



Licensing Committee

Date: Friday, 18 March 2022
Time: 10.00 am
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum 3)

Jon Andrews (Vice-Chairman), Mike Barron, Paul Harrison, Carole Jones, Emma Parker (Chairman), David Taylor, Kate Wheller, Derek Beer, Les Fry, Brian Heatley, Cathy Lugg, David Morgan, Julie Robinson, Susan Cocking and Mike Dyer

Chief Executive: Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services Meeting Contact 01305 224202 elaine.tibble@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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Agenda

Item		Pages
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	MINUTES	5 - 22
	To confirm the minutes of the meetings held on:- 27 January 2022 , 17 November 2021 , 15 June 2021 , 22 October 2020	
3.	DECLARATIONS OF INTEREST	
	To disclose any pecuniary, other registrable or non-registrable interests as set out in the adopted Code of Conduct. In making their disclosure	

councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration. If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

4. PUBLIC PARTICIPATION

To receive questions or statements on the business of the committee from town and parish councils and members of the public.

Representatives of town or parish councils and members of the public who live, work, or represent an organisation within the Dorset Council area are welcome to submit up to two questions or two statements for each meeting. Alternatively, you could submit one question and one statement for each meeting.

All submissions must be emailed in full to elaine.tibble@dorsetcouncil.gov.uk by **8.30am on Tuesday 15 March 2022**.

When submitting your question(s) and/or statement(s) please note that:

- no more than three minutes will be allowed for any one question or statement to be asked/read
- a question may include a short pre-amble to set the context and this will be included within the three-minute period
- please note that sub divided questions count towards your total of two
- when submitting a question please indicate who the question is for (e.g. the name of the committee or Portfolio Holder)
- Include your name, address and contact details. Only your name will be published but we may need your other details to contact you about your question or statement in advance of the meeting.
- questions and statements received in line with the council's rules for public participation will be published as a supplement to the agenda
- all questions, statements and responses will be published in full within the minutes of the meeting.

Dorset Council Constitution Procedure Rule 9

5. TAXI FARES AND FEES

23 - 172

To determine the maximum level of fares that can be charged by a Hackney Carriage Proprietor and to set the fees for the Private Hire and Hackney Carriage Licence regimes.

6. URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

7. EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

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LICENSING COMMITTEE

MINUTES OF INFORMAL MEETING HELD ON THURSDAY 27 JANUARY 2022

Present: Cllrs Jon Andrews (Vice-Chairman), Derek Beer, Susan Cocking, Mike Dyer, Les Fry, Brian Heatley, David Morgan, Emma Parker (Chairman), David Taylor and Kate Wheller

Apologies: Cllrs Paul Harrison, Carole Jones, Cathy Lugg and Julie Robinson

Also present: Mr Wallsgrove (Solicitor for the Applicant), Mr Ojla (Applicant)

Officers present (for all or part of the meeting):

Kathryn Miller (Licensing Officer), Aileen Powell (Team Leader Licensing), Elaine Tibble (Senior Democratic Services Officer), Graham Duggan (Head of Community & Public Protection), John Newcombe (Service Manager, Licensing & Community Safety) and Lara Atree (Senior Lawyer - Regulatory)

19. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

20. Public Participation

There were no statements or questions from Town and Parish Councils or members of the public at the meeting.

21. Renewal of sexual entertainment venue licence for Wiggle

The Licensing Officer presented the application for a renewal of the Sexual Entertainment Venue (SEV) licence for Wiggle in Weymouth.

The application had been advertised as per the Local Government Miscellaneous Provisions Act in the local paper and at the premises. There had been no objections from the responsible authorities but one objection had been received from a member of the public.

The Licensing Officer advised that the premises had held a SEV licence since 2010 and since Mr Ojla took over the licence in 2018 there had been no issues reported to the authority. The committee were advised of the three options available to them in determining the application.

The committee members and the Applicant's Solicitor were given the opportunity to ask questions of the Licensing Officer. The Objectors were not in attendance at the meeting.

The Solicitor was invited to put his case forward on behalf of the Applicant. He advised that this was the first time Mr Ojla had received an objection to this licence. Mr Ojla also had SEV licences in 2 premises in Portsmouth which had been open for approx. 20 years, one in Southampton and one in Bournemouth, his licences had all been granted each and every year. The objectors had not felt any impact from the premises and there was no reason why they should do so in the future.

Questions from the committee members and the Licensing Office were invited for the Solicitor.

All parties were given the opportunity to sum up their case.

22. Delegated powers for urgent revocations or suspensions to taxi licences

The Service Manager Licensing and Community Safety presented the report which sought delegated powers for urgent revocations or suspensions to taxi licences.

He addressed the two recommendations in the report and the reasons behind them. Dorset Council's Constitution delegated powers relating to taxi licensing to the Licensing Committee and or sub-committee and most complaints were dealt with by interview and a report to the sub-committee.

On occasion there were situations when it was necessary for immediate action to be taken, but these were rare and only for very serious matters that could give rise to an unacceptable risk to the public. Authority was sought to delegate authority to the Executive Director of Place in consultation with the Chair (or vice chair) of the Licensing Committee to immediately suspend or revoke a Hackney Carriage / Private Hire vehicle drivers licence where it was considered necessary in the interest of public safety

The Service Manager Licensing and Community Safety advised that officers had delegated powers under their predecessor councils, and this would bring the same delegations to Dorset Council's new Licensing Policy.

Committee members were invited to ask questions of The Service Manager Licensing and Community Safety.

Proposed by Cllr Andrews, seconded by Cllr Fry.

On being put to the vote the committee were minded to approve the officer's recommendation:

“That delegated authority be given to the Executive Director of Place in consultation with the Chair (or vice chair) of the Licensing Committee to suspend or revoke a Hackney Carriage / Private Hire vehicle driver’s licence with immediate effect where it was considered necessary in the interest of public safety and:

That a ‘fast track’ procedure be adopted to re-licence those drivers who had had their licence revoked but had subsequently been found to be fit and proper”.

Decision: The Head of Community and Public Protection confirmed that he had been present throughout the meeting, had listened to the discussion and would approve the recommendation in accordance with the committee’s minded to decision.

23. **Urgent items**

There were no urgent items.

24. **Exempt Business**

The committee retired to make their decision on the application to renew the SEV licence for Wiggle.

Proposed by Cllr Fry, seconded by Cllr Heatley.

Decision: That the press and the public be excluded for the following item(s) in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

Proposed by Cllr Andrews, seconded by Cllr Fry

On being put to the vote the committee were minded to approve the renewal of a sexual entertainment venue licence for Wiggle with all the conditions as applied to the previous licence.

Decision: The Head of Community and Public Protection confirmed that he had been present throughout the meeting, had listened to the discussion and would approve the recommendation in accordance with the committee’s minded to decision.

Duration of meeting: 10.00 - 11.05 am

Chairman

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LICENSING COMMITTEE

MINUTES OF INFORMAL MEETING HELD ON WEDNESDAY 17 NOVEMBER 2021

Present: Cllrs Emma Parker (Chairman), Jon Andrews (Vice-Chairman), Derek Beer, Mike Dyer, Brian Heatley, Carole Jones, David Taylor and Kate Wheller

Apologies: Cllrs David Morgan, Les Fry, Cathy Lugg and Susan Cocking

Officers present (for all or part of the meeting):

Lara Altree (Senior Lawyer - Regulatory), Andrew Billany (Corporate Director of Housing, Dorset Council), Richard Conway (Service Manager for Housing Standards), Graham Duggan (Head of Community & Public Protection), John Newcombe (Service Manager, Licensing & Community Safety), Aileen Powell (Team Leader Licensing) and Elaine Tibble (Senior Democratic Services Officer)

13. **Declarations of Interest**

Cllr Jon Andrews declared an interest in item 4 on the agenda. He did not take part in the discussion or vote.

14. **Public Participation**

There were no public questions or statements.

15. **Park Home Fees Policy**

The Housing Standards Service Manager introduced the report and the policy setting out the fees that the Council would charge for a variety of licensing functions for park home sites including new site licences, annual site licences and amendments to existing licences.

The Council was required by law to adopt and publish a park home fees policy under the Mobile Homes Act 2013. The new policy replaced three former district and borough council's policies and standardised how the fees were calculated and paid by sites for the services provided by the Council.

Additionally, The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 required the Council to have a published fees policy regarding registration to a Fit and Proper Person Register.

In summary the policy set fees for:- new sites, annual fees for existing sites, amendments to licences, lodging of park rules and applications for the fit and proper register.

Details of how fees were calculated were set out in the appendix to the document,

In response to committee questions The Housing Standards Service Manager advised that fit and proper person entailed DBS checks and set a range of issues that applicants needed to advise the council of. For example, any past formal actions taken on sites, planning breaches or prosecution against enforcement notices.

Once passed the applicants would be added to register, if refused they would have the right of appeal.

The government had issued guidance on how fees should be calculated and required the council to review the fees on a three-yearly basis, the starting point being 1 April 2019 and would be reviewed next year.

Members were pleased to see the fit and proper person register within the policy

Proposed by Cllr Carole Jones, seconded by Cllr Derek Beer

On being put to the vote the Licensing Committee were minded to approve the recommendations within the report.

The Corporate Director for Housing confirmed that under his delegated authority the decision would be determined in line with the committee's minded to decision.

Decision: Recommendation to Cabinet:

1. that Cabinet approves the adoption of the Park Home Fees Policy attached as Appendix 1 to this report.

2. that Cabinet delegates authority to the Corporate Director Housing and Community Safety in consultation with the Portfolio Holder Customer and Community Services to:

(a) Make minor amendments to the policy to comply with changes in legislation or to reflect increases or decreases in the cost of administering the functions described in the policy.

16. Taxi Licensing Policy

The Service Manager for Licensing & Community Safety presented the report for a new Taxi Licence Policy. The draft policy had been out to consultation for 12 weeks and received 64 responses, it had been considered by the Place and Overview Committee and was before the Licensing Committee for adoption and the agreement of an implementation date following consideration of the responses from the consultation and comments from the

Place and Overview Committee. The Dorset Disability Equality Forum had also given input to the policy.

After discussion with focus groups, looking at best practice and following the guidance and legislation, Licensing Officers had reviewed the four policies from predecessor councils and prepared the new draft.

The Service Manager for Licensing & Community Safety went through the proposed changes individually which were highlighted in red for reference. He advised that, due to the amount of time required and work involved in getting garages approved for testing, setting up training courses, setting maximum tariffs, fees and charges, the proposed policy implementation date was 1 April 2022, however the Criminal Conviction Policy at Appendix G would come into effect on 1 December 2021.

A key aspect of the policy for Dorset Council was to invest in their drivers by looking to undertake it's duty under the Equalities Act by encouraging training in a diverse range of disabilities, thus creating a rating system based on the completion of training courses over and above the mandatory safeguarding modules. These would be at cost to drivers and advertised on the Council's web site.

There were changes in relation to vehicle inspections and safeguarding. In relation to the zones the recommended option (c in the report) was to continue with the proposals contained within the draft policy and review the position in three years' time when a new unmet demand survey would be required for the Weymouth & Portland zone. In response to a question on unmet demand the committee were advised that at the last survey there was no unmet demand other than for wheelchair accessible vehicles. Because of hackney plate values it was felt prudent and fair to drivers to give notice and review the potential removal of the limit in three years' time.

Policy proposals were to have a combined drivers licence but there may be occasions applicants don't want a combined licence so would still be able to specify either private hire or hackney carriage licences.

Officers would have discussions with the trade in regard to maximum tariffs as part of a separate consultation exercise.

There was some discussion on advertising and members were keen that there should not be any inappropriate advertising on vehicles. Members were cautioned not to impose advertising restrictions that could be open to legal challenge, but additional wording to say "inappropriate advertising such as gambling, adult entertainment, smoking and alcohol, was strongly discouraged" could be added to the policy. This would also be kept under review.

Any applications refused for advertising not in line with these guidelines could be referred back to the committee on appeal.

Officers aimed to have as many inspection centres as possible, any MOT station in the Dorset Council area could apply, it was suggested that it may be

possible to combine the taxi vehicle inspection with the MOT to save licence holders money.

It was felt inappropriate to impose CCTV as a condition but dashcams were recommended, in line with applicable guidance.

Guidelines relating to the size of seats would apply to new vehicle licence applications but those with existing vehicles would be allowed to run until end of vehicle life. There was no obligation on the taxi driver to provide child seats under legislation.

Cllr Carole Jones proposed David Taylor seconded.

On being put to the vote the committee, having reviewed the responses received during the consultation period and considered the comments received from the Place and Resources Overview Committee were minded to support the Taxi Licence Policy with the proposed amendments agreed in the committee meeting.

The Head of Community and Public Protection confirmed that he had listened to the discussion and the committee's minded to recommendation he would use his delegated powers to approve the Taxi Licence Policy for adoption with the amendments agreed and implementation dates as agreed in the report.

Decision:

That the draft Taxi Licensing Policy be adopted with the agreed implementation date of 1 April 2022 and the Criminal Conviction Policy at Appendix G would come into effect on 1 December 2021.

Reason for Recommendations:

To ensure the safety of the public and support the fair operation of the trade.

17. Urgent items

There were no urgent items.

18. Exempt Business

Decision

There was no exempt business.

Duration of meeting: 10.00 - 11.29 am

Chairman

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INFORMAL LICENSING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 15 JUNE 2021

Present: Cllrs Emma Parker (Chairman), Derek Beer, Susan Cocking, Mike Dyer, Les Fry, Brian Heatley, Carole Jones, David Morgan, Kate Wheller and

Cllr Jill Haynes (Portfolio Holder for Customer and Community Services)

Apologies: Cllrs Jon Andrews, Paul Harrison, Cathy Lugg and David Taylor

Officers present (for all or part of the meeting):

Lara Altree (Senior Lawyer - Regulatory), Graham Duggan (Head of Community & Public Protection), John Newcombe (Service Manager, Licensing & Community Safety), Aileen Powell (Team Leader Licensing), Karyn Punchard (Corporate Director for Place Services) and Elaine Tibble (Senior Democratic Services Officer)

8. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

9. Public Participation

There were no statements or questions from Town and Parish Councils or public at the meeting:

10. Taxi Licensing Policy

The Service Manager for Licensing & Community Safety Operations introduced the report and draft Taxi Licensing Policy. This was the first Dorset Council Taxi Licensing Policy, prepared by officers after consideration of responses from the taxi trade and several focus groups. The draft Taxi Licensing Policy was to be considered by the Licensing Committee in preparation for publication, in draft format, for a period of public consultation, of not less than 12 weeks.

The draft Taxi Licensing Policy would go to public consultation subject to any amendments discussed in the committee meeting. It was fully expected to receive representations and submissions from the taxi trade, the public and other responsible authorities. However, in the highly unlikely event of there being no response to the consultation, a small tweak to recommendation 2 was suggested to allow the Service Manager for Licensing & Community Safety Operations, in consultation with the Licensing Committee Chairman, to approve the Taxi Licensing Policy for adoption as opposed to recommend for

adoption. The Service Manager for Licensing & Community Safety Operations considered this highly unlikely to be required as he expected to receive a number of representations and each one would need to be considered. Should there be additions, omissions or amendments to the policy following consultation, each of these would be brought to the full Licensing Committee for consideration prior to adoption of the full policy.

Following public consultation, the draft Taxi Licensing Policy would then go to the Overview Committee for comment and consideration prior to coming back to Licensing Committee for adoption.

The best bits of the 5 former district and borough councils' policies had been incorporated into the draft Taxi Licensing Policy which had also been brought up to date with new standards, legislation, Safe & Suitable, National Inspection Standards and best practice.

The Licensing Committee members were invited to discuss the contents of the draft Taxi Licensing Policy and make comments/raise points/suggest amendments to the policy for update prior to public consultation.

Subject to making the amendments requested, the Licensing Committee was minded to approve the recommendations and recommended that the Service Manager for Licensing & Community Safety Operations take the decision accordingly.

The Service Manager for Licensing & Community Safety Operations decided that;

1) the draft Taxi Licence Policy, including amendments made in the meeting, be published for a period of public consultation of not less than 12 weeks.

2) subject to their being no relevant representations, the Service Manager for Licensing & Community Safety Operations, in consultation with the Chairman of the Licensing Committee approves the draft Taxi Licence Policy for adoption as opposed to recommendation for adoption.

3) should relevant representations be received, which require consideration of one or more significant amendments to the policy, instruct officers to bring a further report to the meeting of the Licensing Committee with the outcomes of the consultation.

Reason for Decision

- 1) To ensure openness and transparency in the Council's decision making, and
- 2) To ensure that those persons affected by the policy are given the opportunity to have an input into it.

11. Urgent items

There were no urgent items.

12. Exempt Business

There was no exempt business.

Duration of meeting: 10.00 - 10.45 am

Chairman

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DORSET COUNCIL - LICENSING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 22 OCTOBER 2020

Present: Cllrs Emma Parker (Chairman), Jon Andrews (Vice-Chairman), Susan Cocking, Mike Dyer, Brian Heatley, Carole Jones, Cathy Lugg, David Morgan and David Taylor

Apologies: Cllrs Les Fry

Officers present (for all or part of the meeting):

Aileen Powell (Team Leader Licensing), Karyn Punchard (Corporate Director for Place Services), Elaine Tibble (Senior Democratic Services Officer) and John Newcombe (Service Manager, Licensing & Community Safety)

1. Minutes

The minutes of the meeting held on 26 July 2019 were confirmed as a correct record.

2. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

3. Public Participation

There were no statements or questions from Town and Parish Councils or Public at the meeting.

4. Gambling Policy

The Service Manager for Licensing and Community Safety presented the Statement of Gambling Licensing Policy 2021-2024.

He explained that this was Dorset Council's first Statement of Gambling Licensing Policy. A new policy for a new Council, which under the Gambling Act 2005 was required to be in place by 1 April 2021. Prior to the formation of Dorset Council each of the predecessor District and Borough Councils had their own Statement of Gambling Licensing Policy and the best bits had been extracted for inclusion in the new policy.

A 12-week public consultation had taken place between 6th July and 27th September 2020, 7 responses had been received.

The policy had been presented to the Place & Resources Overview Committee for comment on 19 October, a supplementary update with their comments had been published and circulated prior to this meeting.

A draft Equalities Impact Assessment was attached at Appendix B, a final version would be provided with the draft Statement of Gambling Licensing Policy, once approved, when it was presented to Full Council.

In response to a question regarding on-line gambling the Service Manager for Licensing and Community Safety advised that this was a huge problem nationally, but Local Councils did not have a regulatory role relating to on-line gambling, this was governed by the Gambling Commission. Work was being carried out with the Chairman to raise awareness and tackle the unseen harm of gambling. The Chairman was also liaising with local MPs on the issue. The Service Manager for Licensing and Community Safety highlighted proposed amendments at 3.1, 3.5 and 21.4 in the report. The documents would be proof-read prior to submission to Full Council.

The Chairman thanked those involved with the creation of the policy, the Place & Resources Overview Committee for their comments and the members of the public who responded to the consultation.

Proposed by Cllr Parker, Seconded by Cllr Andrews.

Decision: That following review of the responses received during the consultation period, the inclusion of the proposed amendments to the draft policy and consideration of the comments received from the Place & Resources Overview Committee, the Statement of Gambling Licensing Policy was recommended to Full Council for adoption.

5. Licensing Policy

The Service Manager for Licensing & Community Safety presented the Statement of Licensing Policy 2021-2026. This policy was a statutory requirement for public entertainment and alcohol sales. As with the Gambling Policy this was also a completely new draft for the new Dorset Council, following a review of all the predecessor councils' policies.

The public consultation took place between 6th July and 27th September 2020. The policy went before Place & Resources Overview Committee for comment on 19 October and a supplement with their comments was published and circulated prior to this meeting. The reviewed Statement of Licensing Policy was before the committee for consideration prior to recommendation to Full Council for adoption.

A draft Equalities Impact Assessment was attached at Appendix D and a final version would be provided with the draft Statement of Licensing Policy, once approved, when it was presented to Council.

A review of the predecessor Council's licensing policies showed that there

was one Cumulative Impact Area in existence in the centre of Weymouth, within the former Weymouth and Portland Borough Council area. It was proposed to retain the existing Cumulative Impact Area in the new policy and up to date statistics had been included at Appendices B and C of the report, which indicated that there remained a negative cumulative impact of licensed premises and licensable activities within the area as previously identified.

A total of 24 responses had been received during the consultation process. Of the 24 responses, 16 were in favour of retaining the existing Cumulative Impact Area with 7 expressing a preference for it to potentially be expanded. No respondents were in favour of removing the Cumulative Impact Area.

Amendments in the reports were highlighted and summarised and a set of model conditions had been included, which would prove useful when considering new applications.

In response to a member question relating to licensees the Service Manager for Licensing & Community Safety informed the committee that strict measures had been put in place by the Licensing Team. Robust inspections of licensed premises were being regularly carried out, last weekend there had been 40 inspection visits. The Council had revoked a licence recently and were following the Police ideology of Engage, Encourage and Explain and Enforce when necessary.

The matter of a Late-Night Levy had been raised by the Place & Resources Overview Committee. The Service Manager, Licensing and Community Safety reported that a Late-Night Levy, if agreed, would apply all premises in the Dorset Council area, although there was the ability to exclude certain types of premises. This was a controversial matter and opposed from an economic point of view. This would be a matter for the committee to decide if they felt this was appropriate. He would work with the Licensing Team Leader to prepare a summary report of the number of premises involved, those which may surrender their late night licence if the levy was introduced, the financial implications and how proceeds would be shared between the relevant authorities. He would bring this report to the Licensing Committee at a later date.

Proposed by Cllr Jones, seconded by Cllr Taylor

Decision: That following review of the responses received during the consultation period, the inclusion of the proposed amendments to the draft policy and consideration of the comments received from the Place & Resources Overview Committee, the Statement of Licensing Policy be recommended to Full Council for adoption.

The Chairman again thanked the Officers for a very good policy, the Place & Resources Committee for their input and the public for their responses to the consultation.

6. **Urgent items**

There were no urgent items.

7. **Exempt Business**

There was no exempt business.

Duration of meeting: 10.00 - 10.48 am

Chairman

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Licensing Committee 18 March 2022 Taxi Fares and Fees

For Decision

Portfolio Holder: Cllr L Miller, Customer and Community Services

Local Councillor(s): All Cllrs

Executive Director: J Sellgren, Executive Director of Place

Report Author: Aileen Powell
Title: Licensing Team Leader
Tel: 01258 484022
Email: aileen.powell@dorsetcouncil.gov.uk

Report Status: Public

Brief Summary: To determine the maximum level of fares that can be charged by a Hackney Carriage Proprietor and to set the fees for the Private Hire and Hackney Carriage Licence regimes

Recommendations:

1. To consider the responses from the licensed trade and agree the new fees for the Hackney Carriage and Private Hire licences
2. To consider the responses from the licensed trade and to agree the new tariffs for both zones

Reason for Recommendation: To ensure openness and transparency in the Council's decision making, and to ensure that those persons affected by the policy are given the opportunity to have an input into it.

1. **Background**

- 1.1 The new Dorset Council Taxi Licensing Policy (the Policy) adopted in November 2021 comes into force on 1 April 2022. The Policy will remove the historic zones that have operated in the Dorset Council area, apart from the Weymouth and Portland hackney carriage zone that will remain in place due to the restricted number of vehicles that can operate as hackney

- carriages there, see paragraphs 2.16 – 2.19 of the Policy which is attached in full at Appendix 1.
- 1.2 Paragraph 2.25 of the Policy states there will be one maximum tariff for the whole area, apart from the Weymouth and Portland zone, and the first purpose of this report is to agree those tariffs.
 - 1.3 Secondly, a further decision is required to agree one fee for each type of licence for the whole of the district. Historically different fees have been charged across the zones for licences.
 - 1.4 The Local Government (Miscellaneous Provisions) Act 1976 sets out in sections 65 and 70 that any changes to fare or fees for Operators Licences and Vehicle Licences need to be advertised. The legislation is attached at Appendix 2.
 - 1.5 The fees and fares have been advertised on 16 February in the Dorset Echo with a correction on 23 February. They have also been advertised in the Bridport News and the Blackmore Vale. Every hackney carriage proprietor has been sent a copy of the fares and every licence holder has been sent a copy of the fees. Whilst only the operators and vehicle fees needed to be advertised, as a matter of good practice all the fees were advertised.
- 2. New Fees**
- 2.1 The fees for all the predecessor zones can be found in Appendix 3 together with the fees from the neighbouring Councils for comparison.
 - 2.2 The fees must be made up of two parts, an “application fee” and a “licence fee” which is the ongoing costs of compliance associated with each licence. This is due to a case brought by Hemmings against the City of Westminster, and in practice means that if licences are refused only the application fee is payable, not the licence fee.
 - 2.3 The proposed fees have been calculated by taking the time required by officers to process an application and the cost of materials per badge or plate. Further costs are calculated to cover the costs of the database, web site maintenance, policy preparation, training and legal advice. The proposed fees and the breakdown of the elements is attached at Appendix 4.
 - 2.4 There have been 13 comments on the fees which are attached in full at Appendix 5. The breakdown of the fees as attached at Appendix 4 has been sent to all of the licence holders who requested it. There are

comments about how licence holders expected the fees to reduce as a result of the unification of the five district Councils with the former County Council, comments about the effects of Covid-19 and the changes to the service over the years, the shortage of drivers, the fact that single vehicle operators pay the same as multi vehicle operators and the expectation that licence fees should reduce.

3. New Fares

- 3.1 The fares in many of the predecessor Council areas have not changed for years. Historically fees and fare changes have usually run hand in hand. The previous Tables of Fares also included at Appendix 6 together with a league table of all fares across the country which is published monthly by the trade magazine "Private Hire Monthly" (with 1 being the most expensive Council), where in March Weymouth were ranked 44th in the Country, East Dorset 73rd, Purbeck 111th, North 189th and West 202nd.
- 3.2 There are two Tables of Fares proposed for Hackney Carriages. One for the Weymouth and Portland zone and one for the rest of the Dorset Council area. The Weymouth Taxi Association requested a specific fare rise for this zone which has been advertised and been sent to all proprietors in the zone.
- 3.3 The maximum fare for the hackney carriages in the whole Dorset Council area is set at the highest "First Mile" and the highest "Subsequent Mile" rates from the predecessor Councils fares. This gives every proprietor the opportunity to have an increase, albeit a modest one for the Purbeck hackney carriage proprietors who have traditionally had the highest fares.
- 3.4 The proposed new tariff cards can be found at Appendix 7.
- 3.5 There have been 12 comments on the fares which can be found in full at Appendix 8. The comments relate to the effects of rising fuel costs, a requirement to fix the fares so everyone charges the same, the low rise for those in the Purbeck zone, support to the rise from the North zone, the times the tariffs change, a suggestion for an alternative rate, a question about why Weymouth is a separate zone, a request to have the additional passenger charge, requests for different times to apply to the tariffs and a request to increase the soiling charge.

