all equipment and D.T.I. licenses.
- 7) The licensed Operator shall keep and maintain at all times for a period of not less than six months, a record of hiring showing the particulars of every booking of a Hackney Carriage/Private Hire vehicle, including any booking accepted at the request of another Operator.

The record must be kept in the form of a log sheet or computer database detailing in particular:-

- 1) The date and time of each booking
- 2) The name and address of the hirer (if known)
- 3) The dates, time and place of the commencement of each hiring
- 4) The destination
- \* 5) The vehicle licence number and the name of the driver
- \* 6) The price charged for the hiring of the vehicle

(\* This information may be given by reference to an incorporated code)

- 8) The licensed Operator shall inform the Council within fourteen days of any change of the partners or Directors of the company, or any change on the Secretaryship or Chairmanship thereof.

- 25 -

- 9) ONLY vehicles properly licensed by City of York Council as Hackney Carriages or Private Hire Vehicles may operate from these premises under the said Operator's licence.
- 10) ONLY drivers properly licensed by City of York Council as Private Hire Drivers may drive Private Hire Vehicles operated from these premises under the said Operator's licence.
- 11) ONLY drivers properly licensed by City of York Council as Hackney Carriage Drivers may drive Hackney Carriages operated from these premises under the said Operator's licence.
- 12) A maximum of \*\*\* vehicle(s) may operate from the licensed Booking Office at \*\*\*\*\*
- 13) These conditions must be prominently displayed at the office of the Operator visible to customers visiting the premises.

**HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS**

- 1) The licensed vehicle may display an internal sign visible from outside the vehicle indicating the name and telephone number of any Company to which the vehicle is affiliated, in a form approved by the Council.
- 2) The licensed vehicle shall not display any other signs or notices except those detailed above or approved by the Council.
- 3) The seating capacity of a licensed vehicle shall be determined as follows:-
  - a) where separate seats for each person are provided, one person shall be counted for each separate seat provided.
  - b) where the vehicle is fitted with continuous seats, one person shall be counted for each completed length of 400mm measured in a straight line lengthwise over the centre of the seat. The centre of the seat shall be determined as half the distance from the forwardmost point of the front edge of the seat to the rear edge of the seat. Where the seat is fitted with arms for the purpose of separating the seating spaces and such arms are so constructed that they can be folded back or otherwise put out of use, such seat shall be measured as if it were not fitted with such arms.
  - c) All licensed vehicles shall comply with the following minimum standards of internal space:-
    - i) the distance from the rear seat-back to the rearmost part of the seat in front of that seat or other partition shall not be less than 610mm.
    - ii) the distance from the foremost front edge of the rear seat to the rearmost part of the seat in front of that seat or other partition shall not be less than 200mm for the purpose of carrying passengers.
- 4) The licensed vehicle must be of a suitable type and be in good condition which should meet with the approval of the Taxi Licensing Officer and vehicle examiner. The vehicle must be maintained in such a condition as would satisfy the current M.O.T. vehicle safety and exhaust emission standards as prescribed by the Department for Transport.
- 5) The licensed vehicle shall not be a licensed Hackney Carriage or Private Hire vehicle of any other Council.
- 6) No taximeter shall be used unless it has first been tested and approved by the Council.
- 7) The licensed proprietor shall immediately notify the Council of the name and address of any other proprietor or person concerned in the keeping, employing or letting for hire of the licensed vehicle.



- 8) Upon a change of proprietor, the Council shall be notified within 14 days of such change by the licensed proprietor (which expression includes both Companies and Partnerships).
- 9) The Council's Taxi Licensing Officer shall be notified within 72 hours of the following: -
  - a) any accident or incident affecting the safety, performance or appearance of the licensed vehicle or the comfort or convenience of passengers.
  - b) any alteration in the design or construction of the vehicle which may affect its general condition or suitability for use as a Hackney Carriage