4. Financial Implications

The funding for the preparation and consultation of the fees and charges will come from existing budgets. The Taxi and Private Hire Licensing must be self-funding, not be a drain on the taxpayer and not make a profit, these fees will achieve this.

There are no further financial implications arising from the recommendations of this report.

5. Climate Implications

There are no negative implications arising from the recommendations contained within this report in terms of meeting the Council's climate change obligations.

6. Well-being and Health Implications

There could be an impact on the health and well being of the public if the hackney carriage fares are set too high, which could make this form of transport inaccessible to some.

7. Other Implications

There are no implications arising from the recommendations contained within this report in terms of impacts on other service areas within the Council.

8. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as: -

Current Risk: Low

Residual Risk: Low

9. Equalities Impact Assessment

An EqIA was prepared for the Dorset Council Taxi Licensing Policy.

10. Appendices

Appendix 1 Dorset Council Taxi Licensing Policy

Appendix 2 Legislation

Appendix 3 Previous Fees and Benchmarking

Appendix 4 Proposed Fees

Appendix 5 Consultation Responses

Appendix 6 Proposed Tariff

Appendix 7 Previous Tariffs

Appendix 8 Consultation Responses

11. Background Papers

Local Government (Miscellaneous Provisions) Act 1976



Taxi Licensing Policy

2022

1 Dec 2021

Abstract

A policy to cover the Licensing of Hackney Carriage Vehicles and Drivers and Private Hire Vehicles, Drivers and Operators under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976

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Contents

Section 1 - Purpose and Scope of the Taxi Licensing Policy	5
Purpose	5
Formulating the Policy	5
Consultation	6
Process for Adoption of the Policy	6
Section 2 - General Principles	7
Importance of the Taxi Trade	7
Protection of Children	7
Adults at Risk	7
Equalities	8
Suitable Vehicles	9
Insurance Write Offs	9
Zones	9
Types of Licence	10
Decisions	10
Fares	11
Licensed Vehicles should be easily identifiable.	12
Advertising.	12
Codes	13
Complaint Handling	13
Inspections	14
Sharing Information	14
CCTV and Dash Cams	14
Criminal Convictions and Rehabilitation	15
Disclosure and Barring Service Checks (DBS checks)	15
Approved Garages	15
Section 3 – Drivers	16
Introduction	16
Fit and Proper	16
Right to work in the UK	16
UK Driving Licence	17
Criminal Record Check	17
Driver Knowledge and Suitability Test	17
Child Safeguarding Awareness Training	18

Driving Proficiency	18
Medical Examination.....	18
Cost of a licence	19
Procedure for applying for a licence.....	19
Decisions on Applications	19
Length of Licence	20
Refusals	20
Licensed Drivers	20
DBS check every 6 months or update service.....	20
Conditions of Licence	21
Drivers Badges.....	21
Notification of Convictions/Charges/Arrests	21
Notification of Changes to Health.....	21
Driver Code of Practice	22
Renewal of Licences	22
Section 4 - Vehicles	22
Introduction	22
Type of Vehicle.....	23
Applications for Vehicle Licences.....	23
Identification of Licensed Vehicles.....	23
Mechanical Safety.....	24
Non-driver Proprietors.....	24
Renewals of Licenses for Vehicles.....	24
Transfers of Licences.....	24
Condition of Vehicles	25
Accidental Damage	25
Plate Exemptions.....	25
CCTV	25
Trailers.....	25
Section 5 - Operators	26
Introduction	26
Applications for Operators Licences	26
Record Keeping	26
Booking and Dispatch Staff	27
Use of a Passenger Carrying Vehicle driver or Vehicle to fulfil a booking	27

Renewal of Operators Licences.....	27
Complaints against drivers.....	27
Section 6 - Appendices.....	28
Appendix A - Equality Charter.....	28
Equality.....	28
Expectations.....	28
Guide and Assistance Dogs.....	29
Booking.....	29
Boarding.....	30
Journey.....	30
Getting out the taxi.....	30
Appendix B – Driver’s Code of Practice.....	31
Customer Care.....	31
Nuisance.....	31
Inappropriate behaviour.....	31
Inappropriate behaviour towards other licensed drivers.....	32
Disregarding requests from an Officer of the Council.....	32
Mobile Phones.....	32
Money.....	32
Dress.....	32
Personal Hygiene.....	32
Appendix C - Vehicle Code of Practice.....	33
Exteriors.....	33
Interiors.....	33
Appendix D - Driver Licence Conditions.....	34
Driver Badge.....	34
Conduct of Driver.....	34
Standard of Vehicle.....	34
Fares and Farecards.....	35
Passengers.....	35
Duty to carry guide dogs and assistance dogs.....	36
Found Property.....	36
Medical Condition(s).....	36
Convictions, Cautions and Arrests.....	36
Disclosure and Barring Service Online Update Service.....	36

Change of Operator.....	36
Change of Address and Email Address.....	37
Customer and Other Personal Information	37
Duty to Cooperate on Regulatory Matters	37
Appearance of Driver	37
Accidents	37
Appendix E - Vehicle Licence Conditions	38
Internal and External Licence Plates to be Displayed	38
Luggage	38
Roof Signs.....	38
Other Signs and Notices, including Advertisements	39
Additional Equipment	39
Tyres	39
No smoking.....	40
Valid Insurance.....	40
Alterations.....	40
Inspections	40
Updating details	40
Reporting of accidents	41
Appendix F - Operator Licence Conditions.....	42
Record Keeping	42
Standard of Service	43
Updating Details.....	44
Public Liability Insurance.....	44
Appendix G – Criminal Conviction Policy	45
Chapter 1 - Introduction.....	46
Chapter 2 - Offenders and Offending - An Overview	48
Chapter 3 - ‘Taxi’ Licensing Overview	52
Chapter 4 - Guidance on Determination	60

Section 1 - Purpose and Scope of the Taxi Licensing Policy

Purpose

- 1.1. The purpose of licensing drivers, vehicles and operators for public or private hire is for the protection of the public who use this form of public transport. A member of the public stepping into a motor vehicle driven by a stranger must be able to trust that the driver is honest, competent, safe and trustworthy, that the car being used is suitable, safe and well maintained. Passengers should also be confident that the people who take the bookings for those cars are trustworthy and will safeguard confidential information.
- 1.2. This policy will set out how Dorset Council will manage applications, make decisions about who can drive and what vehicles will be licenced, what is expected from those that are licenced and how the Council will deal with complaints. The policy will be used to assist officers, the Licensing Committee and Sub-Committees to make decisions that are fair, clear and consistent. It will also inform the travelling public of what they can expect from a vehicle, driver or operator licensed by Dorset Council.
- 1.3. The Criminal Conviction Policy at Appendix G will come into effect on 1 December 2021. The remainder of this policy takes effect from 1 April 2022.

Formulating the Policy

- 1.4. In creating this policy, and in all matters relating to the licensing of taxis and private hire vehicles Dorset Council will have regard to:
 - The law¹
 - The Department for Transport Statutory Taxi & Private Hire Vehicle Standards July 2020 (DfT Standards)²
 - The Department for Transport Taxi and Private Hire Vehicle Best Practice Guidance March 2020 (DfT Best Practice)³
 - Freight Transport Association Hackney Carriage and Private Hire Vehicles National Inspection Standards August 2012 (FTA National Standards)⁴
 - Institute of Licensing Guidance on Determining the Suitability of Applicants April 2018 (IoL - Safe and Suitable)⁵
 - Dorset Council's Plan 2020 to 2024⁶ (DC Plan)
- 1.5. The Policing and Crime Act 2017 enabled the Secretary of State for Transport to issue statutory standards in July 2020 which contains several recommendations that the Department for Transport (DfT) expects Councils to incorporate in their taxi licensing policies unless there is a compelling reason not to. This policy has been prepared incorporating all the recommendations contained within the DfT Standards.

¹ [Town Police Clauses Act 1847](#), [Local Government Miscellaneous Provisions Act 1976](#), [Transport Act 1980](#)
[Equalities Act 2010](#)

² [Statutory & Best Practice Guidance for taxi and PHV licensing authorities \(publishing.service.gov.uk\)](#)

³ [Taxi and Private Hire Vehicle Licensing: Best Practice Guidance \(publishing.service.gov.uk\)](#)

⁴ [GetFile.aspx \(logistics.org.uk\)](#)

⁵ [Guidance on Suitability Web Version \(16 May 2018\).pdf \(instituteoflicensing.org\)](#)

⁶ [Dorset Council's Plan](#)

- 1.6. Dorset Council was formed on 1 April 2019 from four District Councils, one Borough Council and the County Council. The policies of the five predecessor District and Borough Councils have been considered and areas of good practice within them is contained within the Dorset Council Taxi Licensing Policy.
- 1.7. Several small focus groups consisting of Councillors, the trade, officers and Equality Groups have helped formulate this draft policy and the policy will be put out to public consultation for 12 weeks. All consultation responses will be considered before the final version of the Policy is presented to Full Council for adoption.
- 1.8. Any reference to "Taxi" in this policy includes both Hackney Carriages and Private Hire Vehicles.
- 1.9. This policy will be subject to a full review during 2026 with a view to a revised Policy being implemented at the beginning of 2027. There will also be an annual interim review of the Policy to incorporate any emerging issues that may need to be addressed.

Consultation

- 1.10. In preparing this policy the council has consulted with and considered the views of a wide range of people and organisations including:
 - Existing licence holders and their representatives
 - Representatives of local business
 - Local residents and their representatives
 - Local Councillors
 - Parish and town councils
 - Local members of parliament
 - Dorset Police
 - Dorset Council – Children's Services
 - Dorset Council – Adults Services
 - Dorset Council – School Contract Service
 - Dorset Council – Highways
 - Dorset Council - Fleet
 - Adjoining Councils
 - Dorset Disability Forum

Process for Adoption of the Policy

- 1.11. The draft policy will go through a number of committee meetings for consideration prior to adoption;
 - i. Licensing Committee
 - ii. Consultation
 - iii. Place and Resources Overview Committee
 - iv. Licensing Committee

Section 2 - General Principles

Importance of the Taxi Trade

- 2.1. Dorset Council recognises that the taxi trade is a fundamental component of the public transport network, especially in more rural areas of Dorset where it can be the only form of public transport. It is a heavily regulated industry for good reason, but Dorset Council will look to reduce the burden to licence holders where possible but only when the primary aim of the regulation, which is the safety of passengers, is not compromised to any degree.
- 2.2. The Council will hold meetings with the taxi trade at least twice a year and will send out regular newsletters to the taxi trade and to the Councillors sitting on the Licensing Committee.
- 2.3. Dorset Council is committed to providing online application processes across all areas to enable interactions with the Council to be completed at a time and in a place that suits the user. Currently applications for licences can be completed online in most areas already, and it is planned that this will be available across the whole area as soon as practicable.

Protection of Children

- 2.4. Whilst the safety of everyone who uses licensed vehicles is of paramount importance, there are special concerns around children after well publicised cases of Safeguarding in other areas of the country. Most licensed drivers have completed a classroom-based form of Safeguarding training. Dorset Council will continue to support specialised training in this area for all new applicants to ensure they are aware of how to identify, and how to report any concerns they have that may indicate child exploitation, including County Lines involvement, Female Genital Mutilation or children being groomed. For any licensed drivers who have not completed any classroom based Safeguarding training this will need to be completed during the term of their next licence. Training will be regularly updated to incorporate any emerging trends. The licensing team will liaise with both the police and Dorset Council's children's service teams to ensure there is a joined-up approach to protecting young people, and we will undertake to advise drivers and operators of any areas of concern that they need to be aware of. As training evolves and becomes available, it may be incorporated into requirements for the renewal of driver's licences. Before any changes to mandatory training are made, all current drivers and all operators who may take on new drivers will be consulted, and enough time will be allowed for any current licence holder to complete the training during their next licence term.

Adults at Risk

- 2.5. The DfT Standards were brought in to protect adults who are at risk as well as children. Adults at risk are defined in section 42 of the Care Act 2014 and apply to any adult who; -
 - a. has needs for care and support (whether or not the Authority is meeting any of those needs),
 - b. is experiencing or is at risk of abuse or neglect and
 - c. As a result of those needs is unable to protect themselves against the abuse or neglect or the risk of it.

Dorset Council and Dorset Police have a joined-up approach to safeguarding and have a Multi-Agency Safeguarding Group which will both pass on and receive information relating to any complaints concerning vulnerable adults and taxis. All complaints that relate to a Vulnerable Adult will be referred to the MASH and there will be a co-ordinated response to any such matters. Taxis are such a vital method of transport for Vulnerable Adults that swift action may be taken if the safety of any Vulnerable Adult is in any way put at risk. It is important that every person travelling in a taxi not only is safe but feels safe as well.

The Council is committed to improving the safety of residents and visitors to Dorset and is currently reviewing the content of its mandatory safeguarding courses to include additional areas for improvement, including for example Domestic Abuse Awareness Training. Taxi drivers are valuable members of the community and can be a first point of contact for vulnerable adults in need of assistance and licence holders will be trained to spot the signs of abuse and respond appropriately where necessary, including signposting to services where potential victims can go for assistance.

Equalities

- 2.6. Dorset Council is committed to building strong, healthy communities which will support inclusivity⁷. Addressing equality issues has historically involved keeping lists of Wheelchair Accessible Vehicles (WAVs). However not all people with disabilities use wheelchairs and so in formulating this policy Dorset Council is looking to undertake its duty under the Equalities Act by encouraging training in a diverse range of disabilities, creating a rating system based on the completion of training courses which will be advertised on the Council's web site and introducing an Equality Charter to inform drivers and operators of the standards that are expected of them, and to inform the travelling public of what standard of service they may expect.
- 2.7. It is estimated that around 1 in 5 people have one or more disabilities, many of which will be hidden. Rather than thinking in terms of specific disability this policy seeks to set an expectation that ALL people no matter what challenges they face have the same opportunity to access this form of public transport that is vital to being able to travel about in and out of Dorset. We want to ensure that equality is not a matter of treating everyone the same way, it is a matter of making sure that everyone can use a taxi safely and in comfort and that drivers and operators will take actions to ensure that anyone with a disability of any kind does not feel disadvantaged. This goes beyond allowing anyone using a dog to sit with them in a licensed vehicle to actively assisting elderly passengers with frames or walkers, to treating blind people with extra consideration when they exit a vehicle to ensure they are aware of where they are.
- 2.8. The "Equality Charter" (found at appendix A) will be used as a measure to judge complaints by. Dorset Council commit to actively promoting compliance with the Charter and driving out the inequality and the treatment of the disabled as 'second class' citizens and will deal with any reported incidents of either direct or in-direct discrimination by written warning if it is a first complaint or if it is a repeat complaint, by referral directly to a Sub-Committee.
- 2.9. The Council will work with third party providers to create training modules which will be made available that will lead to accreditation and a star rating system. These will be developed to include specific disabilities or types of disabilities and may also expand to training courses in additional

⁷ [Strong, healthy communities \(dorsetcouncil.gov.uk\)](http://dorsetcouncil.gov.uk)

areas for example, in suicide awareness. These courses are introduced to improve the quality of service and it will be a prerequisite that anyone signing up for the course may promote their services via their contact details being included in lists that are available to potential passengers.

- 2.10. We will provide a directory of drivers or operators who have passed specific training modules on our web site and make available in a written or other suitable format to anyone who requests it.

Suitable Vehicles

- 2.11. Dorset Council recognises that action needs to be taken to protect the environment and the Licensing Team will work with the DC Highways Team to ensure a joined-up approach for any policies or strategies based on sustainability, such as the Electric Vehicle Charging Strategy. The Council will encourage the use of electric vehicles, and other Ultra Low Emission Vehicles by exploring the potential for reduced fees for applications for these types of vehicles. Any fees, or any changes to those fees will be subject to a separate consultation.

- 2.12. There are different approaches that can be taken to ensuring that vehicles are suitable to be licensed either by age, mileage or type. The area covered by Dorset Council is varied and the work carried out by licensed vehicles is equally varied. Therefore, the Council will not stipulate what types of vehicles may be licensed but will only licence a vehicle to carry the number of full-sized adult seats.

- 2.13. The work with focus groups suggest that it is the maintenance and upkeep of vehicles that is the most important consideration to assess the suitability of a vehicle rather than assigning an arbitrary age or mileage limit. For that reason, all vehicles will be inspected twice yearly by an approved garage to ensure compliance with the FTA Inspection Standards⁸, or any subsequent National Standard.

- 2.14. Vehicles may also be subject to spot checks by licensing officers, with or without partner agencies, to ensure they comply with the Vehicle Code of Practice found at appendix C.

Insurance Write Offs

- 2.15. Insurance write offs will not be licensed if they fall in categories A, B or S as these vehicles will have been written off after suffering structural damage. Vehicles written off under Cat N may be licensed as they will not have been written off for sustaining any structural damage and will have to undergo comprehensive mechanical safety checks⁹.

Zones

- 2.16. It is the Dorset Council's ambition that all licences should be aligned with the area covered by Dorset Council, in line with the recommendation in the DfT Best Practice¹⁰. It is recognised that this may cause issues, particularly in the one area where there is a limit on the number of hackney carriages that are licensed. The Unmet Demand Survey carried out in 2020 for Weymouth found that there was no unmet demand in general, although there was some unmet demand for

⁸ [GetFile.aspx \(logistics.org.uk\)](#)

⁹ [What is an insurance write-off? Your Guide to Cat A, B, S \(C\) & N \(D\) | RAC Drive](#)

¹⁰ [Paragraphs 89 – 91 DfT Best Practice](#)

wheelchair accessible vehicles (WAVs). Hackney Carriage owners in Weymouth pay an additional premium over three years to cover the cost of the survey, which is in the region of £12K.

- 2.17. Zoning will be removed from all the Dorset Council Areas where there are currently no limits to the number of vehicles. In the area formerly covered by Weymouth and Portland Borough Council the limit of 80 Hackney Carriages will remain in place for a period of three years. The consequence of having a limit is that it enables an authority to refuse any application if it would result in the limit being exceeded. However, because the Survey did find some unmet demand for WAVs, any application for a WAV will not be refused on the basis that the limit would be exceeded.
- 2.18. In addition, to support the climate emergency and to encourage ultra-low emission vehicles (ULEVs) any application for a fully electric hackney carriage will also not be refused on the basis that the limit would be exceeded. This policy will be reviewed in 2023 and affected licence holders will be consulted on any proposals to carry out (and pay for) another survey or to remove the limit of hackney carriages in the Weymouth area instead.
- 2.19. The effect of retaining this zone for Weymouth will mean that for hackney carriages only, those vehicles plated with a Weymouth Plate will be the only vehicles allowed to stand for hire on Weymouth Ranks. Weymouth hackney carriages will only be able to ply for hire within the Weymouth Zone. All other hackney carriages will be able to use ranks in any other area of Dorset, apart from Weymouth.

Types of Licence

- 2.20. Hackney carriages and private hire vehicles are covered by different Acts of Parliament, with hackney carriages covered by the Town Police Clauses Act 1847 (TPCA47) and the Local Government Miscellaneous Provisions Act 1976 (LGMPA76)¹¹ and private hire vehicles covered only by the LGMPA76. Both hackney carriages and private hire vehicles can be booked over the phone or via a Booking App, but only hackney carriages can stand for hire on a rank or be hailed in the street.
- 2.21. Dorset Council is committed to cutting unnecessary bureaucracy. The predecessor Councils dealt with licensing drivers in a variety of ways with some of the Councils opting to issue combined driver's licences. As the same standards are applied to test the suitability of driver whether they drive a hackney carriage or a private hire vehicle this seems to be a sensible approach especially as driver's licences typically last for three years and drivers may change the type of vehicle they drive during that three years. Dorset Council will therefore issue drivers with either a combined badge and licences to drive both types of vehicle, a hackney carriage driver licence and badge or a private hire driver licence and badge depending on the needs of the applicant.

Decisions

- 2.22. This Policy enables officers to grant and issue licences to drivers, vehicles and operators where the criteria of this Policy are fully met, under delegated authority. Any matters that fall outside of the Policy will be referred to a Sub-Committee of three trained Councillors from the Council's Licensing

¹¹ [Town Police Clauses Act 1847](#), [Local Government Miscellaneous Provisions Act 1976](#),

Committee¹². All decisions will be taken with reference to the following, and any new version of them; -

- applicable law,
- this policy
- DfT Standards
- DfT Best Practice Guidance
- NTA National Standards
- IoL - Safe and Suitable

2.23. Applicants, drivers, vehicle owners or operators who are referred to a Sub-Committee will be given a copy of the officer's report containing all the information that the Sub-Committee will consider at least five working days prior to the hearing. Applicants or licence holders will be invited to attend the hearing and give any information they believe is relevant to the Sub-Committee, and they can expect to be asked questions relating to the information contained in the report. Anyone appearing at a Sub-Committee may submit a statement for the Sub-Committee to consider prior to the hearing or at the hearing itself. Applicants and licence holders can bring legal representatives or any other person who will give them support to the hearing. All Sub-Committees will be held in private and will not be open to the public or the press, however decisions that are made may be reported anonymously in a general newsletter. Organising Sub-Committees takes considerable resources and so in the event of an applicant or licence holder not attending a hearing, the Sub-Committee will decide whether to continue in their absence or to adjourn the hearing to another time. If an applicant, driver or operator fails to attend for a second hearing officers will normally recommend that there is no further adjournment and the matter is heard.

2.24. There may be circumstances where immediate decisions need to be taken on matters of importance, in which case, they will be taken by the Service Manager or Licensing Team Leader in liaison with the Chair or Vice Chair of the Licensing Committee. This will only occur in cases where there is an immediate threat to the safety of the public and any delay would be of such a high risk that normal processes do not apply, such circumstances could be in cases of potential sexual exploitation or any other matter that in the Team Leader or Service Manager's opinion pose an imminent threat to the safety of the travelling public.

Fares

2.25. Dorset Council must balance the ability of drivers to earn a living with ensuring fair access to this important mode of transport for all. Because there will be no zones, apart from the Weymouth and Portland Zone, there will be one maximum tariff set for all hackney carriages across the whole of the Council area. It is recognised that different areas may suit different tariffs and there is a need to allow an open market so there will only be a maximum limit set over which it will be an offence to charge. Vehicle proprietors are free to set their meters to a level that is equal or less than each element of the maximum allowed.

2.26. Vehicle proprietors are encouraged to clearly display the rates that they charge in a manner that can be viewed from the outside of vehicles so that customers are aware what they can expect to be charged.

¹² [Committee details - Licensing Committee - Dorset Council](#)

Licensed Vehicles should be easily identifiable.

- 2.27. It is imperative for safety reasons that licensed vehicles are easily recognisable as bona fide, licensed vehicles. All vehicles will be required to have plates on the outside rear of the vehicle, that are clearly visible to anyone travelling behind the vehicle, and smaller internal plates displayed in the windscreen of a vehicle, so they are identifiable from the front as they approach customers.
- 2.28. Door stickers or magnetised signs will be required for private hire vehicles stating “Pre-Booked Only”. These stickers must remain on the private hire vehicle at all times unless, and in exceptional circumstances where they are operating under a plate exemption when they can be removed for the time that the exemption applies. Vehicle proprietors may apply for an exemption to the requirement to have door stickers or magnets of this type.
- 2.29. There may very occasionally be exceptional circumstances where exemptions from the display of private hire vehicle plates will be considered but this will only be in exceptional circumstances, for example where the safety of the passenger(s) being transported in a plated vehicle would be compromised. Any request to obtain an exemption for the display of plates will need to be supported by evidence such as a contract or letter explaining why the passenger’s safety is compromised by the display of a plate. Any vehicle with an exemption certificate will be required to retain their plate in the boot, or other safe place if there is no boot, at all times.

Advertising.

- 2.30. Previous predecessor Council policies have included restricting third party advertisements on licensed vehicles, however it is the Council’s view that these vehicles form part of the public transport network and other providers are permitted to have advertisements for third parties both inside and outside of vehicles, so taxis should also, within specific parameters.
- 2.31. Advertisements can provide alternative sources of income to taxi proprietors which will be allowed as it means that proprietors do not have to rely solely on fares for their earnings.
- 2.32. This must be balanced with the requirement to ensure that taxis are easily identifiable to any hirer and to ensure the safety and comfort of passengers. Therefore, third party advertisements are permissible, but they must be restricted to areas of the vehicle that do not contain important information such as the name of the operator or any identifying licence plates, signs or numbers.
- 2.33. Any vehicle proprietor should send pictures or diagrams of any proposed advertisements and where they will be placed on the vehicle into the Licensing Team. Officers will only object to their placement if: -
- a) they interfere with the identification of the vehicle or obscure window screens or back windows enough to cause a potential hazard or block the view of passengers, or
 - b) the content of the advertisement contravenes any of the following guidelines;
 - Does not comply with the Advertising Standards Authority’s advertising code; www.asa.org.uk

- Does not uphold the rules laid out in the UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing (CAP Code) www.cap.org.uk/Advertising-Codes/Non-broadcast-HTML.aspx
- Involves unlawful prejudice and/or discrimination.
- Promotes smoking.
- Promotes the irresponsible consumption of alcohol.
- Promotes gambling or betting, except licenced or registered lotteries benefiting local good causes e.g. society or local authority lotteries.
- Promotes pornography or adult content.
- Promotes weaponry.
- Promotes payday lenders or financial organisations with punitive interest rates.
- Appears to promote racial or sexual discrimination, or discrimination on the basis of disability, faith, gender or age (or other protected characteristic.)

Any operator not satisfied with a decision of an officer may request that the matter is referred to a licensing sub-committee.

- 2.34. Any advertisement must comply with the British Code of Advertising Practice issued by and amended from time to time by the Advertising Standards Agency so all advertisements must be legal, decent, honest, and truthful. The code can be found here: <https://www.asa.org.uk/codes-and-rulings/advertising-codes/non-broadcast-code.html>

Codes

- 2.35. In addition to the Equality Charter Dorset Council has set out “codes of practice” which all licensed drivers are expected to adhere to, and which will be used when drivers and vehicles are inspected, when complaints are received and investigated and to assist with decision making. There are codes to cover vehicle cleanliness and the appearance and behaviour of drivers to other drivers, other road users, passengers and officers of the Council.

Complaint Handling

- 2.36. All complaints that are received by Dorset Council will be investigated, but not all will result in any action being taken. Records will be kept of all complaints made and any action taken. Any patterns identified in relation to a company or a particular driver may result in actions such as written warnings or referrals to a Sub-Committee to consider whether the licence holder remains a “fit and proper person” to hold a licence.
- 2.37. If a complaint is found to be justified, that the driver, operator or vehicle owner has not complied with either a condition of licence or a code of practice, they may receive a verbal warning for a first complaint. Should a second complaint be investigated and upheld the licence holder could normally expect to be issued with a written warning. Any further complaints would normally be reported to Sub-Committee to consider whether the licence holder remains a “fit and proper person” to hold a licence. However, there may be times when a matter will remain at a verbal warning stage,

equally there may be occasions when a matter is so serious it needs to be escalated straight to a Sub-Committee hearing without either a verbal or written warning having been issued.

- 2.38. Any complaints about discrimination, inappropriate sexual behaviour or language involving children will be treated particularly robustly and where there is a credible and immediate threat to a child or other passengers an immediate suspension of a licence will be considered by the Licensing Team Leader or the Service Manager in consultation with the Chair or Vice Chair of the Licensing Committee.

Inspections

- 2.39. All vehicles, 12 months or older, will have to comply with scheduled mechanical inspections every six months. Any failure to present a vehicle to a booked appointment may result in the suspension of the vehicle licence, unless there are exceptional circumstances, or the vehicle is re-booked and re-presented at the garage within 14 days.
- 2.40. Vehicle licences may also be suspended if they fail the mechanical inspection if the failure is, in the professional opinion of the mechanic carrying out the inspection, likely to affect the safety or suitability of the vehicle.
- 2.41. Drivers, vehicles and operators may be inspected on an ad hoc basis by officers of the Council. Licence holders will be expected to co-operate with these inspections it is not intended that these inspections will be overburdensome.

Sharing Information

- 2.42. Dorset Council may share information about drivers, vehicles and operators with the Police, other teams within the Council, HMRC and other Government Departments and other Local Authorities. This will be limited to matters relating to prevention or detection of crime, fraud initiatives, investigation of complaints or any matter that may relate to Dorset Council Contracts.
- 2.43. Dorset Council will record any revocations or any decisions to refuse to licence on the Local Government National Register of Taxi and Private Hire Licence Revocations and Refusals (NR3)¹³.

CCTV and Dash Cams

- 2.44. Dorset Council covers a large and diverse area and there is no evidence available to suggest that the use of CCTV should be made mandatory, suitable evidence would relate to the prevention of crime and to consider a mandatory requirement there would need to be large numbers of complaints or reported incidents of violence towards drivers.
- 2.45. However, the value of CCTV and Dash Cams are recognised as is the footage they capture. Dorset Council encourages any use of cameras that comply with the Data Protection Principles as laid out

¹³ [National Register of Taxi and Private Hire Licence Revocations and Refusals \(NR3\) | Local Government Association](#)

by the Information Commissioners Office (ICO)¹⁴. Officers may ask to see the Data Protection Impact Assessment (DPIA) that should be completed before installing any CCTV.

- 2.46. Proprietors should inform the Licensing Team when any cameras are fitted. Where it is installed, officers will expect to receive any data relating to a complaint that is requested and any failure to supply the data will be taken into consideration and may result in a matter being referred to a Sub-Committee.

Criminal Convictions and Rehabilitation

- 2.47. The Council takes its responsibilities very seriously and welcomes the national guidance on determining the suitability of applicants and licence holders that was produced in April 2018 by the Institute of Licensing in partnership with the Lawyers in Local Government (LLG), National Association of Licensing Enforcement Officers (NALEO) and the Local Government Association (LGA). Dorset Council adopts this guide as its Criminal Conviction Policy, the full version can be found at Appendix G.

Disclosure and Barring Service Checks (DBS checks)

- 2.48. Previous policies have required that Enhanced Disclosure and Barring Service Checks (DBS checks) will be carried out every three years for drivers, with annual Basic DBS Checks being required for any private hire operator or vehicle proprietor who does not hold a taxi driver's licence. In line with the Statutory Guidance, drivers will now be required to sign up to the update service or have DBS checks completed every six months. Vehicle proprietors and Operators without drivers licences will continue to need a basic check completed when they initially licence and Operators will also be required to evidence they have seen Basic DBS checks for all their booking and dispatch staff. Further details about the DBS checks can be found in paragraphs 3.8 – 3.13 for drivers, 4.16 for vehicle proprietors and 5.2 and 5.7 for operators and their staff.

Approved Garages

- 2.49. Inspections will be able to be carried out at any garage that the Council has approved. Only garages authorised to carry out MOTs may apply to be on the list of approved garages, and they will have to sign an agreement to;
- inspect vehicles to the standard as set out in the FTA National Inspection Standards
 - inspect the exterior and interior of the vehicle for cleanliness and damage,
 - test any meters or signs,
 - send information to the Council electronically, and
 - inform the Licensing Team immediately of any failures.
- 2.50. Contracts for approved garages will be issued annually and will automatically lapse if the garage is no longer authorised by DVSA to carry out MOT Inspections. Any complaints will be investigated, and the Licensing Team may carry out testing of approved garages for quality control purposes to ensure that standards are maintained throughout the term of the contract

¹⁴ [Installing CCTV? Things you need to do first | ICO](#)

Section 3 - Drivers

Introduction

- 3.1. Dorset Council will only grant any driver's licences to an applicant who is over 18, has held a driving licence for at least 12 months and the Council are satisfied is a "fit and proper person" to hold such a licence.

Fit and Proper

- 3.2. To assist the Council to decide whether a person is fit and proper the following checks will be made-
- Right to work in the UK
 - UK driving licence
 - Criminal record
 - Medical history
 - Driving ability
 - Ability to speak and understand English
 - Knowledge of the law and this DC Taxi Policy
 - Knowledge of the area
 - Understanding and awareness of CSE
 - Confirm [registration for tax](#)
- 3.3. The application form must be completed accurately and honestly as if evidence is found that an applicant or licence holder has provided false information or omitted any relevant information in any application or submission to the Council, the application may be refused or any licence issued as a consequence of the incorrect or omitted information may be revoked.
- 3.4. This policy has been produced following the Statutory Taxi and Private Hire Vehicle Standards produced by the Department of Transport in July 2020. In every consideration of an application Dorset Council will take regard to these standards, the DfT Best Practice Guidance and IoL - Safe and Suitable, and any updated versions, when making any decisions relating to drivers.

Right to work in the UK

- 3.5. Applicants must provide proof that they have a statutory right to work in the UK and checks will be made with the relevant agencies. Any applicant who has a limited right to work will not be issued a driver licence for a period longer than that limited period. The current list of documents that are acceptable for ID checks is available on the web page¹⁵ as this list may be subject to change in line with any Government requirements.
- 3.6. National insurance numbers will be recorded and shared yearly with the Government as part of the National Fraud Initiative.

¹⁵ [Taxi and private hire licences - Dorset Council](#)

UK Driving Licence

- 3.7. Applicants must be over 18 years of age and have held a full driving licence issued in the UK for at least 12 months. Drivers holding only foreign driving licences must obtain a GB counterpart document, if it is available, or obtain a Full UK driving licence.

Criminal Record Check

- 3.8. A criminal record check on a driver is seen as an important safety measure. Dorset Council require an Enhanced Disclosure and a check of the Adults and Children's Barring Lists to be completed by all applicants for driver's licences. The Council is an approved Disclosure and Barring Service registered body; therefore, applicants must deal with the Disclosure and Barring Service through the Council and the required fee incorporated within the application fee.
- 3.9. The Rehabilitation of Offenders Act 1974 does not apply to applicants for drivers' licences and applicants are required to disclose all convictions, including those that would normally be regarded as spent, as well as arrests, charges or cautions on their application form. Applicants with relevant offences, cautions, charges or arrests or who have failed to declare them on their forms will be referred to a Licensing Sub-Committee for consideration.
- 3.10. Dorset Council is bound by rules of confidentiality and will not divulge information obtained to any third parties or keep copies of any completed criminal record checks after a decision has been made. An applicant for a DBS disclosure will be sent a DBS Certificate to their home address. If there is any content disclosed, they will be required to present the original Certificate to the Licensing Team within 14 days. The DBS Certificate will be used to process the application and then returned to the driver after a decision has been made.
- 3.11. Because of the very strict need for confidentiality for an enhanced check this information cannot be shared with any other department within the Council. If an applicant will be undertaking any School Contract work, they will have to complete checks with that department, this is because the coding under which the DBS check is undertaken is different for a general taxi licence and one for working with children or adults.
- 3.12. Applicants who have been resident in another country for more than three consecutive months will be required to provide a certificate of good conduct from each country within which they have resided.
- 3.13. New DBS disclosures will be required every 6 months once a licence is granted, unless the licence holder subscribes to the DBS update service. If the update service is not subscribed to, Dorset Council will require a new check within 2 weeks either side of the 6-month anniversary of the granting of a licence. These checks will be undertaken by Dorset Council and will subject to a fee.

Driver Knowledge and Suitability Test

- 3.14. A Knowledge and Suitability Test (KaST) will be used to consider the suitability of an applicant for a licence. The content will vary from time to time to reflect any emerging issues. The test will consist of; -
- a discussion about why the applicant wishes to become a driver and how and where they will be working,
 - a formal question and answer element testing that they have a good understanding of the law covering both types of licence, the Highway Code, the conditions that will be attached

to licences, and anything else contained within this policy including the contents of the appendices,

- a geographical element to ensure that they have a good knowledge of the area that they will be working in,
- an English language element to ensure that the driver can communicate with passengers, and,
- a numerical element to ensure that a driver can give the correct change in cash transactions.

3.15. If a person has previously completed a knowledge test and subsequently surrenders the licence and they decide to apply again, a new test will not be required if they re-apply for a licence within 12 months. If more than 12 months has elapsed since the licence was surrendered, or the licence was refused or revoked a new test will have to be undertaken and passed if a new licence is applied for.

Child Safeguarding Awareness Training

3.16. All new applicants for a driver licence will have to have completed a training course as specified by the Council on spotting and reporting signs relating to Child Safeguarding Awareness.

3.17. The training programme will cover the key areas of responsibility for licenced drivers with the overall aim of equipping them with the skills and knowledge to spot the signs of safeguarding and know what to do if they come across anything that may give rise to concerns. The exact nature of the training may change from time to time or if the current provider becomes unavailable.

Driving Proficiency

3.18. The Driving Standards Agency (DSA) provides a driving test specifically designed for hackney carriage and private hire drivers, if an applicant has passed this test or holds an advanced driving qualification, they will not be required to undertake any further test or assessment.

3.19. If an applicant does not hold an advanced driving qualification, they will be required to undertake, and pass, a driving assessment with an approved instructor at their own expense. A full list of approved instructors can be found on the web site¹⁶, and may be updated and changed from time to time.

3.20. If a person has previously completed a driving assessment and subsequently surrenders the licence and then they decide to apply again, a new assessment will not be required if they re-apply for a licence within 12 months. If more than 12 months has elapsed since the licence was surrendered, or the licence was refused or revoked a new assessment will have to be undertaken and passed if a new licence is applied for.

Medical Examination

3.21. Dorset Council requires all applicants to meet the Group 2 Standards of Medical Fitness (as applied by the DVLA to the licensing of lorry and bus drivers) as this is the appropriate standard for licensed hackney carriage and private hire drivers. This is a higher standard of fitness than is required because drivers will be driving for a living and this is the standard that is required for other public transport drivers.

¹⁶ [Taxi and private hire licences - Dorset Council](#)

- 3.22. The medical must be completed using the Council form and must be submitted at the initial application. A fresh medical will be required at every subsequent renewal. All fees for the medical must be met by the applicant. Any medical certificate submitted must be less than one month old.
- 3.23. The medical must be either at the applicant's normal medical practice or by another doctor if, and only if they have access to the applicants full medical record, a summary of that record provided by the applicants doctor or access to an 'App' which holds the medical record. If the medical is carried out by another doctor, we will require applicants to sign a declaration to say they have disclosed all relevant information relating to their health, and the Doctor or health professional completing the form to declare they have had access to the relevant health records.
- 3.24. Licence holders must advise Dorset Council, in writing and within 48 hours, of any deterioration in their health that may affect their driving capabilities.

Cost of a licence

- 3.25. The fee for a licence will be made up of two parts, the application fee which covers the Council's costs in considering the application. This fee is payable in all circumstances and must be made at the time of applying. If a licence is granted there will be an additional licence fee which covers the costs of compliance. Applicants may pay both fees at the time of application and if they are unsuccessful the licence fee element will be refunded, or, they may just choose to pay the application fee initially until a decision has been made regarding the licence, however the licence will not be issued until the remainder of the required fee is received.
- 3.26. Payments should be made by card either online or over the phone. Cheques may be accepted but this may cause delays in issuing licences to allow the funds to clear.
- 3.27. All licences issued will be for a "Combined Driver Licence" that will incorporate licences to drive both types of vehicles. This is because the tests for both type of licence are the same and as licences are issued for three years it allows a licence holder who has been considered as safe and suitable to drive both types of vehicle they wish to during the life of the licence. Dorset Council may grant licences for a lesser period if necessary.

Procedure for applying for a licence.

- 3.28. Applicants for licences will need to complete all the relevant forms, tests, assessments and training before a decision will be taken as to whether they are 'Fit and Proper persons' to hold a licence.

Decisions on Applications

- 3.29. Once the application has been made and all the additional checks and information have been received and if there is no adverse information that is revealed on any of the checks the application will be decided by Licensing Officers under delegated authority.
- 3.30. In any circumstance when information is revealed on checks, or assessments are failed the Council will consider each case on its merits. It will take account of cautions and convictions, whether spent or unspent, but only as far as they are relevant to an application for a licence. If there is content on a DBS or medical form, or when a test has been failed the application will be referred to the Licensing Team Leader or Service Manager in the first instance.
- 3.31. An applicant with a single historical spent conviction or a single motoring offence will be considered by the Licensing Team Leader or the Service Manager with the discretion to refer to a Sub-

Committee if they are not certain whether the revealed conviction poses a threat to the safety of the travelling public.

- 3.32. Any application where more than one relevant offence is revealed or where more than one current motoring conviction exists will be referred to a Sub-Committee for a decision.
- 3.33. Where there is any doubt as to the medical fitness of the applicant or licensed driver, the Council may request more information from the applicant's doctor or may require the applicant or licensed driver to undergo and pay for a further medical examination by a medical professional appointed by the Council.
- 3.34. If there are still concerns about the fitness of any applicant or licensed driver following the first medical or a further medical examination the Licensing Sub-Committee will review the medical evidence and make any final decision considering the medical evidence available.
- 3.35. Licences will normally be granted subject to the model set of conditions; however, these may be supplemented on a case-by-case basis by a Sub-Committee.

Length of Licence

- 3.36. Drivers' licences will be issued for three years unless an applicant specifically requests a one-year licence. Driver's licences will not be issued for shorter periods or for a probationary period.

Refusals

- 3.37. Any refusal to issue a licence will be recorded on the Local Government Association National Register (NR3)¹⁷.

Licensed Drivers

- 3.38. Dorset Council expect that drivers will continue to be 'Fit and Proper Persons' throughout the time that they are licenced. Licenced drivers are expected to
 - Inform us within 48 hours of any criminal charges, convictions, arrests, or cautions
 - Inform us within 48 hours of any motoring convictions (points, fines or bans)
 - Inform us within 48 hours of any significant changes to their health
 - Comply with the conditions of their licence,
 - Always have their ID badges clearly visible whilst they are working,
 - Comply with the Driver's Code of Practice at appendix B covering conduct, dress and cleanliness.
- 3.39. If a licensed driver fails to inform the Licensing Team within 48 hours of any of the above, that failure will be taken into consideration by officers or Sub-Committees when they are required to make decisions about retaining or renewing their licence(s).

DBS check every 6 months or update service

- 3.40. The Statutory Guidance states that DBS checks on drivers should be undertaken every six months so if an applicant or licence holder has not signed up to the DBS update service and fails to complete

¹⁷ [National Register of Taxi and Private Hire Licence Revocations and Refusals \(NR3\) | Local Government Association](#)

a DBS re-check after 6 monthly, then unless there are exceptional circumstance their licence will be suspended on the 7-month date and they will be unable to drive until the check is completed and the certificate returned.

Conditions of Licence

- 3.41. Drivers' licences will be issued with the model conditions attached, these can be found in Appendix D.
- 3.42. Any breaches of the conditions of a licence can be dealt with by a verbal warning, a written warning or being reported to a Sub-Committee. Usually, a stepped approach would be taken. The action that is deemed by officers to be appropriate will take into account the severity of the breach and any history of previous breaches by the licence holder. If the matter is referred to the Sub-Committee, this will take the form of a hearing when the licence holder will be offered the opportunity to address the Sub-Committee before any decision is made.

Drivers Badges

- 3.43. Once granted, a badge will be issued which shall remain the property of Dorset Council and must be surrendered if the licences are suspended or revoked by the Council. The badge shall be always displayed on the driver's person when they are acting as a licensed driver. The display may be around the driver's neck, attached to clothing by a clip, displayed on the dashboard in a holder or worn on the arm of the driver.

Notification of Convictions/Charges/Arrests

- 3.44. Any convictions that are obtained whilst a driver holds a licence will be treated in line with the criminal conviction policy for new drivers. If the taxi team have not been informed of any arrest or charge relating to the conviction this will be considered when considering the offence and may lead to a stronger sanction.
- 3.45. Drivers who are convicted of any criminal or motoring offence or issued with a police caution during the period of their licence must disclose the conviction and the penalty imposed, in writing to the Licensing Team within 48 hours of receiving the caution or conviction. This also applies if drivers are arrested and released.
- 3.46. Each case will be dealt with on its individual merits and in line with the IOL Safe and Suitable which Dorset Council has adopted as it's Criminal Convictions Policy and will normally result in an appearance before a Sub-Committee to decide whether the driver remains a fit and proper person to hold a licence.
- 3.47. Any revocations will be entered on LGA NR3 Register

Notification of Changes to Health

- 3.48. If a licensed driver has any significant changes to their health relating to any of the health conditions that are contained within the current Group 2 Standards contained in the DVLA "Fitness to Drive"¹⁸ they must inform the Licensing Team within 48 hours. The Council will consider any information in line with the medical criteria for licensing group 2 drivers that is current at the time and if that

¹⁸ [Fitness to drive](#)

means that the driver is no longer fit to the Group 2 standard their licence will be suspended until they can meet the standard, as evidenced by information from their doctor or specialist, or have a new medical undertaken by a doctor with full knowledge of the medical history.

- 3.49. Failure to advise the Licensing Team of any medical change may be viewed as evidence of dishonesty and be referred to a Licensing Sub-Committee.

Driver Code of Practice

- 3.50. Anything that serves to enhance the professional image of the hackney carriage and private hire trade and promotes the concept that drivers of licensed vehicles are vocational drivers is to be welcomed. To support this Dorset Council has a Driver Code of Practice, found at Appendix B, this should be read in conjunction with the other statutory and policy requirements set out in this document.
- 3.51. The code sets out the minimum standards Dorset Council considers appropriate in the drivers it licences and includes appearance, behaviour and hygiene.
- 3.52. Any breaches of this code will be treated on its merits and failure to observe the code may lead to a verbal warning, a written warning or a hearing before a Licensing Sub-Committee where consideration will always be given to any history of complaints when the decision as to the course of action that is appropriate in the circumstances.

Renewal of Licences

- 3.53. Although every effort will be made to remind licence holders in the month preceding their expiry, when their licences are due to be renewed, it remains the responsibility of the licence holder to ensure that applications to renew are made at least five working days before the expiry date. Application forms, appropriate fees, and supporting documentation, must be submitted at the time of application. Applicants for renewals will need to ensure appointments for medicals are made well before the expiry date to ensure they are completed in the month before the expiry date.
- 3.54. At every renewal the Council will need to consider whether a driver remains a fit and proper person. For that reason, at every renewal application an applicant will have to undertake: -
- a fresh DBS check unless they have previously signed up to the DBS update service,
 - a new medical,
 - a check of DVLA licence for validity and points and a check of the history of complaints or any warnings that have been issued will be made.
 - Complete a [tax check](#)
- 3.55. It may be that drivers who were previously considered to be fit and proper under previous policies will need to have their applications scrutinised under the new policy. In these cases, consideration will be given to the length of time they have held a licence with the Council.
- 3.56. Any refusals to renew a licence will be entered on the LGA NR3 Register.

Section 4 - Vehicles

Introduction

- 4.1. Under section 47(2) of the Local Government (Miscellaneous Provisions) Act 1976 a council may require any hackney carriage licensed by them under the Town Police Clauses Act of 1847 to

be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage. Vehicle licences will be issued for one year and may be transferred between proprietors on the production of an updated V5 Registration document. Licences are specific to one vehicle and may not lawfully be transferred to a different vehicle.

Type of Vehicle

- 4.2. Dorset Council do not make any stipulation regarding the design and size, or appearance of the vehicles they will licence as either hackney carriages or private hire vehicles. This is due to the large and varied geographical nature of the Council's area.
- 4.3. Dorset Council has signed a climate emergency motion and will welcome applications for any vehicle that is either hybrid or fully electrically powered. In the Weymouth area where there is a restriction on the number of vehicles licensed as hackney carriages, licences for vehicles that are fully electrically powered will not be refused on the grounds that the limit would be exceeded.
- 4.4. Comfort in the vehicles is important and we will therefore licence a vehicle for the number of seats that an average adult can comfortably fit into. Each seat must meet the following criteria; -
 - the distance from the top of the seat cushions to the roof at its lowest point must not be less than 800 millimeters (31.5 inches)
 - each seat must allow at least 400 millimeters (15.8 inches) in width per person.
 - the distance between the rear of the front seats and the squab of the back seat must not be less than 750 millimeters (29.5 inches) to allow enough leg room
- 4.5. The Council will plate the vehicle for the number of adults that can comfortably sit in it and this may be any number between 1 passenger and 8 passengers.
- 4.6. Any vehicle that has previously been licensed for seats that do not meet the seat measurements will continue to be licensed for the life of the vehicle.

Applications for Vehicle Licences

- 4.7. The suitability and safety of a vehicle will be checked to the same standard whether it is the first time it is licensed or whether it has been licensed before. Applicants will have to complete an application form or complete an online application, submit the current MOT, Insurance Certificate and V5 document and pay the relevant fee. No decision will be made until a mechanical Inspection form has been completed by an approved inspector and all the documentation has been supplied.
- 4.8. Any changes or renewals to these documents must be sent by post or email to Dorset Council. Officers may also require sight of such documents during the life of the licence to ensure continuous compliance.

Identification of Licensed Vehicles

- 4.9. The Council does require that there are specific distinguishing marks to ensure that a vehicle can be clearly identified by any person approaching it or using it.
- 4.10. Hackney carriages are required to have; -
 - a roof sign that must be capable of being lit,
 - a rear plate displayed on the outside of the vehicle and

- an internal plate, either on the windscreen in a suitable holder or fixed to the dashboard that is clearly visible from the nearside front of the vehicle

4.11. Private hire vehicles be required to have; -

- a door sticker or magnetised sign with the words “pre-booked only”
- a rear plate affixed to the outside of the vehicle
- an internal plate either on the windscreen in a suitable holder or fixed to the dashboard that is clearly visible from the nearside front of the vehicle

4.12. Private hire vehicles will not be permitted to have a roof sign of any description as this could lead a person to believe they were a hackney carriage.

Mechanical Safety

4.13. All vehicles will have to be mechanically sound, safe and comfortable. Before a licence is considered it will have to have a valid MOT if it is to be a hackney carriage and is more than one year old or more than three years old if it is to be a private hire vehicle.

4.14. Because licensed vehicles will normally do higher mileages than a domestic use vehicle it will have to be inspected and certified by an approved garage within 2 weeks of an application being submitted and before it is licensed. It will thereafter be inspected by an approved garage at the midway point of the licence, and prior to any renewal of the licence being granted.

4.15. All inspections will be carried out to the FTA National Standards¹⁹ or any subsequent National Standards.

Non-driver Proprietors

4.16. Most vehicles will be owned and driven by licensed hackney or private hire drivers, however there is nothing in law to prevent an unlicensed person from applying to hold a vehicle licence. In such circumstances the Council will require the applicant to produce a suitable DBS check to ensure that they are a suitable person to hold such a licence and that public safety is not compromised.

Renewals of Licenses for Vehicles

4.17. All vehicle licences will be issued for one year and the Council will treat a renewal of a vehicle licence in the same way as a new licence and will require the same proof of mechanical soundness, insurance and ownership before a licence will be renewed.

4.18. Renewal applications must be made before the current licence expires, any late renewals will be treated as new applications and the vehicle must not be driven whilst the application is being processed and until the new plate and/or paper licence is issued.

Transfers of Licences

4.19. Transfers of ownership of vehicles must be notified to the Council within 48 hours. There can be no transfer of licences between vehicles as there is no legislative provision for this.

¹⁹ [GetFile.aspx \(logistics.org.uk\)](http://logistics.org.uk)

Condition of Vehicles

- 4.20. The Council expects all vehicles to be kept clean in good condition throughout their life as a licensed vehicle. It is expected that all vehicles will remain compliant and if there is any fault with the vehicle that would be likely to cause it to fail an inspection it will not be used.
- 4.21. Licensing Officers may carry out periodic ad-hoc inspections of vehicles and the Council has adopted a Vehicle Code of Practice, which can be found at Appendix C to assist both proprietors of vehicles and the Officers to make decisions about vehicle standards at this type of inspection.

Accidental Damage

- 4.22. From time to time any vehicle can be involved in an accident. Proprietors of vehicles that have been in accidents must inform the Council within 48 hours of any accident that results in damage that needs to be repaired or is significant.
- 4.23. If the repair is for a prolonged period and when a replacement vehicle will be required, the Council may issue a licence for a temporary vehicle. Replacement vehicles need to be of the same standard as any other vehicle and will therefore be subject to the same process as any new vehicle. However, as they will only be required for a brief time the licence will only be subject to the application fee and will only be valid for 1 month. Should the repair take longer than 1 month, but no more than 6 months, temporary licences will be extended free of charge.

Plate Exemptions

- 4.24. Plate exemptions will only be granted by exception and only if there is a need to remove a plate for matters relating to the safety of the occupant. Exemptions will only be granted if there has been evidence produced that satisfies the Council that there is a real and credible threat to safety of the person(s) travelling.

CCTV

- 4.25. Dorset Council encourages any use of cameras that complies with the Data Protection Principles as laid out by the Information Commissioners Office (ICO)²⁰.
- 4.26 Proprietors should inform the Licensing Team when any cameras are fitted and where it is installed officers may ask to see the Data Protection Impact Assessment (DPIA) that should have been completed before the installation any CCTV and will expect to receive any data relating to any complaint. Any failure to supply footage that is requested may result in a verbal or written warning or the matter may be referred to a Sub-Committee.

Trailers

- 4.27. Trailers are permitted to be used with a licensed vehicle as long as they have been tested by the approved garage and found to be suitable in line with the FTA National Standards²¹ or any subsequent National Standards issued by the DfT.

²⁰ [Installing CCTV? Things you need to do first | ICO](#)

²¹ [GetFile.aspx \(logistics.org.uk\)](#)

Section 5 - Operators

Introduction

- 5.1. As with any other licence the overriding concern is the safety of the travelling public. An Operator's Licence is required to allow a person to take bookings for private hire vehicles. All private hire vehicles must be linked to a licensed operator and owners of vehicles should inform the Licensing Team of any changes to the operator they are affiliated with.