- 27 -

- 10) The licensed proprietor of a Hackney Carriage shall permit the inspection of all documents relating to the licensed vehicle at all reasonable times and by prior arrangement by the Officers of the Council.
- 11) Only one two way radio may be operational at any one time and this shall be an approved radio used exclusively for the Hackney Carriage or Private Hire trade and properly licensed. The radio should be securely fixed to the vehicle.
- 12) Licensed vehicles exceeding five years old on the day of licensing (calculated from the date of first registration), will be subject to two vehicle inspections in any 12 month period. One inspection shall be the initial grant or annual inspection conducted by the Council, the second inspection will take place approximately six months from the date of the initial grant or annual inspection at a date determined by the Council and can be completed by:-
  - a) presenting the vehicle for inspection by the Council's vehicle examiner within a time scale determined by the Council
  - or
  - b) successfully completing a M.O.T. test within a time scale determined by the Council
- 13) Licensed vehicles must display a sign or signs in a prominent position visible to all passengers reminding them of their legal requirement to wear a seatbelt.
- 14) a) All Hackney Carriage Vehicle Licences currently issued with an accessible taxi condition (No's. 121 to 140 inclusive) and all new licenses issued, are subject to the following condition:-

"This licence is only valid for vehicles which satisfy the City of York Council definition of wheelchair accessible vehicles".

b) All Hackney Carriage Vehicle Licences from number 159 onwards are subject to the following condition:-

"This licence is only valid for wheelchair accessible vehicles. Such vehicles must have wheelchair access from the nearside of the vehicle, i.e. be side loading".
- 15) Every vehicle shall display a licence plate, supplied by the Council, externally on the rear of the vehicle. The licence plate issued by the Council should be securely fixed to the rear of the vehicle so that it is clearly visible. The licence plate will remain the property of the Council and must be returned to the Council immediately upon a change of vehicle or when requested upon the suspension, revocation or expiry of a vehicle licence.

A "temporary" plate shall be affixed to the inside of the rear window so not to obscure the visibility of the driver.

- 16) Licensed vehicles must display a sign, supplied by the Council, inside the vehicle in a visible position to passengers, displaying the Council's details and the plate number of the vehicle. The sign will remain the property of the Council and must be returned to the Council when requested upon the suspension, revocation or expiry of a vehicle licence.
  - 17) Seat belts must be available for each passenger that the vehicle is licensed to carry. Exemption will be granted where the proprietor can prove to the satisfaction of the Taxi Licensing Officer that it is technically impossible to provide a seat belt to comply with type approval.
  - 18) The roof sign of the licensed vehicle shall be connected to the taximeter so that:
    - (i) when the taximeter is recording a fare the roof sign shall not be illuminated, and
    - (ii) when the taximeter is switched on but is not recording a fare the roof sign shall be illuminated, and
- 28 -
- (ii) when the taximeter is switched off (i.e. when the licensed vehicle is not plying for hire) the roof sign shall not be illuminated.
  - 19) The licensed vehicle shall have a minimum engine capacity of 1250cc except for vehicles fitted with an engine rated with a Euro IV (or better) emission standard.
  - 20)
    - i) All licensed vehicles shall be fitted with windscreen glass that has a light transmittance of 75% and
    - ii) All other window glass shall have a light transmittance of not less than 70% except those parts of the rear window or any side windows adjacent to the luggage space in any estate-type vehicle which can be of any manufacturer's tint providing it is not opaque.
    - iii) Any self applied material shall satisfy the requirements of i) and ii) above if it has been approved by the Council.
    - iv) Neither i), ii) or iii) above shall apply to tinted glass fitted by the manufacturer in respect to vehicles currently licensed by this Council.
  - 21) The licensed vehicle will be supplied with the official coat of arms decal which must be displayed at all times on each front door panel.
  - 22) The licensed vehicle shall have a luggage space, separate from the passenger compartment, which is capable of holding, at a minimum, two suitcases (a large one measuring 720mm x 460mm x 280mm and a medium one measuring 660mm x 430mm x 280mm) and a folded wheelchair (not at the same time). This condition shall not apply to vehicles already licensed by the Council.
  - 23) The licensed vehicle shall not be equipped with any CCTV system unless approved by the Council.
  - 24) Where the licensed vehicle is so constructed or adapted as to be a wheelchair accessible vehicle it shall only be driven by a licensed driver who has:
    - b) Completed and passed the Driving Standards Agency wheelchair exercise or equivalent, and
    - b) Completed and passed the City of York Council Disability Equality Training Level 1 (Taxi) or equivalent.

### **HACKNEY CARRIAGE BYELAWS**

Made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875, by the Council of the City of York with respect to Hackney Carriages in the City of York.

#### **INTERPRETATION**

- 1) Throughout these byelaws "The Council" means the Council of the City of York and "The District" means the City of York.

#### **PROVISIONS REGULATING THE MANNER IN WHICH THE NUMBER OF EACH HACKNEY CARRIAGE CORRESPONDING WITH THE NUMBER OF ITS LICENCE SHALL BE DISPLAYED**

- 2)
  - (a) The proprietor of a Hackney Carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and the inside of the carriage and on the plate affixed to the rear thereof.
  - (b) A proprietor or driver of a Hackney Carriage shall:-
    - (i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire.
    - (ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

#### **PROVISIONS REGULATING HOW HACKNEY CARRIAGES ARE TO BE FURNISHED OR PROVIDED**

- 3) The proprietor of a Hackney Carriage shall:-
  - (a) provide sufficient means by which any person in the carriage may communicate with the driver
  - (b) cause the roof or covering to be kept water-tight
  - (c) provide any necessary windows and a means of opening and closing, not less than one window on each side
  - (d) cause the seats to be properly cushioned and covered
  - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering
  - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service
  - (g) provide means for carrying and securing luggage within the vehicle
  - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use
  - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver
  - (j) provide a working electric light in the interior of such carriage for the use of any person hiring such carriage or being driven therein

- 30 -

- 4) The proprietor of a Hackney Carriage adapted to carry disabled persons shall ensure that any necessary ramps are carried at all times when the carriage is hired or is available for hire and that any electric hoist fitted to the vehicle is kept maintained and in working order.
- 5) The proprietor of a Hackney Carriage shall cause any taximeter with which the carriage is provided to be so constructed, attached and maintained as to comply with the following requirements, that is to say:-
  - (a) the taximeter shall be fitted with a key, flag or other device, the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter
  - (b) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter
  - (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures, a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by time as well as for distance in pursuance of the tariff fixed by the Council
  - (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon
  - (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring
- 6) Every proprietor of a Hackney Carriage provided with a taximeter which is not fitted with a flag or other device bearing the words "FOR HIRE", shall cause the carriage to be provided with a roof sign constructed so as to comply with the following requirements:-
  - (a) the sign shall be of a pattern or design to be approved by the Council, with the side facing the front of the carriage bearing the words "TAXI" or "FOR HIRE" and the side facing the rear of the carriage bearing the word "TAXI"
  - (b) in each case the letters shall be plain black and be at least 2-1/2 inches in height
  - (c) the sign may indicate the name and telephone number of the proprietor or operator of the vehicle
  - (d) the sign shall be clearly illuminated when the carriage is available for hire, such illumination ceasing when the carriage is not available for hire.

**PROVISIONS REGULATING THE CONDUCT OF THE PROPRIETORS AND DRIVERS OF HACKNEY CARRIAGES PLYING WITHIN THE DISTRICT IN THEIR SEVERAL EMPLOYMENTS AND DETERMINING WHETHER SUCH DRIVERS SHALL WEAR ANY AND WHAT BADGES**

- 7) The driver of a Hackney Carriage provided with a taximeter shall:-

- (a) when standing or plying for hire keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter

- 31 -

- (b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring
  - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half an hour after sunset and half an hour before sunrise and also at any other time at the request of the hirer.
- 8) A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto provided that this shall not prevent the proprietor or driver from temporarily removing the taximeter from the hackney carriage to a place of safety when the hackney carriage is not in use.
- 9) The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:-
- (a) proceed with reasonable speed to one of the stands appointed by the Council (excepting between the hours of 7 p.m. and 7 a.m. when the driver may ply for hire free from such requirement)
  - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand
  - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction, and
  - (d) from time to time when any other carriage immediately in front is driven off or moved forward, cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward
- 10) A proprietor or driver of a hackney carriage when standing or plying for hire shall not made use of the services of any other person for the purpose of importuning any person to hire such carriage.
- 11) The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
- 12) The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
- 13) A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.