Applications for Operators Licences

- 5.2. Often applicants for private hire operators licences already hold private hire or hackney carriage drivers licences and so have been subject to a number of tests to determine whether they are a fit and proper person, a currently licensed driver who applies to become an operator will not normally be subject to any further DBS checks. If the applicant does not hold a current private hire or hackney carriage licence with Dorset Council, they will be required to produce a basic disclosure certificate from the DBS which will have to be re-checked annually in line with the Statutory Guidance.
- 5.3. Licences will be granted for a period of five years, however they may be suspended if the annual DBS check is not supplied. Applicants may only require a licence for a year and the Council will consider applications for shorter periods on request.
- 5.4. All applicants for operator licences, whether new or renewal, will be asked to produce a copy of their record keeping facilities prior to a licence being issued.

Record Keeping

- 5.5. By law (section 56 LGMP76) operators must keep records and in line with the Statutory Guidance Dorset Council requires that records are kept of:-
 - Name of the passenger
 - Time of the request
 - Pick up point
 - Destination
 - Name of the driver
 - Licence number of driver
 - Vehicle registration
 - Name of person who took the booking
 - Name of dispatcher of the vehicle
- 5.6. New applicants will be expected to demonstrate their record keeping facilities to the Council before a licence is granted and Licensing Officers will routinely inspect the record keeping of all operators. All records will be kept for a minimum of six months and must be produced within 48 hours of any request for production by an authorised officer.

Booking and Dispatch Staff

- 5.7. Operators must keep a register of all their booking staff and all booking staff will be required to have an annual basic disclosure check (DBS).

Use of a Passenger Carrying Vehicle driver or Vehicle to fulfil a booking

- 5.8. The Statutory Guidance clearly states that private hire bookings should not be undertaken by PCV vehicles and drivers as they are not subject to the same level of checks as private hire drivers, any operator found to be using a vehicle that is not a licensed private hire vehicle or a hackney carriage may receive a verbal or written warning or may be referred to a Sub-Committee for consideration of their continuing suitability to hold a licence.

Renewal of Operators Licences

- 5.9. Only a current licence can be renewed so it is imperative that any application to renew a licence is received before the existing licence expires. Any applications received after the expiry date of the previous licence will be treated as a new application and the operator will have to cease operating until such time as the new licence is granted. Renewal notices may be sent out as a courtesy, but it is the responsibility of the licence holder to ensure they renew on time.

Complaints against drivers

- 5.10. Operators are expected to keep a written or computerised record of all complaints in a format that can be produced and shown to a visiting authorised officer on demand, or in a format that can be easily read if the request is by letter or email. We expect operators to report any serious complaints, any complaints that relate to inappropriate behaviour, or any complaints that lead to disciplinary measures. Complaints falling into these categories must be reported to the Licensing Team within 48 hours. All dismissals or any driver leaving their operation should also be reported within 48 hours.

Section 6 - Appendices

Appendix A - Equality Charter

Introduction

This charter has been drafted as a result of stakeholder engagement received when the new Taxi Policy was being developed. We were told that there were still instances, sadly too frequently, of people being refused travel, for example if they had guide dogs or walking aides, this is clearly unacceptable and feedback was that it made those affected feel like “second class citizens”.

This charter will set out the behaviours relating to equality issues that people using taxis in Dorset can expect to see. Any instances where this behaviour is not exhibited by a hackney carriage or private hire driver, or operator will be taken very seriously, and Dorset Council may take any driver falling short of this charter to a Sub-Committee to consider whether they are a “fit and proper” person to continue to hold a licence.

Equality

Equality is not about treating everyone the same – it is about giving everyone the same opportunity to use the taxi service. This means that some people will need more assistance in booking a vehicle, getting into a vehicle and alighting from a vehicle.

Dorset Council will take a three-staged approach to tackling inequality issues in taxis: -

1. Creating a Charter to set out expectations.
2. Working with providers to build a suite of training modules.
3. Developing a small accessibility toolkit to assist people travel comfortably.

This Charter will fulfil the first stage.

Expectations

Every customer, their friends and family, carers, personal assistants and travel companions, should be treated with courtesy and recognition of the diversity of conditions and impairments experienced and the impacts of these. This should be done from the perspective of the Social Model of Disability, which recognises that people are disabled by their environments, in terms of the physical, social and attitudinal barriers which are created by a society which fails to plan for and adapt to the diversity of experiences of individuals and therefore, the duty that services have to remove, as far as possible, those barriers.

Everyone should be treated with recognition that they are unique, without assumptions and a person-centered approach taken. Everyone involved in the customers’ journey, from the council licensing and inspecting operators to booking staff and drivers, should be aware of and sensitive to individuals and their supporters’ needs, without depriving customers of their independence. Time and help should be given freely and offered when appropriate, no-one should be disadvantaged nor left to struggle and aids and adaptations (including assistance or therapy dogs), accommodated willingly and without question.

Customers and their supporters are not defined by their experiences of disability and should not face intrusive or inappropriate questions or comments.

All information, signage and language issues by the Council and taxi operators at all stages must be fully inclusive and appreciate the diversity of customers' experiences, across all nine protected characteristics and the additional characteristics adopted by Dorset Council. This includes disability, gender identity and sexual and romantic identities and it is expected that everyone will feel taxi operators and transport are a safe space for them. Language should be gender neutral, not make assumptions, welcoming and inclusive of people and provide support whenever needed to maintain the safety of people both within and outside the taxi (e.g. as a place of solace and support if at risk of or under threat of physical or verbal harm).

All taxi operators and Dorset Council as the licensing authority, should offer and promote a transparent and accessible feedback and complaints mechanism. The standards of behaviour and treatment customers should rightly expect should be advertised via the booking system they use, whether this by telephone, app, website etc. and in the vehicles themselves. This information should be available in a variety of different formats, to be fully inclusive of people who may have communication barriers. Dorset Council should seek to offer a variety of mechanisms which take account of people's preferences and access issues, including those who are not digitally connected and those who need facilitated access. Feedback should be proactively sought via the same mechanism as is used to book a journey and the council, as the licensing authority, should seek to engage with a range of different community organisations representing diverse experiences, such as Dorset Disability Equality Forum, Help and Kindness, LGBT+ Voices Dorset Forum, Dorset Race Equality Council, Citizens Advice Central Dorset and LGBT+ Dorset Equality Network to name but a few.

Guide and Assistance Dogs

Drivers must take all assistance and therapy dogs unless they have a medical exemption certificate. If a driver has a medical exemption certificate, this should be advised at the point of booking and an alternative be explored if necessary. All customers should be able to decide how and where their dog travels with them.

Booking

When booking a journey, whether by phone, online or app, a checklist/series of questions should be asked to understand and be able to support the passenger's needs as well as possible. It is important this is not left until the driver picks up, so they have all the correct information, are able to support as needed and the vehicle is suitable for the passenger to proceed with their journey without delay/problem.

The driver must pick up this information and reliably use it. Collection of this information needs to be routinised by call handlers and made easily accessible whether booking online or via an app. The "spiel" must not be rushed through but pride incited in call handlers and drivers so they feel upskilled and positive about giving the service. All operators and drivers should be aware of and sensitive to the diversity of conditions people experience and able to respond appropriate to these.

It may not always be appropriate for the passenger to be interacted with directly - they may be uncomfortable or unable to communicate independently. The option to record an alternative contact should be facilitated via all booking methods and utilised if information is needed to be communicated, such as if the taxi is going to be late. This may apply for example in cases where the passenger has dementia or learning disabilities.

Return journeys should be bookable at the point of booking or taking the outward journey, to give reassurance that the person can get back at their chosen time and complete their journey.

Taxis should run punctually and should reasonably be expected to arrive within five minutes of their booked time, especially if it has been pre-ordered and if it is operating under contract from the

council. Unreliability can cause additional problems for passengers with additional needs and carers or supporters who have to deal with high levels of anxiety, distress and/or uncertainty. Contact via the booking method should be routinised if there are any delays or anticipated issues with providing the booked service.

Different payment methods, including cash, should be available as standard, to protect disabled people from potential vulnerabilities associated with different payment types, e.g. sharing card details. The cost of the journey should be made clear at time of booking so clients can have the exact amount of cash ready, if that is the desired payment method.

Booking methods, whether by phone, online or app, must effectively convey all requirements and drivers meet the requirements where agreed.

Boarding

All passengers should reasonably expect to enter a freshly cleaned and safe vehicle, including having interior and exterior door handles and frames wiped down between bookings.

Drivers must not refuse, as often happens, to take people with particular conditions, which results in high levels of distress and the person being stranded. All drivers should willingly and freely assist, for example by opening car doors and dropping passengers off where it is safe, not simply where it is convenient for the driver.

Journey

Drivers should be confident not only of the quickest routes but of the context of a route, to inspire passengers and reduce their anxiety. Space should be respected, as well as preferences to not communicate or ways of communicating. Communication should be compassionate and genuine, without being patronising or condescending.

Getting out the taxi

People may need physical and emotional support getting in and out of taxis and making sure they get to where they need to go. Drop offs should be in a suitable place and the passenger may need taking into the building and/or be handed over to someone else. Drivers should make every effort to drop the client off as near to the venue entrance as possible & they should not be dropped off where a road needs to be crossed. Drivers should be sensitive to people's speed of action and movement and not show any impatience. If the passenger is visually impaired, drivers should give guidance to them as to exactly where they are positioned so that they can be aware of their surroundings.

Appendix B – Driver’s Code of Practice

The Council recognises the valuable service provided by licensed drivers and operators. The following Code of Conduct will be used as a reference when any complaints are received that relate to the conduct of a licensed driver or operator. A driver or operator will always be given an opportunity to respond to any complaint before officers make a decision as to whether a warning is warranted. Serious substantiated reports may result in a hearing before a Licensing Sub-Committee. The Sub-Committee will consider the severity of the misconduct, this code, any previous appearances before them and any other information put to them.

Customer Care

Passengers are entitled to expect a vehicle that is odour free and clean inside and out. This includes the boot or any luggage space.

A vehicle should be kept free of any rubbish.

The driver should always drive in an appropriate manner for their passengers, taking special care if they are vulnerable, old, young, nervous or disabled.

In the event of a pre-booked vehicle being unable to fulfil a booking the driver or operator will be expected to let the customer know as soon as possible to allow for alternative arrangements to be made.

Treating people with courtesy and having a sympathetic manner is very important - especially when dealing with complaints from customers. Drivers and operators are always expected to remain polite and well-mannered towards customers.

Nuisance

Drivers should do their best not to cause a nuisance to their passengers, other drivers or other members of the public. This can include, but is not limited to, sounding a horn to attract a passengers attention, this may annoy others especially if it is early in the morning or repeated every day.

Radios should only be played with the consent of the hirer and should not cause a nuisance to anyone either inside or outside of the vehicle.

Leaving car engines running can cause fumes and noise nuisance, particularly in the middle of a town at quiet times, or if several cars are sitting at the same place at the same time.

If parking a licensed vehicle when it is not in use due consideration should be given to the potential impact on neighbours. Care should be given not to annoy neighbours by blocking other cars in or obstructing the road or driveways.

Inappropriate behaviour

The following behaviours are unacceptable;

- Rude gestures or aggressive or threatening behaviour to other drivers or members of the public,
- Road rage,
- Rude or offensive notes on windows of premises or vehicles,
- Swearing at other drivers or members of the public.

Inappropriate behaviour towards other licensed drivers

It is important that drivers have respect for each other and treat other members of their profession fairly. Complaints of cutting up or blocking other licensed drivers on the rank in order to secure a better position at the rank will be deemed to be inappropriate as will appropriating other drivers pre-booked fares.

Disregarding requests from an Officer of the Council

Disregarding repeated reminders for things like incorrect plate display or producing an insurance certificate could lead to the licence holder being required to attend the Licensing Sub-Committee.

Mobile Phones

Whilst Officers are unable to prosecute drivers for using handheld mobile phones or other devices Dorset Council consider this unacceptable behaviour as it may put the safety of the travelling public at risk. Any sightings by officers or substantiated complaints will be put before a Sub-Committee and or reported to the Police.

Money

If a customer asks for a receipt, drivers are expected to be able to comply with their request.

While the law is quite clear on these points a driver or operator should make sure their passenger knows whether the fare is an agreed fare or will be run on the meter before the journey starts and preferably at the time of booking. Drivers should give a specific figure and not give an estimate as this can lead to disputes and complaints.

Dress

It is not for the Council to tell drivers what to wear, however as Dorset Council licensed drivers a certain level of appearance and hygiene is expected. The wearing of offensive t-shirts, revealing clothing or dirty clothes may offend passengers and should be avoided.

The same goes for tattoos, if there is any possibility that a tattoo could cause offence or upset to any customer it should be covered up.

Should complaints be received a common-sense approach will be taken by Officers and the Sub-Committee as to whether a reasonable person is likely to be offended.

Personal Hygiene

Drivers should maintain high standards of personal hygiene

Appendix C - Vehicle Code of Practice

The vehicle should be maintained to a high standard, with vehicles cleaned and valeted on a frequent basis, especially during times of bad weather.

Exteriors

Vehicles should be clean and free of damage. Cleanliness will be judged on the amount of dried mud on the vehicle, any finger marks on the boot opening, whether the plate and registration number are clearly visible.

The door handles must be fully operational and clean to the touch.

Vehicles should be free from damage, and repairs should be professional and properly finished. This will be judged by the number of scratches and dents that are clearly visible to any passenger about to enter the vehicle.

All lights should be functioning.

All tyres must comply with the legal limits.

Interiors

Vehicle seats should be clean with no stains. Floor and ceiling coverings must be clean and have no stains.

All seat belts should be working and not damaged.

All door and window controls must be operational.

A good proportion of the boot or luggage space should be clean and available for passenger mobility aids, luggage or any other bags.

Child Seats - The law allows a child in a taxi to be carried without the need for a child seat or belt in the back seat. Over 3's should be in the back with a seat belt. [Child car seats: the law: When a child can travel without a car seat - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/child-car-seats-the-law-when-a-child-can-travel-without-a-car-seat)

Appendix D - Driver Licence Conditions

These conditions of licence are made pursuant to Section 51(2) of the Local Government (Miscellaneous Provisions) Act 1976.

Driver Badge

The driver must at all times, when driving a licensed vehicle for hire or reward, wear the driver's badge issued by the Council on a prominent visible place on the outer clothing.

The driver's badge remains the property of the Council. Upon expiry of the licence and badge (whether application to renew has been made or not) the badge must be returned to the Council within 7 days of expiry or other such time as the Council may specify.

The badge must be returned to the Council immediately should the licence be suspended, revoked or becomes invalid for any reason (e.g. on expiry).

Conduct of Driver

The driver must behave in a civil and orderly manner and comply with all reasonable requirements of any person hiring or being conveyed in the vehicle.

The driver must afford all reasonable assistance with passenger luggage as may be required.

At the conclusion of the journey the driver must similarly offer all reasonable assistance to passengers leaving the vehicle and assist them with luggage or any disability aids or wheelchair.

Particular care must be taken with unaccompanied children and vulnerable adults. Drivers must remain alert safeguarding matters related to children and vulnerable adults. Drivers should ensure that children and vulnerable adults leave the vehicle directly onto the kerb and immediately outside their destination (if it is safe and legal to do so).

The driver must take all reasonable steps to ensure the safety of passengers entering or conveyed in or alighting from the vehicle, especially those passengers with a disability.

The driver must not smoke tobacco or like substance in the vehicle at any time as detailed by the Health Act 2006. Drivers should also refrain from vaping or other similar activities in licensed vehicles.

The driver must not, without the express consent of the hirer, drink or eat in the vehicle (water may be drunk) or play any radio or sound reproducing instrument or equipment in the vehicle other than for the sending or receiving messages in connection with the operation of the vehicle.

Standard of Vehicle

The driver must at all times when driving a licensed vehicle ensure that such vehicle is maintained in a roadworthy and clean condition.

The driver of a licensed vehicle must ensure that none of the markings / signs / notices that are required to be displayed on the vehicle become concealed from public view or be so damaged or defaced that any figure or material particular is rendered illegible.

The driver of a private hire vehicle must be in attendance at an appointed time and place punctually unless delayed or prevented by sufficient cause.

Drivers must undertake an inspection of any vehicle that they are driving whilst working as a private hire / Hackney Carriage driver. This inspection must be undertaken at least daily and before the first carriage of fare paying passengers in the vehicle whilst it is being driven by the licence holder. The checks to be carried out by the driver must include all vehicle maintenance items listed in the annex to the Highway Code entitled 'vehicle maintenance, safety and security'.

The driver must ensure that in cases where the vehicle has been fitted with a CCTV system, it is operational at all times that the vehicle is being used as a licensed vehicle (i.e. for the carriage of fare paying passengers). The system does not need to be operational during other times (for example when being used for domestic purposes). Video recording must be active at all times. The driver must not tamper or otherwise interfere with the system or the footage that is contained within it (nor must the driver allow the system to be tampered or interfered with by any person that does not have the council's express authority to do so), except as would be expected in order to operate the system in accordance with the manufacturer's directions.

Fares and Farecards

Drivers of hackney carriages must ensure that the fare card is displayed in a clearly accessible place.

Drivers of a private hire vehicles must ensure that a notice is visibly displayed for the benefit of passengers to the effect that in the absence of a published fare scale, the fare should be agreed between passenger(s) and driver before commencement of the journey.

When a fare scale is used in a private hire vehicle, the driver must ensure that the fare scale is displayed and must give an accurate reflection of the charge, including any specific additions (i.e. Bank Holiday and after midnight loading) the customer may be expected to pay.

The driver must not, if driving a licensed vehicle fitted with a taximeter, or other approved device, cause the fare recorded thereon to be cancelled or concealed until the hirer has had the opportunity of examining it and has paid the fare.

The driver must not demand from any hirer of a private hire vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter.

The driver must, if requested by the hirer, provide a receipt for the fare paid, such receipt to bear the name and the badge number of the driver.

Passengers

The licence holder must not cause or suffer or permit to be conveyed in a licensed vehicle a greater number of persons exclusive of the driver than the number of persons specified in the licence.

The driver must ensure that seat belt legislation is complied with in respect of all children conveyed in the vehicle.

The driver must not, without the consent of the hirer of the vehicle, convey or permit to be conveyed any other person in that vehicle.

The driver must provide all reasonable assistance to passengers and especially those with a disability.

All drivers must comply with the requirements of The Equality Act 2010 duty to assist passengers in Wheelchairs Section 36 of the Disability Discrimination Act 1995 places a duty on the driver of a designated¹ wheelchair accessible Hackney Carriages and Private Hire vehicles to:

- Carry the passenger while in the wheelchair;
- Not to make any additional charge for doing so;
- If the passenger chooses to sit in a passenger seat to carry the wheelchair;
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- To give the passenger such mobility assistance as is reasonably required.

Duty to carry guide dogs and assistance dogs

The driver must not fail or refuse to carry out a booking by or on behalf of a person with disabilities who is accompanied by an 'assistance dog' unless the driver has a Medical Exemption granted by the Licensing Authority and is displaying the Exemption Certificate in the approved manner or in the vehicle. Any animal belonging to or in the custody of any passenger should remain with that passenger and be conveyed in the front or rear of the vehicle. Drivers are advised to have a blanket / towel which is kept in the boot of the licensed vehicle to be used where they may have concerns about excess dog hair being left in the vehicle.

Found Property

The driver must, following the setting down of passengers, ascertain if any property belonging to the hirer(s) has been left in the vehicle and if not immediately able to return any such property must follow the guidelines contained within Dorset Police's Found Property Policy, unless an alternative arrangement has been made with the owner of the property. Dorset Police's policy can be found here: <https://www.dorset.police.uk/do-it-online/report-lost-and-found-property/found-property/>

Medical Condition(s)

The licence holder must notify the Council in writing within 48 hours of any change in medical condition.

Convictions, Cautions and Arrests

The licence holder must notify the Council in writing within 48 hours², providing full details of any conviction, binding over, caution, warning, reprimand or arrest for any matter (whether or not charged) imposed on them during the period of the licence.

Disclosure and Barring Service Online Update Service

All licence holders must subscribe to the Disclosure and Barring Service Online Update Service. Any costs associated with maintaining this subscription must be met by the licence holder.

The licence holder must give permission for the council to undertake checks of their DBS status should the council consider it necessary to do so. The council will use the update service to monitor the criminal record of licence holders.

Change of Operator

The licence holder must notify the Council in writing of any change of operator through whom they work.

Change of Address and Email Address

The licence holder must notify the Council in writing/email within 2 working days of any change of their home address or email address taking place during the period of the licence, whether permanent or temporary.

Customer and Other Personal Information

Drivers must ensure that any personal information obtained during the course of their business is stored securely, and only retained for as long as is absolutely necessary. Access to this information must be restricted to those that will use it for the purpose for which it has been collected. Personal information must not be used for any other purpose other than that for which it was collected without the express permission of the individual to which the information relates. For example, telephone numbers provided by customers so that they can be alerted / updated by SMS text message with regard to a booking they have made must only be used for this purpose. The information must not be retained by the driver after the text message has been sent, and / or used for any other purpose (such as unsolicited marketing calls).

Duty to Cooperate on Regulatory Matters

Licensed drivers must co-operate with authorised officers of the council in all matters relating to the regulation of the licensed vehicle trade. However nothing in this condition affects the licence holders statutory protection afforded by other legislation.

Appearance of Driver

If a licensed driver alters their appearance significantly (for example by growing / removing a beard or moustache, changing hair colour etc), they must request a replacement ID badge from the council at the earliest opportunity and supply them with a up to date photograph that is an accurate portrayal of their current appearance.

Accidents

If at any time the vehicle is involved in an accident, however minor, the driver must inform the Council of this fact as soon as possible and in any event within 48 hours (by telephone or email).

Appendix E - Vehicle Licence Conditions

These conditions of licence are made pursuant to of the Local Government (Miscellaneous Provisions) Act 1976 the Town and Police Clauses Act 1847.

The licence holder must observe and carry out the requirements of the Local Government (Miscellaneous Provisions) Act 1976, Part II, and any orders or regulations made thereunder.

Internal and External Licence Plates to be Displayed

The External Plate relating to that Licensed Vehicle shall be fixed to and displayed on the outside body of the Licensed Vehicle. The External Plate must be unobstructed and its contents should be legible from a distance of at least five (5) metres.

The Internal Plate relating to that Licensed Vehicle shall be fixed to and displayed on the left hand internal side of the windscreen of the Licensed Hackney Vehicle in such a position and manner so that there is nothing that covers its surface that would impair its legibility. The Internal Plate must be clearly visible to a person sitting in any rear seat of the Licensed Vehicle and seeking to view the Internal Plate looking either between the front seats or over the top of the passenger side front seat.

Luggage

A roof rack may only be used when excess luggage is to be carried and any luggage so carried shall be safely secured and shall not exceed such weight or size that as can safely be carried on the vehicle.

Before any trailer is used with a licensed vehicle it will have been inspected at one of the Councils approved garages and an inspection form complying with Appendix A of the FTA will have been sent to the Council.

Roof Signs

Licensed Hackney Carriages shall always be fitted with a roof sign indicating that it is a taxi. The roof sign should be on and/or above the roof of the Licensed Hackney Vehicle and will display the word "TAXI" to the front of the vehicle. In addition to the word "TAXI" the front of a Taxi Sign may only display a company name.

At all times that the Licensed Hackney Carriage is available for hire the roof sign will always be illuminated with an internal light source so that it is clearly visible to a person standing no less than five (5) metres from the vehicle.

Private Hire Vehicles must not display any type of roof sign.

Other Signs and Notices, including Advertisements

Any third-party advertisements must be restricted to areas of the vehicle that do not contain important information such as the name of the operator or any identifying licence plates, signs or numbers.

Before any third-party advertisement is displayed on Licensed Vehicles pictures or diagrams of the proposed advertisements and where they will be placed on the vehicle must be submitted to the Council

Any advertisement must not be placed in a position where it would interfere with the identification of the vehicle or obscure window screens or back windows enough to cause a potential hazard or block the view of passengers.

Any advertisement must comply with the British Code of Advertising Practice issued by and amended from time to time by the Advertising Standards Agency so all advertisements must be legal, decent, honest, and truthful. The code can be found here: <https://www.asa.org.uk/codes-and-rulings/advertising-codes/non-broadcast-code.html>

No adverts may be displayed that: -

- Involves unlawful prejudice and/or discrimination.
- Promotes smoking.
- Promotes the irresponsible consumption of alcohol.
- Promotes gambling or betting, except licenced or registered lotteries benefiting local good causes e.g. society or local authority lotteries.
- Promotes pornography or adult content.
- Promotes weaponry.
- Promotes payday lenders or financial organisations with punitive interest rates.
- Appears to promote racial or sexual discrimination, or discrimination on the basis of disability, faith, gender or age (or other protected characteristic.)

Additional Equipment

Any Lifting or Pulling Equipment fitted to a licensed vehicle will not be used unless it has been examined in accordance with all legislative requirements relating to that Lifting or Pulling Equipment and is without any defect.

Tyres

A spare wheel tyre appropriate for the vehicle must be carried when the vehicle is being used for hire and reward.

All tyres fitted to the vehicle or carried as a spare must comply with the Motor Vehicles (Construction and Use) Regulations 1986 and Motor Vehicle (Tests) Regulations 1981.

Re-cut and Re-moulded Tyres are not acceptable for M1 passenger vehicles and re-mould tyres shall only be acceptable if they carry a recognised approval marking (currently BSAU144e) and display the following information clearly displayed on each tyre:

- Nominal size;
- Construction type (e.g. radial ply);
- Load capacity; and

- Speed capability Space Saver Tyres.

The carrying and use of Space saver tyres and tyre sealant kits will only be approved with the support of a method statement. The method statement will detail the drivers and vehicle owners responsibility with regard to the maximum permitted speed and restrictions of use and highlight that they are ONLY a temporary measure to complete the journey in which the puncture occurred.

An approved repair to BS AU159 or a replacement tyre must be undertaken before any further fares are carried. Run flat tyres fitted to any vehicle by the manufacturer will not be replaced by any other type or make either individually or all of them. The use of these tyres must be supported by a method statement (such as the manufacturers handbook for the vehicle) specifying the capability and restrictions of use following a puncture. In all cases the Tyre Pressure Monitoring System (TPMS) must be working correctly and if required, be reset when a tyre(s) are renewed ore replaced. Worn or damaged run flat tyres must be replaced by the same make and size.

No smoking

The Health Act 2006 came in to force on 1 July 2007 and from that date it required all enclosed public and work places to be smoke free. This also includes vehicles used for public transport. The legislation covers all hackney carriages and private hire vehicles. Any commercial vehicle carrying members of the public will be required to be smoke free at all times (even when no passengers are being carried).

The legislation requires a manager to ensure all commercial vehicles used to transport members of the public are smoke free. A no smoking sign must be displayed in the vehicle. Electronic cigarettes must not to be used/smoked in hackney and private hire vehicles at any time.

Valid Insurance

A Licensed Hackney Vehicle shall at all times that it is being used as a Hackney Carriage have as a minimum third-party insurance that complies with the requirements of Part VI of the Road Traffic Act 1988, or any other relevant legislation that imposes insurance requirements for motor vehicles.

Alterations

No alterations or modifications shall be made to a Licensed Hackney Vehicle without the prior written consent of the Council.

Inspections

Licensed vehicles will be inspected at an approved garage on the six-monthly anniversary of the date of the grant of the licence. Inspections can be arranged two weeks either side of this date.

Updating details

The licence holder must notify the Council in writing/email within 48 hours of any change of his/her address taking place during the period of the licence, whether permanent or temporary.

The licence holder must notify the Council in writing/email within 48 hours of any change of his/her contact numbers and/or email address taking place during the period of the licence, whether permanent or temporary * The 5 working days excludes a Saturday or a Sunday, Christmas Eve, Christmas Day, Good Friday, Bank Holidays or any other day on which the Licensing Office is closed.

Reporting of accidents

The licence holder must report any accident or damage to the vehicle within 1 day of the incident and provide full details

Appendix F - Operator Licence Conditions

These conditions of licence are made pursuant to of the Local Government (Miscellaneous Provisions) Act 1976 the Town and Police Clauses Act 1847.

All operators must comply with the requirements of The Equality Act 2010.

Record Keeping

Operators will keep records in a suitable book, the pages of which are numbered consecutively, a computer record or other durable recording format of: -

- a) Booking Records
- b) Driver Records
- c) Vehicle Records
- d) Booking and dispatch staff Register
- e) Complaints Records

All records must be kept in a format that can be inspected by an authorised officer or produced to an authorised officer following receipt of a written request for those records. All records must be kept for a minimum of six months.

The Booking Records will include particulars of every booking of a private hire vehicle invited or accepted by him and must include: -

- a) The time and date of the booking
- b) The name of the hirer or passenger
- c) The time of the pick-up
- d) The point of pick-up
- e) The destination
- f) The licence number of the vehicle allocated for the booking
- g) The name of the driver allocated for the booking
- h) The name of any individual who took the bookings (where applicable)
- i) The name of any individual that dispatched the vehicle (where applicable)
- j) Details of any sub-contract.

When the Operator passes the hiring to another company the record shall include the name, address, and Council with which that Operator is licensed. The records must be kept in a format that can be inspected by an authorised officer or produced to an authorised officer following receipt of a written request for those records.

The Driver Records will include a record of the following particulars of all licensed drivers:

- a) The full names of the driver
- b) The permanent address of the driver
- c) The driver's date of birth
- d) The driver's licence (badge) number
- e) The start and expiry dates of the driver's licence issued by the Council
- f) The dates the driver's engagement/employment was commenced and terminated.

All records must be kept in a format that can be inspected by an authorised officer or produced to an authorised officer following receipt of a written request for those records. All records must be kept for a minimum of six months.

The Vehicle Records will contain details of all the vehicles operated and will include; -

- a) The registration number of the vehicle

- b) The number of the identification plate provided by the Council pursuant to s.48(5) of the 1976 Act
- c) The make and model of the vehicle
- d) The name and address of the proprietor(s) of the vehicle
- e) The number of passengers permitted to be carried in the vehicle, as shown on the licence
- f) The start and expiry dates of the vehicle's licence issued by the Council
- g) The date on which the vehicle was added to the operator's fleet
- h) The date on which the vehicle was withdrawn from the operator's fleet.

All records must be kept in a format that can be inspected by an authorised officer or produced to an authorised officer following receipt of a written request for those records. All records must be kept for a minimum of six months.

The Booking and Dispatch Staff Register will record details of all employee who take booking and dispatch vehicles. The Register will include the date that the operator had sight of a Basic DBS check, which must have been completed before any period of employment is started.

The Operator must have a written policy outlining how they will treat any disclosure of information that is revealed on a DBS Certificate.

The operator shall ensure all staff who take bookings and dispatch vehicles have been provided with suitable training in the awareness of and reporting of safeguarding concerns which includes human trafficking, county lines and child sexual exploitation. The operator will keep records for all staff who have received training.

The Complaints Records should contain:

- a) The date of the Complaint
- b) The name and contact details of the complainant
- c) The details of the journey
- d) The details of the complaint
- e) The action taken by the operator in response to the complaint.
- f) The operator shall notify the Council in writing, preferably email, within 48 hours, of any complaints that are either a safeguarding issue or are of a serious nature. Safeguarding issues would be anything that related to a child or a vulnerable adult. Operators should also report any drivers who receive multiple complaints.

All records must be kept in a format that can be inspected by an authorised officer or produced to an authorised officer following receipt of a written request for those records. All records must be kept for a minimum of six months.

Standard of Service

The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular: -

- a) Ensure that when a private hire vehicle has been hired to attend at the appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place;
- b) Keep clean, heated, ventilated, and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting;
- c) Ensure that any waiting area provided by the operator has adequate seating facilities;
- d) Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.

- e) Ensure that all vehicles dispatched by them are always maintained in a safe and roadworthy condition.
- f) Publish a complaint handling procedure, detailing how members of the public may make complaints to the Operator, in respect of any aspect of the service provided, and investigate any complaints received in a timely manner, making details of such complaints and investigations available to authorised Council.

Updating Details

Change of Operator's Home Address The operator shall notify the Council in writing of any change of his/her home address during the period of the licence within seven days of such change taking place.

If an operator wishes to change the base from which they operate they will be required to submit a new application. (Note: all operators' business premises must be within the Dorset Council Boundary).

The operator shall within seven days disclose to the Council in writing details of any conviction or caution imposed on them (or, if the operator is a Company, of any its directors) during the period of the licence.

Public Liability Insurance

Operators shall always have a current valid policy of public liability insurance for any premises they are licensed to operate from if those premises are open to the public.

If the premises are open to the public the Certificate of Insurance must be displayed.

Appendix G – Criminal Conviction Policy

The Full Policy that has been adopted can be found online at [guidance-on-suitability](#)

Foreword

The function of licensing is the protection of the public. A member of the public stepping into a motor vehicle driven by a stranger must be able to trust the driver. Are they honest? Are they competent? Are they safe? Are they trustworthy? When we transact with others, we usually have time and opportunity to make such assessments. When we transact with taxi drivers, we don't. Therefore, we must, and do, rely on the licence as the warranty of the driver's safety and suitability for the task at hand.

It follows that a licensing authority has an onerous responsibility. In making decisions regarding grant and renewal of licences it is, in effect, holding out the licensee as someone who can be trusted to convey the passenger from A to B in safety. That passenger may be you, or your elderly mother, or your teenage daughter, or a person who has had too much to drink, or who is vulnerable for a whole host of other reasons.

Everybody working in this field should acquaint themselves with the facts of the Rotherham case, which stands as a stark testament to what can happen when licensing performs its safeguarding role inadequately. But the extremity of that appalling story should not distract us from the job of protecting the public from more mundane incompetence, carelessness or dishonesty. The standards of safety and suitability do not have to be set as a base minimum. To the contrary, they may be set high, to give the public the assurance it requires when using a taxi service. It is good to know that one's driver is not a felon. It is better to know that he or she is a dedicated professional.

Crucially, this is not a field in which the licensing authority has to strike a fair balance between the driver's right to work and the public's right to protection. The public are entitled to be protected, full stop. That means that the licensing authority is entitled and bound to treat the safety of the public as the paramount consideration. It is, after all, the point of the exercise.

Therefore, this guidance is to be welcomed. It rightly emphasises that any circumstance relating to the licensee is potentially relevant, provided of course that it is relevant to their safety and suitability to hold a licence. It provides useful and authoritative guidelines to licensing authorities as to how they ought to approach their important task of making determinations about the safety and suitability of drivers and operators.

While, of course, licensing is a local function, it seems absurd that precisely the same conduct might result in a short period without a licence in one district, and a much longer period in a neighbouring district. If a driver is suitable in district A, they are surely suitable in district B, and vice versa. If, as is hoped, this guidance becomes widely adopted, this will result in a degree of national uniformity, which serves the public interest in consistency, certainty and confidence in the system of licensing. Adherence to the guidance may also provide protection to licensing authorities on appeal.

The guidance is therefore commended to licensing authorities. It is hoped that, in due course, it will sit at the elbow of every councillor and officer working in taxi licensing.

Philip Kolvin QC, Cornerstone Barristers

April 2018

Chapter 1 - Introduction

- 1.1 This guidance has been produced by the Institute of Licensing working in partnership with the Local Government Association (LGA), Lawyers in Local Government (LLG) and the National Association of Licensing and Enforcement Officers (NALEO), following widespread consultation. We are grateful to all three organisations for their contributions. This guidance is formally endorsed by all of those organisations.
- 1.2 The overriding aim of any Licensing Authority when carrying out its functions relating to the licensing of Hackney or Private Hire Drivers, Vehicle Proprietors and Operators, must be the protection of the public and others who use (or can be affected by) Hackney Carriage and Private Hire services.
- 1.3 The relevant legislation provides that any person must satisfy the authority that they are a fit and proper person to hold a licence and that is a test to be applied after any applicant has gained any reasonably required qualifications¹. It is the final part of the process of an application when the decision is made, whether by a committee, sub-committee or an officer under a Scheme of Delegation. It involves a detailed examination of their entire character in order to make a judgment as to their fitness and propriety.
- 1.4 If a licence holder falls short of the fit and proper standard at any time, the licence should be revoked or not renewed on application to do so.
- 1.5 There is no recent Statutory or Ministerial guidance as to how such decisions should be approached or what matters are relevant or material to a decision. This guidance complements the LGA's Taxi and Private Hire Licensing Councillor's Handbook and any forthcoming Government guidance. Local authorities should also be aware of the forthcoming National Anti Fraud Network database on refusals and revocations of hackney carriage and private hire licences.
- 1.6 This document is intended to provide guidance on determining suitability, taking into account the character of the applicant or licensee. It can then be used by local authorities as a basis for their own policies: in particular it considers how regard should be had to the antecedent history of the applicant or licence holder and its relevance to their 'fitness and propriety' or 'character'. As with any guidance it need not be slavishly followed but it provides a starting or reference point from which decisions can be made taking into account the particular merits of each case.
- 1.7 A licensing authority policy can take a 'bright line approach' and say "never" in a policy, but it remains a policy, and as such does not amount to any fetter on the discretion of the

¹ Except vehicle proprietors. In those cases there is no "fit and proper" requirement, but the authority has an absolute discretion over granting a licence.

authority. Each case will always be considered on its merits having regard to the policy, and the licensing authority can depart from the policy where it considers it appropriate to do so. This will normally happen where the licensing authority considers that there are exceptional circumstances which warrant a different decision. This approach was endorsed by the High Court in *R (on the application of Nicholds) v Security Industry Authority*².

- 1.8 In Chapter 2 this Guidance explores the current thinking behind an individual's tendencies to reoffend. It is clear that this is not an exact science and that there is no meaningful and precise statistical evidence that can assist in the setting of policy. Given the important function of licensing to protect the public, any bar should be set at the highest level which is reasonable, albeit subject to the exercise of discretion as is set out in paragraph 1.7 and Chapters 3 and 4.
- 1.9 This Guidance contains no detailed list of offences. All offences are allocated to a general category such as 'dishonesty' or 'drugs'. This prevents it being argued that a specific offence is not covered by the Policy as it 'is not on the list' and also prevents arguments that a firearm is more serious than a knife and should lead to differentiation. In each case, appropriate weight should be given to the evidence provided.
- 1.10 This Guidance cannot have the force of legislation, new or amended; the need for which is both abundantly clear to, and fully supported by the Institute and the other organisations working with it. It is intended to help local authorities achieve greater consistency so that applicants are less able to shop between authorities. It is acknowledged that this cannot be fully achieved without the imposition of national minimum standards.
- 1.11 In preparing this document the Institute's Working Party has consulted with and considered the issues from all perspectives including, Councillors, Licensing Officers, Lawyers, the Hackney Carriage and Private Hire Trades, Academics, the Probation Service and the Police.

² [2007] 1 WLR 2067

Chapter 2 - Offenders and Offending - An Overview

- 2.1 The aim of local authority licensing of the taxi and PHV trades is to protect the public'.³ With this in mind, Public Protection must be at the forefront of the decision maker's mind when determining whether an individual is considered a "fit and proper person" to hold a licence.
- 2.2 This section aims to provide a brief overview of public protection, how to determine risk and factors to be considered when an applicant seeks to demonstrate a change in their offending behaviour.
- 2.3 The licensing process places a duty on the local authority to protect the public. Given the nature of the role, it is paramount that those seeking a living in the trades meet the required standards. As the previous offending behaviour can be considered as a predictor in determining future behaviour as well as culpability, it is essential that the decision maker considers all relevant factors including previous convictions, cautions and complaints and the time elapsed since these were committed.
- 2.4 There has been extensive research into the reasons behind why some individuals commit crimes, why some learn from their mistakes and stop offending whilst others find themselves in a cycle of repeat offending. Several theories have evolved over many years offering insight into the reasons behind offending behaviour. One common theme is that no two crimes are the same and that risk cannot be eliminated, or the future predicted. What can be done, is to examine each case on its individual merits, look at the risks involved along with any change in circumstances since any offences were committed to assist in making the decision.
- 2.5 A key factor when considering an application from an individual with any convictions, cautions or complaints recorded is Public Protection. This includes assessing the risk of re-offending and harm⁴. Risk assessment tools are regularly employed by those who are responsible for managing individuals who have committed offences. Local Authorities are not always privy to this information so it is important when they are making decisions around suitability that they have an understanding of offending behaviour and risk of re-offending in generic terms.

³ DfT "Taxi and Private Hire Licensing – Best Practice Guide" para 8

⁴ Kemshall, H. (2008). Understanding the Management of High Risk Offenders (Crime and Justice). Open University Press

- 2.6 Flaud⁵ noted that risk is in principle, a matter of fact, but danger is a matter of judgment and opinion. He goes on to note that risk may be said to be the likelihood of an event occurring; danger may be the degree of damage (harm) caused should that event take place⁶.
- 2.7 The National Offender Management Service refers to risk in two dimensions. That being the likelihood that an offence will occur, and the impact / harm of the offence should it happen. Generally, when making a decision around probability and likelihood of re-offending, consideration is needed towards static and dynamic factors.
- 2.8 Static factors are historical and do not change such as age, previous convictions and gender. They can be used as a basis for actuarial assessments and are fundamental in considering an individual's potential to reoffend in future⁷. For example, recent published statistics revealed that 44% of adults are reconvicted within one year of release. For those serving sentences of less than twelve months this increased to 59%⁸. It is also widely accepted that generally persons with a large number of previous offences have a higher rate of proven reoffending than those with fewer previous offences⁹.
- 2.9 Dynamic factors are considered changeable and can vary over time. They include attitudes, cognitions and impulsivity¹⁰. It is documented that the greater their unmet need, the more likely an individual is to re-offend. When considering whether an individual has been rehabilitated, it is important to have regard towards the motivation behind their offending and dynamic risk factors present at the time, against the steps taken to address such factors thus reducing the risk of re-offending.
- 2.10 It is of note that problems and/or needs are more frequently observed in offender populations than in the general population¹¹. Many of these factors are interlinked and embedded in an individual's past experiences. This can impact upon that person's ability to change their behaviour, particularly if the areas identified have not been addressed or support has not been sought. Needs will vary from individual to individual and will rely upon their level of motivation and the nature of the offence committed.

⁵ Flaud, R. (1982). Cited in, Gendreau, P., Little, T. and Goggin, C. (1996). A meta-analysis of the predictors of adult offender recidivism: what works! *Criminology*, 34, 557-607.

⁶ Gendreau, P., Little, T. and Goggin, C. (1996). A meta-analysis of the predictors of adult offender recidivism: what works! *Criminology*, 34, 557-607.

⁷ Craig, L. A. and Browne, K. B (2008). *Assessing Risk in Sex Offenders: A Practitioner's Guide* Paperback.

⁸ Ministry of Justice (2017) *Proven reoffending statistics: July 2014 to June 2015*, London: Ministry of Justice.

⁹ Ministry of Justice (2015): *Transforming Rehabilitation: a summary of evidence on reducing reoffending*. London: Ministry of Justice.

¹⁰ McGuire, J. (2008). A review of effective interventions for reducing aggression and violence. *Philosophical Transactions of the Royal Society B: Biological Sciences*, 363(1503), 2577-2597

¹¹ Nash, M. (1999) *Police, Probation and Protecting the Public*. London: Blackwell Press.

Risk of re-offending:

- 2.11 The issue of recidivism and increase in serious crime rates has given rise to extensive publications, theories and changes in legislation with many focusing upon the need for more rehabilitation projects as a means of reducing re-offending rates. Central to the rehabilitation of offenders is the concept of criminogenic needs. This has been described by the National Offender Management Service as “any area where the offender has needs or deficits, in which a reduction in the need or deficit would lead to a reduction in the risk of re-conviction. An individual’s ability to address and reduce such needs relies heavily upon their motivation to change and desist and often takes place over a period of time”¹².
- 2.12 Kurlychek, 2007 in her study noted that “a person who has offended in the past has been found to have a high probability of future offending, but this risk of recidivism is highest in the time period immediately after arrest or release from custody and, thereafter, decreases rapidly and dramatically with age”¹³.
- 2.13 A consistent finding throughout criminological literature is that male offenders tend to desist from crime aged 30 years and over¹⁴. It is well documented that the change occurs for various reasons; for example, as a result of successful treatment, natural maturation or the development of positive social relationships¹⁵. Female offenders are also considered more likely to desist from offending as they mature. The peak age of reported offending for females was 14 compared to 19 for males¹⁶.
- 2.14 Desisting from crime for people who have been involved in persistent offending is a difficult and complex process, likely to involve lapses and relapses. Some individuals may never desist¹⁷. As a result, it is important for individuals to evidence change in their behaviour before they can be considered to present a low or nil risk of re-offending. Often the only way of achieving this is through lapse of time.
- 2.15 The longer the time elapsed since an offence has been committed, the more likely the individual will desist from crime. It is noted that the more a life is lived crime-free, the more one comes to see the benefits of desistance¹⁸. Demonstrating a change in offending behaviour and an ability to make effective choices takes time and comes with some

¹² National Offender Management Service (2016). Public Protection Manual Edition. Proven Reoffending Statistics Quarterly Bulletin, October 2015 to December 2015

¹³ Kurlychek, M C, Brame, R (2007). Scarlet letters and recidivism: Does an old criminal record predict future offending? University of South Carolina.

¹⁴ Serin, R, C. and Lloyd, C.D (2008). Examining the process of offender change: the transitions to crime desistance. 347-364.

¹⁵ Nash, M. (1999) Police, Probation and Protecting the Public. London: Blackwell Press.

¹⁶ Trueman, C.N. (2015). Women and Crime. The History Learning Site. Ingatestone: Essex.

¹⁷ Farrell, S (2005). Understanding Desistance from Crime: Emerging Theoretical Directions in Resettlement and Rehabilitation (Crime and Justice) Paperback.

¹⁸ Maguire, M., Morgan, R. and Reiner, R. (2002). The Oxford Handbook of Criminology. 3rd Edition. Oxford: Oxford University Press.

ambiguity for those who have committed offences. A study in 2007 looking into previous convictions and the links to re-offending concluded that “individuals who have offended in the distant past seem less likely to recidivate than individuals who have offended in the recent past”¹⁹.

- 2.16 Although it is not possible to determine the future behaviour of an individual, taking steps to reduce risk and protect the public can be achieved by following correct processes and guidance. Having regard to an individual’s previous behaviour and their potential to cause harm as a result of the choices they have made plays a significant part when making a decision as to whether to grant a licence. Being able to evidence change in behaviour will involve consideration of the circumstances at the time of the offence, steps taken to address any issues identified and that person’s ability to sustain such change. This can be a long process that can only be achieved over time.

¹⁹ Kurlychek, M C, Brame, R (2007). Scarlet letters and recidivism: Does an old criminal record predict future offending? University of South Carolina.

Chapter 3 - 'Taxi' Licensing Overview

- 3.1 Taxis are used by almost everyone in our society occasionally, but they are used regularly by particularly vulnerable groups: children; the elderly; disabled people; and the intoxicated, and a taxi driver has significant power over a passenger who places themselves, and their personal safety, completely in the driver's hands.
- 3.2 Local authorities (districts, unitaries and Welsh Councils) and TfL are responsible for hackney carriage and private hire licensing.
- 3.3 The principal legislation is the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The purpose of taxi licensing is detailed in the DfT *"Taxi and Private Hire Licensing – Best Practice Guide"* para 8 which states:

"The aim of local authority licensing of the taxi and PHV trades is to protect the public."
- 3.4 Within the two licensing regimes, there are 5 types of licence: hackney carriage vehicle; private hire vehicle; hackney carriage driver; private hire driver and private hire operator.
- 3.5 In relation to all these licences, the authority has a discretion over whether to grant. Whilst there is some guidance issued by the DfT, there are no national standards.
- 3.6 Drivers and operators cannot be granted a licence unless the authority is satisfied that they are a "fit and proper person" to hold that licence (see Local Government (Miscellaneous Provisions) Act 1976 ss 51 and 59 in respect of drivers; s55 in respect of operators).
- 3.7 There are no statutory criteria for vehicle licences; therefore, the authority has an absolute discretion.
- 3.8 In each case, the authority has powers to grant a licence, renew it on application and, during the currency of the licence, suspend or revoke it.
- 3.9 What is the role of each of these, and how do authorities determine an application, or take action against a licence?

Taxi Drivers

- 3.10 The term "taxi driver" encompasses two different occupations: hackney carriage drivers and private hire drivers. "Taxi driver" is therefore used as a broad, overarching term to cover both hackney carriage and private hire drivers. In each case there are identical statutory

criteria to be met before a licence can be granted and many authorities grant “dual” or “combined” licences to cover driving both types of vehicle.

- 3.11 An applicant must hold a full DVLA or equivalent driver’s licence, have the right to work in the UK, and be a “fit and proper” person²⁰.
- 3.12 The driving licence element is a question of fact. Although there are some issues with foreign driving licences, ultimately a person either has, or does not have a driving licence.
- 3.13 An applicant must also have the right to remain, and work in the UK²¹.
- 3.14 Again, this is ultimately a question of fact and the local authority should follow the guidance issued by the Home Office.²²
- 3.15 It is the whole issue of “fit and proper” that causes local authorities the most difficulties. It has never been specifically judicially defined but it was mentioned in *Leeds City Council v Hussain*²³. Silber J said:

“... the purpose of the power of suspension is to protect users of licensed vehicles and those who are driven by them and members of the public. Its purpose [and], therefore [the test of fitness and propriety], is to prevent licences being given to or used by those who are not suitable people taking into account their driving record, their driving experience, their sobriety, mental and physical fitness, honesty, and that they are people who would not take advantage of their employment to abuse or assault passengers.”

- 3.16 This is reflected in a test widely used by local authorities:

‘Would you (as a member of the licensing committee or other person charged with the ability to grant a hackney carriage driver’s licence) allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom you care, to get into a vehicle with this person alone?’²⁴

- 3.17 It is suggested that the expression “safe and suitable” person to hold a driver’s licence is a good interpretation which neither adds nor removes anything from the original term of “fit and proper” but brings the concept up to date.

²⁰ Local Government (Miscellaneous Provisions) Act 1976. Section 51(1) covers private hire drivers, and section 59(1) covers hackney carriage drivers.

²¹ Local Government (Miscellaneous Provisions) Act 1976 S51(1)(a)(ii) in respect of private hire drivers and S59(1)(a)(ii) in respect of hackney carriage drivers.

²² “Guidance for Licensing Authorities to Prevent Illegal Working in the Taxi and Private Hire Sector in England and Wales” - Home Office, 1st December 2016 available at <https://www.gov.uk/government/publications/licensing-authority-guide-to-right-to-work-checks>

²³ [2002] EWHC 1145 (Admin), [2003] RTR 199

²⁴ Button on Taxis – Licensing Law and Practice 4th Ed Bloomsbury Professional at para 10.21

3.18 How can a local authority assess and then judge whether or not someone is safe and suitable to hold a drivers' licence?

3.19 The local authority has the power to require an applicant to provide:

“such information as they may reasonably consider necessary to enable them to determine whether the licence should be granted and whether conditions should be attached to any such licence.”²⁵

This “information” can include any pre-conditions or tests that they consider necessary

3.20 Some of these are universal, such as medical assessments²⁶. Others are required by some authorities, but not others. These include:

- Enhanced DBS certificates and sign-up to the update service;
- Knowledge tests;
- Driving tests;
- Disability Awareness;
- Signed Declarations;
- Spoken English tests.

3.21 The provision of information in these terms can satisfy the local authority that a person has the skills and competencies to be a professional driver to hold a licence. However, the concepts of safety and suitability go beyond this. There is the character of the person to be considered as well.

3.22 Both hackney carriage and private hire drivers are exempt from the provisions of the Rehabilitation of Offenders Act 1974. This means that there are no “spent” convictions and that any and all criminal convictions (apart from “protected convictions” and “protected cautions” where they have been declared²⁷) can be taken into account by the local authority in assessing safety and suitability, but only relevant spent convictions should be considered by the decision maker²⁸.

3.23 All Applicants/Licensees should be required to obtain an Enhanced DBS Certificate with Barred Lists checks²⁹ and to provide this to the Licensing Authority. All Licensees should also be required to maintain their Certificates through the DBS Update Service throughout the currency of their licence.

²⁵ Local Government (Miscellaneous Provisions) Act 1976 s57(1)

²⁶ See Local Government (Miscellaneous Provisions) Act 1976 s57(2)

²⁷ “Protected convictions” and “protected cautions” are single, minor and elderly matters that do not appear on any DBS Certificates.

²⁸ See *Adamson v Waveney District Council* [1997] 2 All ER 898

²⁹ “For Taxi [driver] Licensing purposes the correct level of check is always the Enhanced level check, with the Adults and Children’s Barred list check. Other Workforce should always be entered at X61 line 1 and Taxi Licensing should be entered at X61 line 2” DBS email 31st August 2017.