- 14) If a badge has been provided by the Council and delivered to the driver of a hackney carriage, he shall, when standing or plying for hire and when hired, wear that badge in such a position and manner as to be plainly visible.
- 15) The driver of a hackney carriage shall, when requested by any person hiring or seeking to hire the carriage:-
  - (a) convey a reasonable quantity of luggage
  - (b) afford reasonable assistance in loading and unloading, and
  - (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which the driver may take up or set down such person.
- 16) The driver of a hackney carriage shall not at any time when conveying a person hiring such carriage, smoke or burn tobacco or any material without the express permission of that person.

- 32 -

**PROVISIONS FIXING THE RATES OR FARES TO BE PAID FOR HACKNEY CARRIAGES WITHIN THE DISTRICT AND SECURING THE DUE PUBLICATION OF SUCH FARES**

- 17) The Proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council, the rate or fare being calculated by distance and time unless the hirer express at the commencement of the hiring his desire to engage by time.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance and time the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.

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

**PROVISIONS SECURING THE SAFE CUSTODY AND RE-DELIVERY OF PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES AND FIXING THE CHARGES TO BE MADE IN RESPECT THEREOF**

- 19) Every proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the carriage for any property which may have been accidentally left therein.
- 20) The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage, be found by or handed to him:-
  - (a) carry it as soon as possible and in any event within 48 hours (if not sooner claimed by or on behalf of its owner) to either the office of the Council (provided that any day on which such office is closed shall be excluded from such calculation) or to a police station in the district and leave it in the custody of the officer in charge of the office or police station as the case may be on his giving a receipt for it, and

- (b) be entitled to receive from any person to whom the property shall be re-delivered, an amount equal to the fare for the distance from the place of finding to the office of the Council or the police station but not more than five pounds.

**PENALTIES**

- 21) Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the standard scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction therefore.

- 33 -

**REPEAL OF BYELAWS**

- 22) The byelaws relating to hackney carriages which were made by York City Council and which were confirmed by the Secretary of State on 13th December 1988 and came into operation on 1st January 1989 are hereby wholly repealed.
- 23) The byelaws relating to hackney carriages which were made by:-
  - (a) Ryedale District Council on 5th March 1992 and which were confirmed by the Secretary of State and came into operation on 15th June 1992; and
  - (b) Harrogate Borough Council on the 15th June 1979 and which were confirmed by the Secretary of State and came into operation on 1st October 1979,

and any byelaws relating to hackney carriages which may have been made by Selby District Council prior to 1st April 1996 and which are still subsisting, are hereby repealed in so far as they relate to the district.

IN WITNESS WHEREOF the COMMON SEAL )  
of the COUNCIL OF THE CITY OF YORK is )  
hereto affixed this 5th day of November, One ) L.S.  
thousand nine hundred and ninety nine in the )  
presence of:-

R.F. Clark  
Head of Legal Services to the Council of the  
City of York

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 14th day of February 2000

Signed by authority of the Secretary of State

E.C. NEVE  
5th January 2000

- 34 -

**HACKNEY CARRIAGE RANKS**

Hackney Carriage ranks are located as follows:-

**FULL TIME RANKS**

Clifton Moor Cinema	3 cars
Haxby	2 cars
Queen Street	4 cars
St. Leonard's Place	4 cars
St. Saviourgate – Rank A	12 cars
St. Saviourgate – Rank B (feeder rank)	4 cars
The Crescent (off Blossom Street)	1 car
Tower Street	4 cars

**PART TIME RANKS****Midnight to 6.00 a.m.**

Clifford Street (for Gallery Nightclub)	4 cars
Clifford Street (opposite side of road from Gallery Nightclub)	4 cars
Micklegate (for Ziggys Nightclub)	3 cars
Toft Green (for Tru Nightclub)	4 cars



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Duncombe Place – 7.30 a.m. to 10.00 p.m.	8 cars
Exhibition Square – 8.00 p.m. to 6.00 a.m.	3 cars
Piccadilly – 11.00 a.m. to 6.00 a.m.	4 cars
Rougier Street – 10.30 p.m. to 6.00 a.m.	3 cars
St. Sampson’s Square – 8.00 p.m. to 6.00 a.m.	8 cars
York Racecourse (Race Days only)	12 cars

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