- 3.24 If any applicant has, from the age of 10 years, spent six continuous months or more living outside the United Kingdom, evidence of a criminal record check from the country/countries covering the relevant period should be required.
- 3.25 Local authorities should have a policy to provide a baseline for the impact of any convictions, cautions or other matters of conduct which concern a person's safety and suitability³⁰.
- 3.26 The character of the driver in its entirety must be the paramount consideration when considering whether they should be licensed. It is important to recognise that local authorities are not imposing any additional punishment in relation to previous convictions or behaviour. They are using all the information that is available to them to make an informed decision as to whether or not the applicant or licensee is or remains a safe and suitable person.
- 3.27 There are occasions where unsuitable people have been given licences by local authorities, or if refused by the authority, have had it granted by a court on appeal.
- 3.28 Often this is because of some perceived hardship. Case law makes it clear that the impact of losing (or not being granted) a driver's licence on the applicant and his family is not a consideration to be taken into account³¹. This then leads to the question of whether the stance taken by local authorities is robust enough to achieve that overriding aim of public protection.
- 3.29 However, all too often local authorities depart from their policies and grant licences (or do not take action against licensees) without clear and compelling reasons. It is vital that Councillors recognise that the policy, whilst remaining a policy and therefore the Authority's own guidelines on the matter, is the baseline for acceptability. It should only be departed from in exceptional circumstances and for justifiable reasons which should be recorded.
- 3.30 One common misunderstanding is that if the offence was not committed when the driver was driving a taxi, it is much less serious, or even if it was in a taxi but not when passengers were aboard. This is not relevant: speeding is dangerous, irrespective of the situation; drink driving is dangerous, irrespective of the situation; bald tyres are dangerous, irrespective of the situation. All these behaviours put the general public at risk. Violence is always serious. The argument that it was a domestic dispute, or away from the taxi, is irrelevant. A person who has a propensity to violence has that potential in every situation. Sexual offences are always serious. A person who has in the past abused their position (whatever that may have been)

³⁰ As recommended by the DfT "Taxi and Private Hire Licensing – Best Practice Guide" para 59

³¹ *Leeds City Council v Hussain* [2002] EWHC 1145 (Admin), [2003] RTR 199 and *Cherwell District Council v Anwar*[2011] EWHC 2943 (Admin)

to assault another sexually has demonstrated completely unacceptable standards of behaviour.

- 3.31 Applicants may claim that they have sought employment in other fields and been precluded as a result of their antecedent history particularly if that contains convictions. They therefore seek to become a licensed driver as an occupation of last resort. This is unacceptable as the granting of a licence would place such a person in a unique position of trust. The paramount responsibility of a licensing authority is to protect the public, not provide employment opportunities.
- 3.32 Licensees are expected to demonstrate appropriate professional conduct at all time, whether in the context of their work or otherwise. Licensees should be courteous, avoid confrontation, not be abusive or exhibit prejudice in any way. In no circumstances should Licensees take the law into their own hands. Licensees are expected to act with integrity and demonstrate conduct befitting the trust that is placed in them.
- 3.33 There are those who seek to take advantage of vulnerable people by providing services that they are not entitled to provide; for example, by plying for hire in an area where they are not entitled to do so. Licensees are expected to be vigilant of such behaviour and to report any concerns to the Police and the relevant licensing authority. Passengers should feel confident to check that the person offering a service is entitled to do so. Licensees should willingly demonstrate that they are entitled to provide the offered service by, for example, showing their badge.
- 3.34 As a society, we need to ask the question “who is driving my taxi?” and be secure in the knowledge that the answer is “a safe and suitable person”. The vast majority of drivers are decent, law abiding people who work very hard to provide a good service to their customers and the community at large. However poor decisions by local authorities and courts serve to undermine the travelling public’s confidence in the trade as a whole. Unless local authorities and the courts are prepared to take robust (and difficult) decisions to maintain the standards the local authority lays down, and in some cases tighten up their own policies, the public cannot have complete confidence in taxi drivers. This is detrimental to all involved.

Private Hire Operators

- 3.35 A private hire operator (“PHO”) is the person who takes a booking for a private hire vehicle (“PHV”), and then dispatches a PHV driven by a licensed private hire driver (“PHD”) to fulfil that booking. All three licences (PHO, PHV and PHD) must have been granted by the same

authority³². A local authority cannot grant a PHO licence unless the applicant has the right to work in the UK and is a fit and proper person³³.

- 3.36 As with taxi drivers the role of the PHO goes far beyond simply taking bookings and dispatching vehicles. In the course of making the booking and dispatching the vehicle and driver, the PHO will obtain significant amounts of personal information. It is therefore vital that a PHO is as trustworthy and reliable as a driver, notwithstanding their slightly remote role. Hackney carriages can also be pre-booked, but local authorities should be mindful that where that booking is made by anybody other than a hackney carriage driver, there are no controls or vetting procedures in place in relation to the person who takes that booking and holds that personal information.
- 3.37 How then does a local authority satisfy itself as to the “fitness and propriety” or “safety and suitability” of the applicant or licensee?
- 3.38 Spent convictions can be taken into account when determining suitability for a licence, but the applicant (or licensee on renewal) can only be asked to obtain a Basic Disclosure from the Disclosure and Barring Service.
- 3.39 Although this is by no means a perfect system, it does give local authorities a reasonable basis for making an informed decision as to fitness and propriety of an applicant or existing licensee.
- 3.40 To enable consistent and informed decisions to be made, it is important to have a working test of fitness and propriety for PHOs and a suitable variation on the test for drivers can be used:
- “Would I be comfortable providing sensitive information such as holiday plans, movements of my family or other information to this person, and feel safe in the knowledge that such information will not be used or passed on for criminal or unacceptable purposes?”³⁴
- 3.41 There is a further point to consider in relation to PHOs and that concerns the staff used on the telephones and radios. There is no reason why a condition cannot be imposed on a PHO licence requiring them to undertake checks on those they employ/use within their company to satisfy themselves that they are fit and proper people to undertake that task and retain that information to demonstrate that compliance to the local authority. Any failure on the part of the PHO to either comply with this requirement, or act upon information that they

³² See *Dittah v Birmingham City Council, Choudhry v Birmingham City Council* [1993] RTR 356 QBD

³³ Section 55(1) Local Government (Miscellaneous Provisions) Act 1976

³⁴ Button on Taxis – Licensing Law and Practice 4th Ed Bloomsbury Professional at para 12.35

obtain (thereby allowing unsuitable staff to work in positions of trust), would then have serious implications on the continuing fitness and propriety of the PHO.

- 3.42 Care should be taken in circumstances where a PHO Licence is sought in the name of a limited company, partnership or other business structure that all the requirements applicable to an individual applicant are made of each director or partner of the applicant organisation³⁵. Only by so doing can a decision be made as to the fitness and propriety of the operating entity.

Vehicle Proprietors

- 3.43 Similar considerations apply to the vehicle proprietors, both hackney carriage and private hire (referred to here generically as “taxis”). Although the vehicle proprietor may not be driving a vehicle (and if they are they will be subject to their own fitness and propriety test to obtain a driver’s licence), they clearly have an interest in the use of the vehicle. They will also be responsible for the maintenance of the vehicle, and vehicles that are not properly maintained have a clear impact on public safety.

- 3.44 Taxis are used to transport people in many circumstances, and are seen everywhere across the United Kingdom, at all times of the day and night, in any location. Therefore, taxis could provide a transportation system for illegal activities or any form of contraband, whether that is drugs, guns, illicit alcohol or tobacco, or people who are involved in or are the victims of illegal activity, or children who may be at risk of being, or are being, abused or exploited.

- 3.45 In relation to both hackney carriages and private hire vehicles, the local authority has an absolute discretion over granting the licence³⁶ and should therefore ensure that both their enquiries and considerations are robust. It is much more involved than simply looking at the vehicle itself and it is equally applicable on applications to transfer a vehicle as on grant applications.

- 3.46 Again, this is not an exempt occupation for the purposes of the 1974 Act, but exactly the same process can be applied as for private hire operators – Basic DBS, statutory declaration and consideration of spent convictions. This can then be used in the light of a similar policy in relation to suitability as the authority will already have for drivers and PHOs.

- 3.47 A suitable test would be:

“Would I be comfortable allowing this person to have control of a licensed vehicle that can travel anywhere, at any time of the day or night without arousing suspicion, and be

³⁵ See s57(1)(c) of the 1976 Act.

³⁶ S37 of the 1847 Act in relation to hackney carriages; section 48 of the 1976 Act to private hire vehicles.

satisfied that he/she would not allow it to be used for criminal or other unacceptable purposes, and be confident that he/she would maintain it to an acceptable standard throughout the period of the licence?"³⁷

³⁷ Button on Taxis – Licensing Law and Practice 4th Ed Bloomsbury Professional at para 8.98

Chapter 4 - Guidance on Determination

- 4.1 As is clear from the overview of Offenders and Offending above, there is no evidence which can provide precise periods of time which must elapse after a crime before a person can no longer be considered to be at risk of reoffending, but the risk reduces over time. In light of that, the suggested timescales below are intended to reduce the risk to the public to an acceptable level.
- 4.2 Many members of our society use, and even rely on, hackney carriages and private hire vehicles to provide transportation services. This can be on a regular basis, or only occasionally, but in all cases passengers, other road users and society as a whole must have confidence in the safety and suitability of the driver, the vehicle itself and anyone involved with the booking process.
- 4.3 Ideally, all those involved in the hackney carriage and private hire trades (hackney carriage and private hire drivers, hackney carriage and private hire vehicle owners and private hire operators) would be persons of the highest integrity. In many cases that is true, and the vast majority of those involved in these trades are decent, upstanding, honest and hard-working individuals. Unfortunately, as in any occupation or trade, there are those who fail to conform to those standards.
- 4.4 The purpose of this document is to offer guidance on how licensing authorities can determine whether a particular person is safe and suitable either to be granted a licence in the first place or to retain such a licence. As outlined above, a policy can be robust, and if necessary, say never, and each case is then considered on its own merits in the light of that policy.

Pre-application requirements

- 4.5 Licensing authorities are entitled to set their own pre-application requirements. These will vary depending upon the type of licence in question but can include some or all of the following (these are not exhaustive lists):

Vehicles:

- Basic DBS checks;
- Specifications e.g. minimum number of doors, minimum seat size, headroom, boot space etc;
- Mechanical tests and tests of the maintenance of the vehicle e.g. ripped seats etc;
- Emission limits/vehicle age limits;
- Wheelchair accessibility requirements.

Drivers:

- Enhanced DBS checks with update service;
- Checks made to the National Anti Fraud Network database on refusals and revocations of hackney carriage and private hire licences (when available);
- Medical checks;
- Knowledge of the geographic area;
- Spoken and written English tests;
- Disability awareness training;
- Child sexual exploitation and safeguarding training.

Operators:

- Basic DBS checks;
- Details of their vetting procedures for their staff;
- Knowledge of the licensing area.

- 4.6 In relation to each of these licences, the licensing authority has discretion as to whether or not to grant the licence.
- 4.7 Drivers and operators cannot be granted a licence unless the authority is satisfied that they are a “fit and proper person” to hold that licence (see Local Government (Miscellaneous Provisions) Act 1976 ss 51 and 59 in respect of drivers; s55 in respect of operators).
- 4.8 There are no statutory criteria for vehicle licences, therefore the authority has an absolute discretion over whether to grant either a hackney carriage or private hire proprietor’s licence.
- 4.9 “Fit and proper” means that the individual (or in the case of a private hire operator’s licence, the limited company together with its directors and secretary, or all members of a partnership³⁸) is “safe and suitable” to hold the licence.
- 4.10 In determining safety and suitability the licensing authority is entitled to take into account all matters concerning that applicant or licensee. They are not simply concerned with that person’s behaviour whilst working in the hackney carriage or private hire trade. This consideration is far wider than simply criminal convictions or other evidence of unacceptable behaviour, and the entire character of the individual will be considered. This can include, but is not limited to, the individual’s attitude and temperament.

³⁸Section 57(2)(c) of the Local Government (Miscellaneous Provisions) Act 1976 allows a local authority to consider the character of a company director or secretary, or any partner.

- 4.11 Convictions for attempt or conspiracy will be regarded as convictions for the substantive crime. A caution is regarded in exactly the same way as a conviction³⁹. Fixed penalties and community resolutions will also be considered in the same way as a conviction⁴⁰.
- 4.12 It is important to recognise that matters which have not resulted in a criminal conviction (whether that is the result of an acquittal, a conviction being quashed, decision not to prosecute or an investigation which is continuing where the individual has been bailed) can and will be taken into account by the licensing authority. In addition, complaints where there was no police involvement will also be considered. Within this document, any reference to "conviction" will also include matters that amount to criminal behaviour, but which have not resulted in a conviction.
- 4.13 In the case of any new applicant who has been charged with any offence and is awaiting trial, the determination will be deferred until the trial has been completed or the charges withdrawn. Where an existing licensee is charged, it will be for the licensing authority to decide what action to take in the light of these guidelines.
- 4.14 In all cases, the licensing authority will consider the conviction or behaviour in question and what weight should be attached to it, and each and every case will be determined on its own merits, and in the light of these guidelines.
- 4.15 Any offences committed, or unacceptable behaviour reported whilst driving a hackney carriage or private hire vehicle, concerning the use of a hackney carriage or private hire vehicle, or in connection with an operator of a private hire vehicle will be viewed as aggravating features, and the fact that any other offences were not connected with the hackney carriage and private hire trades will not be seen as mitigating factors.
- 4.16 As the licensing authority will be looking at the entirety of the individual, in many cases safety and suitability will not be determined by a specified period of time having elapsed following a conviction or the completion of a sentence. Time periods are relevant and weighty considerations, but they are not the only determining factor.
- 4.17 In addition to the nature of the offence or other behaviour, the quantity of matters and the period over which they were committed will also be considered. Patterns of repeated unacceptable or criminal behaviour are likely to cause greater concern than isolated occurrences as such patterns can demonstrate a propensity for such behaviour or offending.
- 4.18 Most applicants or licensees will have no convictions and that is clearly the ideal situation. In relation to other people, it is accepted that human beings do make mistakes and lapse in their conduct for a variety of reasons, and it is further accepted that many learn from experience and do not go on to commit further offences. Accordingly, in many cases an isolated

³⁹ This is because a caution can only be imposed following an admission of guilt, which is equivalent to a guilty plea on prosecution.

⁴⁰ This is because payment of a fixed penalty indicates acceptance of guilt, and a community resolution can only be imposed following an admission of guilt.

conviction, especially if committed some time ago, may not prevent the grant or renewal of a licence.

- 4.19 It is also important to recognise that once a licence has been granted, there is a continuing requirement on the part of the licensee to maintain their safety and suitability. The licensing authority has powers to take action against the holder of all types of licence (driver's, vehicle and operator's) and it must be understood that any convictions or other actions on the part of the licensee which would have prevented them being granted a licence on initial application will lead to that licence being revoked.
- 4.20 Any dishonesty by any applicant or other person on the applicant's behalf which is discovered to have occurred in any part of any application process (e.g. failure to declare convictions, false names or addresses, falsified references) will result in a licence being refused, or if already granted, revoked and may result in prosecution.
- 4.21 As the direct impact on the public varies depending upon the type of licence applied for or held, it is necessary to consider the impact of particular offences on those licences separately. However, there are some overriding considerations which will apply in all circumstances.
- 4.22 Generally, where a person has more than one conviction, this will raise serious questions about their safety and suitability. The licensing authority is looking for safe and suitable individuals, and once a pattern or trend of repeated offending is apparent, a licence will not be granted or renewed.
- 4.23 Where an applicant/licensee is convicted of an offence which is not detailed in this guidance, the licensing authority will take that conviction into account and use these guidelines as an indication of the approach that should be taken.
- 4.24 These guidelines do not replace the duty of the licensing authority to refuse to grant a licence where they are not satisfied that the applicant or licensee is a fit and proper person. Where a situation is not covered by these guidelines, the authority must consider the matter from first principles and determine the fitness and propriety of the individual.

Drivers

- 4.25 As the criteria for determining whether an individual should be granted or retain a hackney carriage driver's licence are identical to the criteria for a private hire driver's licence, the two are considered together.
- 4.26 A driver has direct responsibility for the safety of their passengers, direct responsibility for the safety of other road users and significant control over passengers who are in the vehicle. As those passengers may be alone, and may also be vulnerable, any previous convictions or unacceptable behaviour will weigh heavily against a licence being granted or retained.

4.27 As stated above, where an applicant has more than one conviction showing a pattern or tendency irrespective of time since the convictions, serious consideration will need to be given as to whether they are a safe and suitable person.

4.28 In relation to single convictions, the following time periods should elapse following completion of the sentence (or the date of conviction if a fine was imposed) before a licence will be granted.

Crimes resulting in death

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

Exploitation

4.30 Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

Offences involving violence

4.31 Where an applicant has a conviction for an offence of violence, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Possession of a weapon

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

Sex and indecency offences

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

4.34 In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any 'barred' list.

Dishonesty

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

Drugs

- 4.36 Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.
- 4.37 Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

Discrimination

- 4.38 Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

Motoring convictions

- 4.39 Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. Any motoring conviction demonstrates a lack of professionalism and will be considered seriously. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the grant of a licence or may not result in action against an existing licence. Subsequent convictions reinforce the fact that the licensee does not take their professional responsibilities seriously and is therefore not a safe and suitable person to be granted or retain a licence.

Drink driving/driving under the influence of drugs/using a hand-held telephone or hand held device whilst driving

- 4.40 Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or driving ban imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.
- 4.41 Where an applicant has a conviction for using a hand-held mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least 5 years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

Other motoring offences

- 4.42 A minor traffic or vehicle related offence is one which does not involve loss of life, driving under the influence of drink or drugs, driving whilst using a mobile phone, and has not resulted in injury to any person or damage to any property (including vehicles). Where an applicant has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not normally be granted until at least 5 years have elapsed since the completion of any sentence imposed.
- 4.43 A major traffic or vehicle related offence is one which is not covered above and also any offence which resulted in injury to any person or damage to any property (including vehicles). It also includes driving without insurance or any offence connected with motor insurance. Where an applicant has a conviction for a major traffic offence or similar offence, a licence will not normally be granted until at least 7 years have elapsed since the completion of any sentence imposed.

Hackney carriage and private hire offences

- 4.44 Where an applicant has a conviction for an offence concerned with or connected to hackney carriage or private hire activity (excluding vehicle use), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

Vehicle use offences

- 4.45 Where an applicant has a conviction for any offence which involved the use of a vehicle (including hackney carriages and private hire vehicles), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

Private Hire Operators

- 4.46 A private hire operator (“an operator”) does not have direct responsibility for the safety of passengers, other road users or direct contact with passengers who are in the private hire vehicle (except where they are also licensed as a private hire driver). However, in performing their duties they obtain and hold considerable amounts of personal and private information about their passengers which must be treated in confidence and not revealed to others, or used by the operator or their staff for criminal or other unacceptable purposes.
- 4.47 As stated above, where an applicant has more than one conviction, serious consideration will need to be given as to whether they are a safe and suitable person.
- 4.48 Operators must ensure that any staff that are used within the business (whether employees or independent contractors) and are able to access any information as described above are subject to the same standards as the operator themselves. This can be effected by means of the individual staff member being required by the operator to obtain a basic DBS certificate. If an operator is found not to be applying the required standards and using staff that do not meet the licensing authority’s overall criteria, that will lead to the operator’s licence being revoked.

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

Vehicle proprietors

4.50 Vehicle proprietors (both hackney carriage and private hire) have two principal responsibilities.

4.51 Firstly, they must ensure that the vehicle is maintained to an acceptable standard at all times.

4.52 Secondly, they must ensure that the vehicle is not used for illegal or illicit purposes.

4.53 As stated above, where an applicant has more than one conviction, serious consideration will need to be given as to whether they are a safe and suitable person to be granted or retain a vehicle licence.

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

Acknowledgements

In December 2015, the Institute of Licensing established a working party to look at the creation of a model or standard set of guidelines in relation to assessing the suitability of applicants and licence holders in relation to taxi drivers, operators and vehicle proprietors, taking into account the character of the applicant or licensee.

The core project group comprised:

- Stephen Turner, Solicitor at Hull City Council, Licensing Lead for Lawyers in Local Government and Vice Chair of the North East Region IoL (Project Group Chair)
- Jim Button, Solicitor at James Button & Co and President of IoL
- Philip Kolvin QC, Cornerstone Barristers and Patron of IoL
- John Miley, Licensing Manager for Broxtowe Borough Council, National Chair for NALEO and Vice Chair of the East Midlands Region IoL
- Linda Cannon, previously Licensing Manager for Basingstoke & Dean and Hart Councils, and now private licensing consultant and Chair of the South East Region IoL
- Phil Bates, Licensing Manager for Southampton City Council
- Sue Nelson, Executive Officer of IoL

This Guidance is the result of the work of the project team and includes consideration of antecedent history of the applicant or licence holder and its relevance to their 'character' as well as consideration of convictions, cautions and non-conviction information.

The Institute is delighted to have the Local Government Association, the National Association of Licensing and Enforcement Officers and Lawyers in Local Government contributing to and supporting this project with IoL.

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- Ellie Greenwood and Rebecca Johnson, Local Government Association
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- Ben Atrill
- Suzy Lamplugh Trust
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- Professor of Criminology Fiona Measham, Durham University
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- Louise Scott Garner
- Jenna Parker, Institute of Licensing

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The Local Government Association (LGA) is the national voice of local government. www.local.gov.uk



Lawyers in Local Government (LLG). www.lawyersinlocalgovernment.org



National Association of Licensing and Enforcement Officers (NALEO).
www.naleo.org.uk

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Local Government (Miscellaneous Provisions) Act 1976

1976 CHAPTER 57

PART II

HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

65 Fixing of fares for hackney carriages.

- (1) A district council may fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereafter in this section referred to as a “table of fares”) made or varied in accordance with the provisions of this section.
- (2) (a)

When a district council make or vary a table of fares they shall publish in at least one local newspaper circulating in the district a notice setting out the table of fares or the variation thereof and specifying the period, which shall not be less than fourteen days from the date of the first publication of the notice, within which and the manner in which objections to the table of fares or variation can be made.

 - (b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of fourteen days from the date of the first publication thereof be deposited at the offices of the council which published the notice, and shall at all reasonable hours be open to public inspection without payment.
- (3) If no objection to a table of fares or variation is duly made within the period specified in the notice referred to in subsection (2) of this section, or if all objections so made are withdrawn, the table of fares or variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.
- (4) If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the

Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1976, Section 65. (See end of Document for details)

table of fares shall come into force with or without modifications as decided by them after consideration of the objections.

- (5) A table of fares made or varied under this section shall have effect for the purposes of the Act of 1847 as if it were included in hackney carriage byelaws made thereunder.
- (6) On the coming into operation of a table of fares made by a council under this section for the district, any hackney carriage byelaws fixing the rates and fares or any table of fares previously made under this section for the district, as the case may be, shall cease to have effect.
- (7) Section 236(8) (except the words “when confirmed”) and section 238 of the ^{M1}Local Government Act 1972 (except paragraphs (c) and (d) of that section) shall extend and apply to a table of fares made or varied under this section [^{F1}by a district council in England] as they apply to byelaws made by a district council [^{F2}in England] .
- [^{F3}(7A) Section 8(5) and section 19 of the Local Government Byelaws (Wales) Act 2012 shall extend and apply to a table of fares made or varied under this section by a council for a county or county borough in Wales as they apply to byelaws made by a council for a county or county borough in Wales.]

Textual Amendments

- F1** Words in s. 65(7) inserted (31.3.2015) by Local Government Byelaws (Wales) Act 2012 (anaw 2), s. 22(2), Sch. 2 para. 10(2)(a); S.I. 2015/1025, art. 2(r) (with art. 3)
- F2** Words in s. 65(7) inserted (31.3.2015) by Local Government Byelaws (Wales) Act 2012 (anaw 2), s. 22(2), Sch. 2 para. 10(2)(b); S.I. 2015/1025, art. 2(r) (with art. 3)
- F3** S. 65(7A) inserted (31.3.2015) by Local Government Byelaws (Wales) Act 2012 (anaw 2), s. 22(2), Sch. 2 para. 10(3); S.I. 2015/1025, art. 2(r) (with art. 3)
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Marginal Citations

- M1** 1972 c. 70.

Changes to legislation:

There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1976, Section 65.

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Local Government (Miscellaneous Provisions) Act 1976

1976 CHAPTER 57

PART II

HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

70 Fees for vehicle and operators' licences.

- (1) Subject to the provisions of subsection (2) of this section, a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part—
- (a) the reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;
 - (b) the reasonable cost of providing hackney carriage stands; and
 - (c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.
- (2) The fees chargeable under this section shall not exceed—
- (a) for the grant of a vehicle licence in respect of a hackney carriage, twenty-five pounds;
 - (b) for the grant of a vehicle licence in respect of a private hire vehicle, twenty-five pounds; and
 - (c) for the grant of an operator's licence, twenty-five pounds per annum;
- or, in any such case, such other sums as a district council may, subject to the following provisions of this section, from time to time determine.
- (3) (a)

Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1976, Section 70. (See end of Document for details)

If a district council determine that the maximum fees specified in subsection (2) of this section should be varied they shall publish in at least one local newspaper circulating in the district a notice setting out the variation proposed, drawing attention to the provisions of paragraph (b) of this subsection and specifying the period, which shall not be less than twenty-eight days from the date of the first publication of the notice, within which and the manner in which objections to the variation can be made.

- (b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of twenty-eight days from the date of the first publication thereof be deposited at the offices of the council which published the notice and shall at all reasonable hours be open to public inspection without payment.
- (4) If no objection to a variation is duly made within the period specified in the notice referred to in subsection (3) of this section, or if all objections so made are withdrawn, the variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.
- (5) If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the district council after consideration of the objections.
- (6) A district council may remit the whole or part of any fee chargeable in pursuance of this section for the grant of a licence under section 48 or 55 of this Act in any case in which they think it appropriate to do so.

Modifications etc. (not altering text)

- C1** S. 70 modified (27.11.2009) by The Local Services (Operation by Licensed Hire Cars) Regulations 2009 (S.I. 2009/2863), regs. 1, 4 Table (with reg. 3)

Changes to legislation:

There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1976, Section 70.

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Appendix 3 Benchmarking Fees

Previous Zones

		Purbeck	North	West	Weymouth	East
Driver	HCD New Application (3-year Licence)	£127.00	£206.00	£160.00	£174.00	£162.00
	PHD	£127.00	£200.00	£160.00	£174.00	£162.00
	Renewal (3-year Licence)	£104.00	£164.00	£160.00	£174.00	£162.00
Vehicle	HC Licence New	£161.00	£116.00	£215.25	£170.00	£340.00
	HC Renewal	£161.00	£116.00	£107.60	£136.50	£130.00
	PHV Licence	£161.00	£109.00	£215.25	£170.00	£340.00
	PHV Renewal	£161.00	£109.00	£107.60	£136.50	£130.00
Operators	5-Year Licence	£400.00	£360.00	£340.00	£426.00	£216.00

Neighbouring Councils

		BCP	Wiltshire	East Devon	South Somerset	New Forest
Vehicle	New HC	£310.00	£240.00	£262.00	£318.00	£142.00
	Renew HC	£200.00	£227.00	£262.00	£318.00	£142.00
	New PHV	£245.00	£240.00	£262.00	£293.00	£142.00
	Renew PHV	£160.00	£227.00	£262.00	£293.00	£142.00
Driver	New HCD	£495.00	£293.00	£229.00	£266.00	£219.00
	Renew HCD	£335.00	£267.00	£229.00	£266.00	£142.00
	New PHD	£495.00	£293.00	£229.00	£266.00	£219.00
	Renew PHD	£335.00	£267.00	£229.00	£266.00	£142.00
Operator	New OP	£350.00	£539.00	£390.00		£509.00
	Renew OP	£285.00	£539.00	£390.00		£509.00

South Somerset Operator fees are unknown at this time.

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Proposed Fees

Vehicle		
New HC	£	190.00
Renew HC	£	183.00
New PHV	£	190.00
Renew PHV	£	183.00
Driver		
New HCD	£	192.00
Renew HCD	£	142.00
New PHD	£	192.00
Renew PHD	£	142.00
Operator		
New OP	£	416.00
Renew OP	£	416.00

Weymouth Hackney Carriage fees will attract a further £50 charge to cover the cost of the Unmet Demand Survey that allows the zoning to continue.

Driver Fee Calculations

New Driver	Hours	Mins x Officer on costs	Licence Costs	Worked out by Total Cost divided by		
Initial Approach/queries/renewal	0.5	12.45				
Document Checking	1.25	31.13				
Knowledge	2	49.80				
Materials plus postage	7	7.00				
		100.38				
Enforcement/year			Three years			
Engagement plus travel	0	£0.00	£0.00			
Complaint handling	111	£2.12	£6.36	1303 driver licences		
Complaints Committee	12	£0.26	£0.79	1303 driver licences		
DBS Checking	0.5	£12.45	£37.35			
		£2.38	£44.50			
General Costs/licence						
IT Databases		29,000		No of applications per year	10909	£2.66
Committees - TL hours	60	1713.6		No of Drivers	1303	£1.32
Web Site Maintenance	74	1842.6		No of Drivers	1303	£1.41
Policy - TL hours	185	5283.6		No of taxi licences	2399	£2.20
Policy SM hours	185	9250		No of taxi licences	2399	£3.86
Training - Officer Hours per year	44.4	1105.56		No of taxi licences	2399	
Training - Course Costs	780	650		No of taxi licences	2399	£0.46
Appeal Costs		45,000		No of Drivers	1303	£0.27
Legal Advice JB		2219		No of taxi licences	2399	£34.54
						£0.92
						£47.64
	New	£192.52				
	Renewal	£142.72				

The New Driver fee contains all three elements in yellow. The renewal fee is minus the knowledge test.

The application fee would be the first and third yellow cells so £148.02 and the licence fee is for granted licences and is £44.50 for three years.

Vehicle Fees

Initial Approach/queries/renewal	0.5	12.45				
Document Checking	0.75	18.68				
Materials plus postage	20	20	Renewals		-£12	
Initial Vehicle Inspection	0.5	12.45				
		63.58				
Enforcement						
Officer time +Travel	4	99.60				
6 monthlies(inc Reminders)	0.5	12.45				
Garages	74	1.93				
		113.98				
General Costs/licence						
IT Databases		29,000		No of applications per year	10909	£2.66
Web Site Maintenance	74	1842.6		No of Vehicles	953	£1.41
Policy - TL hours	185	5283.6		No of taxi licences	2399	£2.20
Policy SM hours	185	9250		No of taxi licences	2399	£3.86
Training - Officer Hours per year	44.4	1105.56		No of taxi licences	2399	£0.46
Training - Course Costs	780	650		No of taxi licences	2399	£0.27
Legal Advice JB		2219		No of taxi licences	2399	£0.92
						£11.79
		£189.35	£183.10			

The new vehicle fee contains all three elements in yellow. The renewal fee is minus the plate bracket cost.

The application fee would be the first and third yellow cells so £75.37 and the licence fee is for granted licences and is £113.98.

Weymouth Hackney Carriage Vehicles will have a £50 surcharge to cover the costs of the Unmet Demand Survey required to retain the limit on vehicle numbers.

Operator Fees

Initial Approach and queries	0.25	6.23				
Document Checking	1	24.90				
		31.13				
Enforcement						
Officer time and travel	3	74.7	373.5			
General						
IT Databases		29,000		No of applications per year	10909	£2.66
Web Site Maintenance	74	1842.6		No of Vehicles	953	£1.41
Policy - TL hours	185	5283.6		No of taxi licences	2399	£2.20
Policy SM hours	185	9250		No of taxi licences	2399	£3.86
Training - Officer Hours per year	44.4	1105.56		No of taxi licences	2399	£0.46
Training - Course Costs	780	650		No of taxi licences	2399	£0.27
Legal Advice JB		2219		No of taxi licences	2399	£0.92
						£11.79
		£416.41				

The new operator fee contains all three elements in yellow. The new and the renewal fee is the same as there is no difference between how they are processed.

The application fee would be the first and third yellow cells so £42.92 and the licence fee is for granted licences and is £373.50.

Appendix 5 – Responses to Fees Consultation

1

I would like to request a breakdown of the new fee calculations and the previous breakdown of fee calculations please. I am struggling to understand how certain fees can increase when licensing expenses must have reduced over recent years. When I started taxiing over 10 years ago you could book to see a Licencing Officer 5 days a week, that then went down to 3 days then 2 then 1 and now it has gone to being done through email or over the phone (which is probably more efficient for yourself and ourselves except for trying to pay, which can be an issue sometimes). I also thought one of the ideas of combining the 5 council authority's was again to reduce expenses and the closure of the offices in South Walks Road was to reduce council expenses.

2

Just received the proposals for fees ?

Vehicle renewal gone up by £75.40

Driver badge renewal gone down by £18.00 but it does not say if that is still for 3 years or not, or are you changing that to annually ?

In which that would mean £426.00 for 3 years increase of £266.00 Operators Licence gone up by £76.00

Our tariff proposal £0.40 for 1st mile, and £0.80 per mile after that.

No higher pull off fee, as most local jobs are between £4.00 & £6.00 we are looking at increase between £0.60 to £1.40 per local trip, most distance trips are quoted and not run on the meter.

Understanding that we have not had a fare increase for 10 years and with inflation, fuel prices, insurance, and running costs going up, I don't think this increase is very fair for the drivers.

Your Vehicle renewal price has gone up by 40% Not sure about the drivers badge yet as not sure if it is staying the same ?

Please can you answer the question on the drivers badge ?

And talking to drivers we thought that the increase might have been a bit higher ?

Who actually thought of these new tariff charges, if not a driver why was we not consulted ?

Journeys Taxis

3

I hereby lodge my rejection to the proposed increase in licensing fees.

As we are all aware, for the past two years the country has been in and out of lockdown. Flights abroad have been limited. Approximately 40% of nationwide taxi drivers have given up and are no longer in business due to covid-19. The drivers and taxi companies that have survived, have done so purely on determination to fight through the epidemic.

Now WDDC licensing want to crucify the taxi industry as well by increasing fees. This is not acceptable. You mention in your correspondence, that you have worked out what it costs to procure taxi plates and badges and this figure is reflected in the increase. Unbelievable, WDDC spend 20 minutes once a year renewing a vehicle plate, and 20 minutes once every three years for a drivers badge. Looks like your charges are equivalent to £350 an hour !!

I totally disagree with your proposed increases.

4

I am writing to clarify that there is no mention of Sunday rates a T2 on the new proposal for prices? I strongly object to this if this is the case and you will probably find no one will be available to work as everybody gets paid extra for Sunday's.

Also I object to the to rather large rise in fees for new licenses on an industry that is already struggling with price rises on everything. It seem to you are giving with one hand and taking away with the other.

Please consider my points

Thank you

5

I write further to your recent correspondence regarding the Tariff and Fee increase.

I believe that the increase in the HC vehicle renewal charge cannot possibly be justified by the Council in any way. The increase is completely disproportionate and in my opinion unfairly burdens drivers and operators so close the Covid 19 outbreak when drivers are still not returning to the levels of work they saw previously.

Furthermore could you clarify, as your letter is unclear, that Tariff 2 would come into affect for Sundays and Bank / Holidays as it is currently in the North Dorset Zone.

I also believe that Tariff 2 should commence at 22.30 hours as it does currently in the North Dorset Zone.

Could you please also confirm that the Local Authorities approved Taxi Meter Installers are aware of your intentions and have enough time to write the relevant programs etc in order to handle the influx of requests they will be subjected to in order to re-program taxi meters.

Also, I feel as you are now a unitary authority, Weymouth should be included in this matter. How can a unitary authority be so when there are clear distinctions between Weymouth and the rest of the County.

Futhermore, am I correct is assuming that all plates HC will be one color and PH will be an alternative colour throughout all the zones.

Thank you for your time and assistance with this matter and I gratefully look forward to receiving your response at your earliest convenicne.

Yours sincerely;

Eric's Taxis

Reference is made to the correspondence you have sent out regarding licensing cost increases.

I firmly object to the substantial increase in licensing fees. This is absolutely unacceptable. **We have all suffered tremendous losses during the covid-19 lockdowns.** To give you an example, our company has lost 80% of our normal revenue due to the fact Sherborne International college, our main client, has closed down. We are nipping at straws to keep going. Airports have been closed and or running at 10% capacity during covid-19. Fuel costs are currently at unacceptable highs and could reach £2 a litre within weeks. The small taxi companies, like ourselves, are going to close down. Only the larger taxi companies have the infrastructure to battle on, with support from Dorset council school contracts.

Furthermore, WDDC licensing does nothing to protect and support the licenced taxi companies. I sent an email to yourselves on 17th January 2022 at 12:31hrs complaining about Yeovil taxi companies operating illegally in Sherborne, some even advertising on social media that they are Sherborne operators. Nothing is done. I didn't even get a response or acknowledgement to my email from yourselves. I am in good mind to not renew any of my licences when they expire, and just operate without licenses. If Yeovil taxi companies can operate in Sherborne without WDDC licences, why should I bother to get licences renewed.

We all go to the expense of buying vehicles, licensing and insuring them and then pirates come across from Yeovil and take our business. If just one Sherborne taxi company tried that in Yeovil, South Somerset District Council would pounce on them.

I would agree to a 4% to 6% increase, which would be inline with general inflation. But not the extortionate increase you are proposing. Absolutely unacceptable. If we didn't have covid-19 lockdowns for two years, it would be a different story. If we were all making a fair income, an increase such as the one you are proposing would be okay. You need to take into consideration, the financial situation that all taxi companies have been placed in during covid-19 lockdowns.

The national figure for taxi drivers who have left the industry, during covid-19 lockdowns, is sitting at 40% Councils need to promote taxi companies and encourage new drivers. By putting up licence fees, you are only going to close down more operators and chase new drivers away.

I am registering my objections to the council fees that have been put forward to us.

I find the fees far too high for a struggling industry. For the past 2 years we got zero help during the coronavirus pandemic, whether it be from licensing, Dorset Council or the Government. Because we don't have a business premises I was apparently not entitled to the "Local Government Grant" of which I would not have had to pay back, unlike other industries who also got helped with SEISS and furlough schemes on top of this. I had to take out a £21,000 loan (which I have to pay back), to help my company survive the pandemic and get vehicles back on the road.

We have not had a taxi forum whether in person or a zoom meeting for over 3 years. When we have asked for help previously on numerous occasions about keeping the public off our taxi ranks so we are able to work, we have been threatened with black marks being put on our records if we leave our vehicles, and if caught 3 times we will have our license suspended. This is still a massive issue even now where taxis are unable to get onto the ranks in Purbeck. We have even received verbal and almost physical abuse on drivers just for informing a member of the public they were parked on a taxi rank. Just to show how bad this issue is I list my findings when I am working in Wareham alone below, which I was requested to do after phoning licensing regarding an abusive customer who had called myself regarding informing his partner she was parked on a taxi rank:

04/12/2021	21:05	Mercedes	North Street
05/12/2021	12:20	Ford	North Street
05/12/2021	13:27	Toyota	North Street
05/12/2021	13:27	BMW	North Street
05/12/2021	13:47	Audi	North Street
05/12/2021	14:24	BMW	North Street
05/12/2021	14:37	Ford	North Street
08/12/2021	13:10	Mitsubishi	North Street
12/12/2021	13:15	Vauxhall	North Street
12/12/2021	13:23	Nissan	North Street
13/12/2021	07:54	Ford	North Street
13/12/2021	07:56	VW	North Street
15/12/2021	15:57	BMW	North Street
15/12/2021	16:08	Vauxhall	North Street
15/12/2021	16:12	Renault	North Street
15/12/2021	16:17	Saab	North Street

17/12/2021	12:48	Audi	North Street	
17/12/2021	12:55	VW	North Street	
17/12/2021	13:40	Audi	North Street	
17/12/2021	14:45	VW	North Street	
17/12/2021	15:35	Citroen	North Street	
17/12/2021	16:39	Vauxhall	North Street	
17/12/2021	16:39	Toyota	North Street	
17/12/2021	16:48	Vauxhall	North Street	
17/12/2021	17:00	BMW	North Street	
17/12/2021	18:00	Honda	North Street	
17/12/2021	18:00	Ford	North Street	
17/12/2021	18:02	Vauxhall	South Street	
17/12/2021	19:08	Nissan	North Street	
18/12/2021	12:29	VW	North Street	
20/12/2021	09:53	Vauxhall	North Street	People that threatened me on phone previously after telling them parked on taxi rank
20/12/2021	09:58	VW	North Street	
21/12/2021	15:45	Land Rover	North Street	
26/12/2021	09:58	Audi	North Street	
26/12/2021	10:07	BMW	North Street	
27/12/2021	10:38	Ford	North Street	
29/12/2021	15:45	Honda	North Street	
29/12/2021	16:10	Land Rover	North Street	
29/12/2021	16:42	Vauxhall	North Street	
31/12/2021	19:02	VW	South Street	
31/12/2021	19:03	Ford	North Street	
02/01/2022	13:49	VW	North Street	
04/01/2022	15:16	Nissan	North Street	
04/01/2022	15:16	Renault	North Street	
04/01/2022	15:17	Skoda	North Street	
07/01/2022	15:05	Ford	North Street	

07/01/2022	15:05	VW	North Street	
07/01/2022	15:24	Nissan	North Street	
08/01/2022	13:19	Vauxhall	North Street	
12/01/2022	12:49	BMW	North Street	
12/01/2022	12:49	Toyota	North Street	
12/01/2022	14:12	Volvo	North Street	
12/01/2022	14:13	Peugeot	North Street	
12/02/2022	11:52	Tesla	North Street	
12/02/2022	11:56	Nissan	North Street	
12/02/2022	16:00	Skoda	North Street	
12/02/2022	16:36	Mazda	North Street	
12/02/2022	18:25	Ford	North Street	
13/02/2022	10:45	VW	North Street	
13/02/2022	11:03	Renault	North Street	
13/02/2022	11:17	VW	North Street	
13/02/2022	12:27	VW	North Street	
13/02/2022	12:27	Ford	North Street	
13/02/2022	12:58	Jaguar	North Street	
13/02/2022	13:37	Vauxhall	North Street	
13/02/2022	13:57	VW	North Street	
19/02/2022	12:35	VW	North Street	Verbally abusive saying be didn't know it was a Taxi Rank and almost kicked taxi
19/12/2022	13:40	Ford	North Street	
19/02/2022	13:47	Audi	North Street	
19/02/2022	22:22	BMW	North Street	
20/02/2022	14:29	Alfa Romeo	North Street	
20/02/2022	14:29	BMW	North Street	

Clearly parking enforcement officers are not doing their job properly even when asked by licensing, and these are just the vehicles whilst I have been around. There is clearly an issue. Also with the dezoning, we will require more taxi ranks for our money as technically if we wish to now rank in other zones there will not be room. Wareham alone can fit 1-2 vehicles on South Street, and 2 on North Street which is constantly being abused by the public. I would suggest further ranks in Wool & Wareham Station, Bovington and Lulworth Cove at a minimum. It appears there seems to be a lot of

money “thrown away” into making cycle ways that cyclists don’t even use, than being put into the right sectors that actually need the council’s help.

Personally unless we start receiving more help from licensing, and get more service for our money I will not agree to the rise in fees.

Regards

Excel Taxis Network

Excel Taxis Wareham Xways Cars Durdle Door Cabs Corfe Castle Taxis Silver Cars

8

Thank you for letter regarding the new fees. I still think that the fee for the operator’s licence is unfair £416 for operating 1 vehicle compared to a large firm with over 50 on their books, surely a fair scheme would be based on the amount of vehicles operated and time spent by the council policing this?

Best Regards

Here 2 There Cars

9

Well this seems strange after receiving your letter it seems the council are not listening to any of us here in Weymouth.

Point 1

The hackney association of Weymouth sent you a proposal for the fare increase that apparently you agreed in principle then decided to change it why !!

Point 2

How can you justify an increase in license fee for cars by such an amount when we now have to pay for a MOT at your registered garage's who will no doubt charge a premium just because it's a taxi.

Point 3

MOT test for a car what is the point in having a certified MOT fitted by a qualified technician then a certificate issued only to be over ridden by a MOT mechanic who isn't even qualified to even fit it let alone know how to use it.

I would like my objections to be noted on these points as no consideration has been made in how this policy has been made without proper conciliation with anyone from the hackney association just bulldozed through without proper thought

Regards

10

I've received your email re the New Policy, but the link to be able to read the full document doesn't work for me. Can you advise?

I have also received your letter with proposed new fees. I'd like to express our concern that the fees for PHV licence, both new and renewal, will increase so much, especially as this is an annual payment. We will be looking at an annual increase of at least £600 in licensing fees.

I look forward to hearing from you.

Kind regards

Disabled Transport Services Ltd

11

Thank you for the letter outlining the new proposed fees. Whilst nobody likes to see increases there need to be better understanding as to how these fees have been calculated.

Could you please direct me to where I can find the accounts for Hackney carriage and private hire vehicle fees? I have searched extensively and cannot find them. I understand that a local authority must take into account any surplus or deficit generated from fees levied in previous years in respect of meeting the reasonable costs of administering the licensing fees provided by ss.53 and 70 of the LG(MP) Act 1976.

Dorset Council areas of deprivation are largely located in the most urban areas, in particular Weymouth and Portland area. According to ONS the average weekly wage in Weymouth is £286. The average monthly residential rent between Oct 20 - Sep 21 is £755 and this is the highest ever recorded. Coupled with Weymouth and Portland paying the higher end of average fuel prices in the UK, its having an impact on profits.

Based on conservative figures it costs the average driver of their own vehicle £260 a week just to keep the vehicle serviced, taxed, MOT, insured, licenced, tyres, fuel and subscriptions to a PH office. This is before any purchase of vehicle or finance is included and any repairs have been factored in. Also before any DBS checks and medicals. This they must earn before they break even. Drivers are still financially struggling from the effects of lockdowns from Covid 19 and will do so.

Whilst I appreciate the simplicity having one fee structure, there are differing earning capacities from different areas of Dorset Council.

12

I am objecting to the new rise this is due to an already rising in living costs in our everyday lives also the rising of petrol/diesel the fact that we do not know how this years going to pan out already and you will be making it all the more difficult for me and some others to make this a viable business to be in.

13

I must object strongly to the changes made to the fare increase proposed by the Weymouth and Portland Hackney Carriage Association. The requested fare increase was a result of a vote taken at a meeting of the Association. You have increased the initial charge and the extras without any consultation. So please would you record this email as an objection from the W&PHCA to YOUR proposed fare increase.

I was also expecting the fee for vehicle licensing to be reduced. When W&PBC conducted licensing, the licensing officer carried out the taxi tests which was paid for by the licensee as part of the licensing fee. Now that the Taxi test has been farmed out to a third party, I was expecting, now that Dorset Council is up and running, for the cost of the test to be removed from the licensing fee. So I must object to the raise in the cost of licensing a vehicle, and request the fee is adjusted accordingly.

Yours Sincerely

Chairman W&PHCA

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WEYMOUTH & PORTLAND ZONE
HACKNEY CARRIAGE TARIFF
OF FARES & CHARGES



WEYMOUTH & PORTLAND ZONE
HACKNEY CARRIAGE TARIFF
OF FARES & CHARGES



Appendix 6 - Previous Tariff Cards

WEYMOUTH & PORTLAND ZONE
HACKNEY CARRIAGE TARIFF
OF FARES & CHARGES



TARIFF 1 Daytime rate	Chargeable from 0630 hours – 2300 hours with the exception of those covered by Tariffs 3 or 4 Minimum Charge £2.50	First Full Mile £5.00 Subsequent Miles £1.90
TARIFF 2 Night-time rate	Chargeable from 2300 hours – 0630 hours with the exception of those covered by Tariffs 3 or 4 Minimum Charge £2.90	First Full Mile £5.50 Subsequent Miles £2.20
TARIFF 3 Tariff 1 plus 50%	Chargeable only on Good Friday and all Public/Bank Holidays with the exception of those covered by Tariff 4 Minimum Charge £3.75	First Full Mile £7.50 Subsequent Miles £2.85
TARIFF 4 Double Tariff 1	Chargeable only on Christmas Day, Boxing Day and New Year's Day Minimum Charge £5.00	First Full Mile £10.00 Subsequent Miles £3.80

Detailed Breakdown: Tariff 1 - Minimum Charge is for 230 yards.

All increments beyond that distance are 10p per 61.20 yards until 1 mile has been travelled and 10p per 92.63 yards for all subsequent miles.

Tariff 2 - Minimum Charge is for 230 yards.

All increments beyond that distance are 10p per 58.85 yards until 1 mile has been travelled and 10p per 80.00 yards for all subsequent miles.

Additional Charges

Waiting Time after the first 20 seconds & for each 20 second period or part thereof	£0.10
For each passenger in excess of one	£0.20
For each bicycle, perambulator, animal or other article carried	£0.20
For soiling the carriage	£80.00

Congestion, toll road / bridge or parking charges all to be charged at the cost incurred.

The driver may ask for payment upfront at the start of the journey

This tariff is authorised under the Local

Government (Miscellaneous Provisions) Act 1976

Effective from 20th June 2017

TARIFF 1 Daytime rate	Chargeable from 0630 hours – 2300 hours with the exception of those covered by Tariffs 3 or 4 Minimum Charge £2.50	First Full Mile £5.00 Subsequent Miles £1.90
TARIFF 2 Night-time rate	Chargeable from 2300 hours – 0630 hours with the exception of those covered by Tariffs 3 or 4 Minimum Charge £2.90	First Full Mile £5.50 Subsequent Miles £2.20
TARIFF 3 Tariff 1 plus 50%	Chargeable only on Good Friday and all Public/Bank Holidays with the exception of those covered by Tariff 4 Minimum Charge £3.75	First Full Mile £7.50 Subsequent Miles £2.85
TARIFF 4 Double Tariff 1	Chargeable only on Christmas Day, Boxing Day and New Year's Day Minimum Charge £5.00	First Full Mile £10.00 Subsequent Miles £3.80

Detailed Breakdown: Tariff 1 - Minimum Charge is for 230 yards.

All increments beyond that distance are 10p per 61.20 yards until 1 mile has been travelled and 10p per 92.63 yards for all subsequent miles.

Tariff 2 - Minimum Charge is for 230 yards.

All increments beyond that distance are 10p per 58.85 yards until 1 mile has been travelled and 10p per 80.00 yards for all subsequent miles.

Additional Charges

Waiting Time after the first 20 seconds & for each 20 second period or part thereof	£0.10
For each passenger in excess of one	£0.20
For each bicycle, perambulator, animal or other article carried	£0.20
For soiling the carriage	£80.00

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Detailed Breakdown: Tariff 1 - Minimum Charge is for 230 yards.

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Tariff 2 - Minimum Charge is for 230 yards.

All increments beyond that distance are 10p per 58.85 yards until 1 mile has been travelled and 10p per 80.00 yards for all subsequent miles.

Additional Charges

Waiting Time after the first 20 seconds & for each 20 second period or part thereof	£0.10
For each passenger in excess of one	£0.20
For each bicycle, perambulator, animal or other article carried	£0.20
For soiling the carriage	£80.00

Congestion, toll road / bridge or parking charges all to be charged at the cost incurred.

The driver may ask for payment upfront at the start of the journey

This tariff is authorised under the Local

Government (Miscellaneous Provisions) Act 1976

Effective from 20th June 2017

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – SECTION 65
HACKNEY CARRIAGE – MAXIMUM FARES AND CHARGES

Effective from the 29th May 2012

1) Tariff 1: Day Rate (approximate charge) 0700 hrs to 2230 hrs	£4.00 for the first mile £2.00 per mile thereafter		
Tariff 2: Unsocial Hours (approximate charge) Hours between 2230 and 0700 hrs daily and all day on Sunday Bank/Public Holidays	£6.00 for the 1st mile £3.00 per mile thereafter		
Tariff 3: Christmas and New Year (approximate charge) i) Between 1800 hrs on 24 th December and 0700 hrs on 27 th December ii) Between 1800 hrs on 31 st December and 0700 hrs on 2 nd January	£8.00 for the 1st mile £4.00 per mile thereafter		
2) DETAILED BREAKDOWN	TARIFF 1	TARIFF 2	TARIFF 3
Initial Charge	£3.00	£4.50	£6.00
Initial Distance	804.67m	804.67m	804.67m
Initial Time (secs)	3mins 35 sec	3 mins 35 secs	3 mins 35 secs
Additional Charge per fare unit	20 p	30 p	40 p
Each additional fare unit (distance)	160.93m	160.93m	160.93m
Each additional fare unit (time-secs) (Time applies when meter is not registering distance)	48 secs	48 secs	48 secs
3) EXTRA CHARGES			
a) For each passenger in excess of three			40p
b) For each article of luggage conveyed outside the passenger compartments of the carriage			30p
c) For each bicycle or perambulator			30p
d) For each animal			30p
e) Soiling the carriage by person			£70.00
f) Soiling the carriage by animal			£15.00
NOTE: Wheelchairs and similar mechanically operated personal conveyances		No Charge	

For complaints please contact Licensing, South Walks House, South Walks Road, Dorchester, Dorset, DT1 1UZ. (01305) 838028 licensing@dorset.gov.uk

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – SECTION 65
HACKNEY CARRIAGE – MAXIMUM FARES AND CHARGES

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2) DETAILED BREAKDOWN	TARIFF 1	TARIFF 2	TARIFF 3
Initial Charge	£3.00	£4.50	£6.00
Initial Distance	804.67m	804.67m	804.67m
Initial Time (secs)	3mins 35 sec	3 mins 35 secs	3 mins 35 secs
Additional Charge per fare unit	20 p	30 p	40 p
Each additional fare unit (distance)	160.93m	160.93m	160.93m
Each additional fare unit (time-secs) (Time applies when meter is not registering distance)	48 secs	48 secs	48 secs
3) EXTRA CHARGES			
a) For each passenger in excess of three			40p
b) For each article of luggage conveyed outside the passenger compartments of the carriage			30p
c) For each bicycle or perambulator			30p
d) For each animal			30p
e) Soiling the carriage by person			£70.00
f) Soiling the carriage by animal			£15.00
NOTE: Wheelchairs and similar mechanically operated personal conveyances		No Charge	

For complaints please contact Licensing, South Walks House, South Walks Road, Dorchester, Dorset, DT1 1UZ. (01305) 838028 licensing@dorset.gov.uk

Hackney Carriage Tariff - Maximum Fares and Charges

Tariff 1: Day Rate

(Chargeable from 7 am until 11 pm)

Initial Charge.....	3.00
First Mile.....	3.60
Each Additional Mile.....	2.80

Tariff 2: Unsocial Hours

(Chargeable from 11 pm until 7 am daily, Sundays, Bank Holidays except where tariff 3 applies)

Initial Charge.....	4.50
First Mile.....	5.40
Each Additional Mile.....	4.20

Tariff 3: Special Rate

(Chargeable on Christmas Day, Boxing Day, New Year's Day, Plus from 6 pm on Christmas Eve and new Year's Eve)

Initial Charge.....	6.00
First Mile.....	7.20
Each Additional Mile.....	5.60

DETAILED BREAKDOWN

	Tariff 1	Tariff 2	Tariff 3
Initial distance (All tariffs)	1382.87 yards		
Subsequent additional distance units	125.71 yards		
Subsequent additional fare units	20 pence	30 pence	40 pence
Time unit (meter not recording distance)	60 seconds	60 seconds	60 seconds
Each additional time unit	30 pence	40 pence	60 pence

Proprietors of Hackney Carriages licensed to carry and actually carrying 5, 6, 7, or 8 passengers are entitled to Charge 1 and ½ times each Tariff.

For the soiling of the vehicle by the passenger(s) the proprietor may charge **£75**



**East Dorset Zone
HACKNEY CARRIAGE FARES
COUNCIL CONTACT TEL NO: 01305 838028**

IF YOU HIRED THIS VEHICLE OFF A RANK OR HAILED IT IN A STREET THE DRIVER MUST CHARGE WHAT IS SHOWN ON THE METER.

Tariff 1: Day Rate (approximate charge)	£4.40 for the 1st mile £2.20 per mile thereafter
Tariff 2: Unsocial Hours (approximate charge) Between 0000hrs & 0630hrs daily/Sundays and Bank Holidays	£5.50 for the 1st mile £2.90 per mile thereafter
Tariff 3: Christmas and New Year (approximate charge) i) Between 1800hrs on 24th December & 0600hrs on 27th December ii) Between 1800hrs on 31st December & 0600hrs on 1st January	£7.00 for the 1st mile £4.00 per mile thereafter

DETAILED BREAKDOWN	TARIFF 1	TARIFF 2	TARIFF 3	EXTRAS
Initial Charge	£3.00	£4.50	£5.00	a) For each additional person over 1 (children under 2 - no charge) 30 pence
Initial Distance	585.10m	1055.22mtrs	804.50mtrs	b) For each bicycle, pushchair, pram, dog or cat. 30 pence
Additional Charge per fare unit	20 pence	30 pence	40pence	c) For use of the car boot. 30 pence
Each additional fare unit (distance)	146.27mtrs	166.42mtrs	160.90mtrs	d) Where the customer has soiled the taxi requiring off the road internal cleaning. £75
Each additional fare unit (time-secs)	45 secs	55 secs	60 secs	e) Guide Dogs and Wheelchairs. No Charge

West Dorset Zone

Council Contact - 01305 838028

If you hire this vehicle the driver must charge no more than is shown on the meter

TARIFF 1 (Chargeable from 7am to 11pm)

Minimum Charge	£3.00
First Mile	£4.00
Each subsequent mile	£2.00

TARIFF 2 (Plus 50 % - Chargeable on Bank Holidays, Sundays and from 11pm to 7am)

Minimum Charge	£4.50
First Mile	£6.00
Each subsequent mile	£3.00

TARIFF 3 (Plus 100 % - Chargeable on Christmas Day, Boxing Day and New Years Day)

Minimum Charge	£6.00
First Mile	£8.00
Each subsequent mile	£4.00

Detailed Breakdown of Tariff 1 - the minimum charge of £3.00 is for 1/2 mile. All increments beyond that distance are 20p for 1/10th mile

Waiting Time - for each period of 30 seconds

£0.10

For hirings of hackney carriages licensed to carry and actually carrying 5, 6,7 or 8 passengers, the proprietor is entitled to charge one and a half times the normal rate (ie Tariff 2)

Soiling of Vehicle - the driver may make a reasonable charge for the soiling of the vehicle by the passenger(s)

Additional Charges

For each article of luggage conveyed outside the passenger compartment of the vehicle	£0.20
For each bicycle or perambulator	£0.20
For each animal (except assistance dogs)	£0.20

In the event of any dispute please ask for the Taxi Licence number and the drivers badge number. This tariff is authorized under the Local Government (Miscellaneous Provisions) Act 1976.

West Dorset Zone

Council Contact 01305 838028

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Minimum Charge	£3.00
First Mile	£4.00
Each subsequent mile	£2.00

TARIFF 2 (Plus 50 % - Chargeable on Bank Holidays, Sundays and from 11pm to 7am)

Minimum Charge	£4.50
First Mile	£6.00
Each subsequent mile	£3.00

TARIFF 3 (Plus 100 % - Chargeable on Christmas Day, Boxing Day and New Years Day)

Minimum Charge	£6.00
First Mile	£8.00
Each subsequent mile	£4.00

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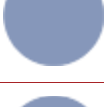


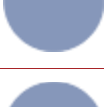

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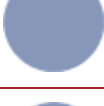
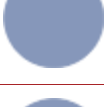

Additional Charges











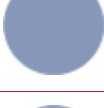

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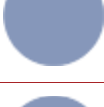

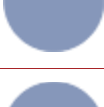

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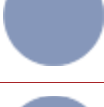


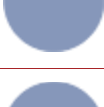

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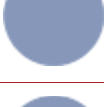


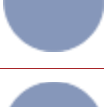

POS	COUNCIL	2 ML. FARE	+ / -
1	LONDON (HEATHROW)	£11.40	
2	LUTON AIRPORT	£9.70	
3	EPSOM & EWELL	£8.60	
4	LONDON	£8.60	
5	WATFORD (X)	£8.40	
6	UTTLESFORD	£8.30	
7	READING	£8.00	
8	GUILDFORD	£7.60	
9	KERRIER	£7.60	
10	OXFORD CITY	£7.60	
11	JERSEY	£7.43	
12	BRIGHTON & HOVE	£7.40	
13	CHELTENHAM	£7.40	








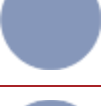
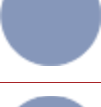


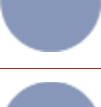

POS	COUNCIL	2 ML. FARE	+ / -
14	MAIDSTONE	£7.40	
15	MID SUSSEX	£7.40	
16	WEST BERKSHIRE	£7.40	 £0.60
17	CARRICK	£7.30	
18	GUERNSEY	£7.30	
19	BATH & NORTH EAST SOMERSET	£7.20	
20	BCP	£7.20	
21	TORRIDGE	£7.20	
22	TUNBRIDGE WELLS	£7.20	
23	YORK	£7.20	
24	CHELMSFORD	£7.10	
25	DARTFORD	£7.10	













POS	COUNCIL	2 ML. FARE	+ / -
26	DOVER	£7.10	
27	MOLE VALLEY	£7.10	
28	PENWITH	£7.10	
29	RUGBY	£7.10	 £1.30
30	SEVENOAKS	£7.06	
31	EAST LOTHIAN	£7.00	
32	EDINBURGH	£7.00	
33	HARROGATE	£7.00	
34	HERTSMERE	£7.00	
35	STROUD	£7.00	
36	TONBRIDGE & MALLING	£7.00	
37	WELWYN HATFIELD	£7.00	









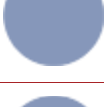


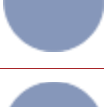

POS	COUNCIL	2 ML. FARE	+ / -
38	WILTSHIRE	£7.00	
39	RESTORMEL	£6.95	
40	COLCHESTER	£6.90	
41	EASTBOURNE	£6.90	
42	VALE OF WHITE HORSE	£6.90	
43	WEALDON	£6.90	
44	WEYMOUTH & PORTLAND	£6.90	
45	ADUR	£6.80	
46	CARADON	£6.80	
47	CARMARTHENSHIRE	£6.80	
48	EAST DEVON	£6.80	
49	FIFE	£6.80	
50	GLASGOW	£6.80	



POS	COUNCIL	2 ML. FARE	+ / -
51	GRAVESHAM	£6.80	
52	HART (X)	£6.80	
53	MENDIP	£6.80	
54	NORTH CORNWALL	£6.80	
55	NOTTINGHAM	£6.80	
56	SEDGEMOOR	£6.80	
57	SOMERSET WEST & TAUNTON	£6.80	
58	SWALE	£6.80	
59	NUNEATON & BEDWORTH	£6.75	
60	TORBAY	£6.75	
61	CHESTER	£6.70	
62	CRAWLEY	£6.70	
63	EASTLEIGH	£6.70	













POS	COUNCIL	2 ML. FARE	+ / -
64	NORTH SOMERSET	£6.70	
65	ROTHER	£6.70	
66	SWINDON	£6.70	
67	HARBOROUGH	£6.68	
68	ARUN	£6.60	
69	BASINGSTOKE & DEANE	£6.60	
70	BRACKNELL FOREST	£6.60	
71	BRENTWOOD	£6.60	
72	CAMBRIDGE CITY	£6.60	
73	EAST DORSET	£6.60	
74	EAST SUFFOLK (NORTH)	£6.60	
75	EXETER	£6.60	
76	HARLOW	£6.60	









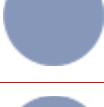


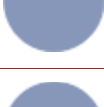

POS	COUNCIL	2 ML. FARE	+ / -
77	HIGH PEAK	£6.60	
78	MEDWAY	£6.60	
79	MORAY (X)	£6.60	
80	NORTH HERTS	£6.60	
81	NORWICH	£6.60	
82	PLYMOUTH	£6.60	
83	RUNNYMEDE	£6.60	
84	SCARBOROUGH	£6.60	
85	SHETLAND ISLES	£6.60	
86	SOUTH CAMBRIDGE	£6.60	
87	SOUTH GLOUCESTER	£6.60	
88	TEIGNBRIDGE	£6.60	
89	NORTH DEVON	£6.55	








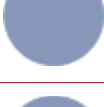


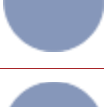

POS	COUNCIL	2 ML. FARE	+ / -
90	ASHFORD	£6.50	
91	DURHAM COUNTY COUNCIL	£6.50	
92	HUNTINGDONSHIRE	£6.50	
93	LUTON	£6.50	
94	SOUTH SOMERSET	£6.50	
95	WORTHING	£6.50	
96	BASILDON	£6.40	 £0.40
97	BRISTOL	£6.40	
98	CANTERBURY	£6.40	
99	COUNTY OF HEREFORD	£6.40	
100	CREWE & NANTWICH	£6.40	
101	EAST HAMPSHIRE	£6.40	









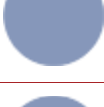


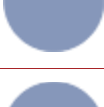

POS	COUNCIL	2 ML. FARE	+ / -
102	EAST LINDSEY	£6.40	
103	HASTINGS	£6.40	
104	IPSWICH	£6.40	
105	LEEDS	£6.40	
106	LINCOLN	£6.40	
107	MALVERN HILLS	£6.40	
108	MELTON	£6.40	
109	MID SUFFOLK	£6.40	
110	NORTH KESTEVEN	£6.40	
111	PURBECK	£6.40	
112	RUSHMOOR	£6.40	
113	SHEFFIELD	£6.40	
114	SHROPSHIRE	£6.40	









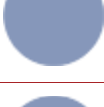


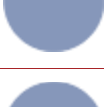

POS	COUNCIL	2 ML. FARE	+ / -
115	SOUTH LAKELAND	£6.40	
116	SOUTHEND ON SEA	£6.40	
117	STEVENAGE	£6.40	
118	SURREY HEATH	£6.40	
119	TENDRING	£6.40	
120	WAVERLEY	£6.40	
121	WINDSOR & MAIDENHEAD	£6.40	
122	WOKING	£6.40	
123	WOKINGHAM	£6.40	
124	NEWARK & SHERWOOD	£6.32	
125	BLACKBURN	£6.30	
126	BURY	£6.30	
127	COTSWOLD (Y)	£6.30	









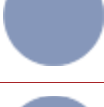


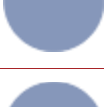

POS	COUNCIL	2 ML. FARE	+ / -
128	COVENTRY	£6.30	
129	DACORUM	£6.30	
130	ISLE OF MAN	£6.30	
131	LEWES	£6.30	
132	PEMBROKESHIRE	£6.30	
133	SOUTH HOLLAND	£6.30	
134	DUNDEE CITY	£6.28	 £0.62
135	FOREST OF DEAN	£6.27	
136	BABERGH	£6.26	
137	MIDLOTHIAN	£6.22	
138	ARGYLL & BUTE	£6.20	
139	BIRMINGHAM	£6.20	









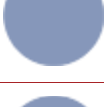


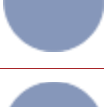

POS	COUNCIL	2 ML. FARE	+ / -
140	BRAINTREE	£6.20	
141	CHICHESTER	£6.20	
142	DAVENTRY	£6.20	
143	DERBY	£6.20	
144	EAST CAMBRIDGESHIRE	£6.20	
145	EAST SUFFOLK (SOUTH)	£6.20	
146	FOLKESTONE & HYTHE	£6.20	
147	HORSHAM	£6.20	
148	NORTH EAST LINCOLNSHIRE	£6.20	
149	NORTHAMPTON	£6.20	
150	PORTSMOUTH UA	£6.20	
151	ROCHFORD	£6.20	
152	SOLIHULL	£6.20	









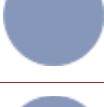


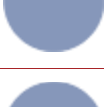

POS	COUNCIL	2 ML. FARE	+ / -
153	SOUTHAMPTON	£6.20	
154	SPELTHORNE	£6.20	
155	ST ALBANS	£6.20	
156	STRATFORD ON AVON	£6.20	
157	WEST OXFORD	£6.20	
158	WINCHESTER	£6.20	
159	CENTRAL BEDFORDSHIRE	£6.13	
160	ABERDEENSHIRE	£6.10	
161	CARDIFF	£6.10	
162	CLACKMANNAN	£6.10	
163	EAST HERTS	£6.10	
164	ELMBRIDGE	£6.10	
165	FYLDE	£6.10	









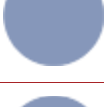


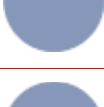

POS	COUNCIL	2 ML. FARE	+ / -
166	NEW FOREST	£6.10	
167	NORTH WARWICK	£6.10	
168	SOUTH AYRSHIRE	£6.10	
169	TAMWORTH	£6.10	
170	SELBY	£6.06	
171	CHARNWOOD	£6.05	
172	SCOTTISH BORDERS	£6.05	
173	ABERDEEN CITY	£6.00	
174	BLACKPOOL	£6.00	
175	BOSTON	£6.00	
176	BROXTOWE	£6.00	
177	BUCKINGHAMSHIRE	£6.00	
178	CASTLE POINT	£6.00	









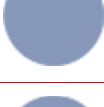


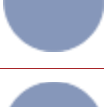

POS	COUNCIL	2 ML. FARE	+ / -
179	CONWY	£6.00	
180	EAST AYRSHIRE	£6.00	
181	EAST STAFFORDSHIRE	£6.00	
182	GLOUCESTER	£6.00	
183	GREAT YARMOUTH	£6.00	
184	GWYNEDD	£6.00	
185	ISLE OF WIGHT	£6.00	
186	KETTERING	£6.00	
187	KINGS LYNN & WEST NORFOLK	£6.00	
188	MILTON KEYNES	£6.00	
189	NORTH DORSET	£6.00	
190	PETERBOROUGH	£6.00	
191	RYEDALE	£6.00	









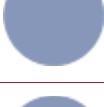


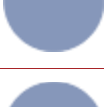

POS	COUNCIL	2 ML. FARE	+ / -
192	SLOUGH	£6.00	
193	SOUTH HAMS	£6.00	
194	SOUTH TYNESIDE	£6.00	
195	STOCKPORT	£6.00	
196	TAMESIDE	£6.00	
197	TEST VALLEY (X)	£6.00	
198	THREE RIVERS	£6.00	
199	THURROCK	£6.00	
200	VALE OF GLAMORGAN	£6.00	
201	WARWICK	£6.00	
202	WEST DORSET	£6.00	
203	WEST LINDSEY	£6.00	
204	WIRRAL	£6.00	









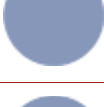


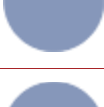

POS	COUNCIL	2 ML. FARE	+ / -
205	DARLINGTON	£5.95	
206	BASSETLAW	£5.90	
207	BROXBOURNE	£5.90	
208	DUDLEY	£5.90	
209	KINGSTON-UPON-HULL	£5.90	
210	MANCHESTER	£5.90	
211	NORTHUMBERLAND	£5.90	
212	STAFFORD	£5.90	
213	TANDBRIDGE	£5.90	
214	WALSALL	£5.90	
215	CALDERDALE	£5.85	
216	TEWKESBURY	£5.85	
217	BARNSLEY	£5.80	








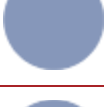
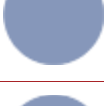

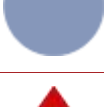

POS	COUNCIL	2 ML. FARE	+ / -
218	BARROW IN FURNESS	£5.80	
219	BEDFORD	£5.80	
220	BRIDGEND	£5.80	
221	BROMSGROVE	£5.80	
222	CARLISLE	£5.80	
223	EAST KILBRIDE (X)	£5.80	
224	FAREHAM	£5.80	
225	FLINTSHIRE	£5.80	
226	HALTON	£5.80	
227	HAVANT	£5.80	
228	HIGHLAND (X)	£5.80	
229	LANCASTER	£5.80	
230	LEICESTER	£5.80	









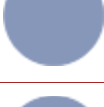


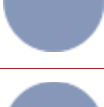

POS	COUNCIL	2 ML. FARE	+ / -
231	LICHFIELD	£5.80	
232	NEWCASTLE-UPON-TYNE	£5.80	
233	NORTH LINCOLNSHIRE	£5.80	
234	NORTH NORFOLK	£5.80	
235	NORTH TYNESIDE	£5.80	
236	NORTHERN IRELAND	£5.80	
237	ORKNEY (X)	£5.80	
238	REIGATE & BANSTEAD	£5.80	
239	RUTHERGLEN (X)	£5.80	
240	SEFTON	£5.80	
241	SOUTH RIBBLE	£5.80	
242	TRAFFORD	£5.80	
243	WEST SUFFOLK	£5.80	

POS	COUNCIL	2 ML. FARE	+ / -
244	WORCESTER	£5.80	
245	WYRE	£5.80	
246	YNS MON	£5.80	
247	CHESTERFIELD	£5.75	
248	DONCASTER	£5.75	
249	NORTH EAST DERBYSHIRE	£5.75	
250	ANGUS	£5.70	
251	CANNOCK CHASE	£5.70	
252	GEDLING	£5.70	
253	MID DEVON	£5.70	
254	MONMOUTHSHIRE	£5.70	
255	RENFREWSHIRE	£5.70	
256	STIRLING (X)	£5.70	









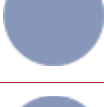


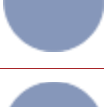

POS	COUNCIL	2 ML. FARE	+ / -
257	SWANSEA	£5.70	
258	WARRINGTON	£5.70	
259	BRADFORD	£5.60	
260	BRECKLAND	£5.60	
261	DENBIGHSHIRE	£5.60	
262	GOSPORT	£5.60	
263	HINCKLEY & BOSWORTH	£5.60	
264	LIVERPOOL	£5.60	
265	NEWPORT	£5.60	
266	NORTH WEST LEICESTER	£5.60	
267	RICHMONDSHIRE	£5.60	
268	RUSHCLIFFE	£5.60	
269	SANDWELL	£5.60	









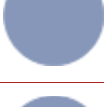


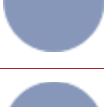

POS	COUNCIL	2 ML. FARE	+ / -
270	SUNDERLAND	£5.60	
271	WEST LOTHIAN (X)	£5.60	
272	WOLVERHAMPTON (X)	£5.60	
273	WREXHAM	£5.60	
274	CHERWELL	£5.56	
275	NEWCASTLE-UNDER-LYME	£5.55	
276	DUMFRIES & GALLOWAY	£5.50	
277	EAST DUNBARTONSHIRE	£5.50	
278	EDEN	£5.50	
279	EPPING FOREST	£5.50	
280	EREWASH	£5.50	
281	FALKIRK	£5.50	
282	HAMBLETON	£5.50	




POS	COUNCIL	2 ML. FARE	+ / -
283	MERTHYR TYDFIL	£5.50	
284	OLDHAM	£5.50	
285	TORFAEN	£5.50	
286	CEREDIGION	£5.46	
287	NEATH PORT TALBOT	£5.46	
288	SALFORD	£5.46	
289	ALLERDALE	£5.45	
290	CAERPHILLY	£5.40	
291	CLYDEBANK	£5.40	
292	DUNBARTON & VALE OF LEVEN (X)	£5.40	
293	ELLESMERE PORT	£5.40	
294	HARTLEPOOL	£5.40	 £0.60

POS	COUNCIL	2 ML. FARE	+ / -
295	MACCLESFIELD	£5.40	
296	PERTH & KINROSS	£5.40	
297	POWYS	£5.40	
298	PRESTON	£5.40	
299	ROTHERHAM	£5.40	
300	THANET	£5.40	
301	WYCHAVON	£5.40	
302	MANSFIELD	£5.35	
303	INVERCLYDE	£5.34	
304	CRAVEN (X)	£5.30	
305	EAST RENFREW	£5.30	
306	FENLAND (X)	£5.30	
307	NORTH AYRSHIRE	£5.30	

POS	COUNCIL	2 ML. FARE	+ / -
308	REDDITCH	£5.30	
309	RIBBLE VALLEY	£5.30	
310	SOUTH KESTEVEN	£5.30	
311	SOUTH LANARKSHIRE (CLYDESDALE)	£5.30	
312	ST HELENS	£5.30	
313	VALE ROYAL	£5.30	
314	WIGAN	£5.30	
315	WYRE FOREST	£5.30	
316	BLABY	£5.24	
317	AMBER VALLEY	£5.20	
318	BLAENAU GWENT	£5.20	
319	BOLTON	£5.20	
320	EAST RIDING	£5.20	

POS	COUNCIL	2 ML. FARE	+ / -
321	HAMILTON (X)	£5.20	
322	KNOWSLEY	£5.20	
323	RHONDDA CYNON TAFF	£5.20	
324	STAFFS MOORLANDS	£5.20	
325	WAKEFIELD	£5.20	
326	CHORLEY	£5.10	
327	CONGLETON	£5.10	
328	GATESHEAD	£5.10	
329	SOUTH STAFFORDSHIRE	£5.10	
330	COPELAND	£5.00	
331	EAST NORTHANTS	£5.00	
332	KIRKLEES	£5.00	
333	NORTH LANARKSHIRE	£5.00	

POS	COUNCIL	2 ML. FARE	+ / -
334	ROCHDALE	£5.00	
335	ROSSENDALE	£5.00	
336	SOUTH NORTHANTS	£5.00	
337	STOKE-ON-TRENT UA	£4.95	
338	CORBY	£4.90	
339	MIDDLESBROUGH	£4.90	
340	TELFORD & WREKIN	£4.90	
341	WELLINGBOROUGH	£4.90	
342	WESTERN ISLES (X)	£4.85	
343	ASHFIELD	£4.80	
344	DERBYSHIRE DALES	£4.80	
345	HYNDBURN	£4.70	
346	WEST LANCASHIRE	£4.70	

POS	COUNCIL	2 ML. FARE	+ / -
347	BOLSOVER	£4.60	
348	BURNLEY	£4.50	
349	REDCAR & CLEVELAND	£4.50	
350	STOCKTON ON TEES	£4.50	
351	OADBY & WIGSTON	£4.40	
352	PENDLE	£4.40	
353	MALDON	£0.00	
354	RUTLAND	£0.00	
355	SOUTH DERBYSHIRE	£0.00	
356	SOUTH NORFOLK	£0.00	
357	SOUTH OXFORDSHIRE	£0.00	
358	WEST DEVON	£0.00	

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976,

PART II SECTION 65(2)(a)

FIXING OF FARES FOR HACKNEY CARRIAGES

Dorset Council are proposing that the following Table of Fares which will come into effect on 1 April 2022 for the whole of the district **apart from** the area known as the Weymouth & Portland Zone, which is the area previously covered by Weymouth & Portland Borough Council.

Tariff 1: Day Rate	Chargeable from 7 am until 11 pm
Initial Charge	£3.00
First Mile	£4.40
Each Additional Mile	£2.80

Tariff 2: Day Rate	Chargeable from 11 pm until 7 am
Initial Charge	£4.50
First Mile	£6.60
Each Additional Mile	£4.20

Tariff 3: Day Rate	Chargeable on Christmas Day, Boxing Day, New Year's Day, Plus from 6 pm on Christmas Eve and New Year's Eve
Initial Charge	£6.00
First Mile	£8.80
Each Additional Mile	£5.60

Extras	
NO CHARGE FOR ANY ASSISTANCE DOG OR WHEELCHAIR	
Proprietors of Hackney Carriages licensed to carry <u>and actually carrying</u> 5, 6, 7, or 8 passengers are entitled to Charge 1 and ½ times each Tariff.	
For the soiling of the vehicle by the passenger(s) / animals	£80
For each item of luggage, bicycle, perambulator or animal	30p

Detailed Breakdown	Tariff 1	Tariff 2	Tariff 3
Initial distance (All tariffs)	880.03 yards		
Subsequent additional distance units	125.71 yards		
Subsequent additional fare units	20 pence	30 pence	40 pence
Time unit (meter not recording distance)	60 seconds	60 seconds	60 seconds
Each additional time unit	30 pence	40 pence	60 pence

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**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT
1976,**

PART II SECTION 65(2)(a)

FIXING OF FARES FOR HACKNEY CARRIAGES

Dorset Council are proposing that the following Table of Fares which will come into effect on 1 April 2022 for the Weymouth & Portland Zone, which is the area previously covered by Weymouth & Portland Borough Council.

Tariff1 : Day Rate	Chargeable from 7am until 11pm
Initial Charge	£2.70
First Mile	£5.30
Each Additional Mile	£2.00

Waiting time is to be charged at £0.30 per minute, in units of £0.10 per 20 second period.

Tariff2 : Night Rate	Chargeable from 11pm until 7am
Initial Charge	£3.10
First Mile	£5.90
Each Additional Mile	£2.40

Waiting time is to be charged at £0.30 per minute, in units of £0.10 per 20 second period.

Tariff3 : Tariff 1 + 50%	Chargeable Good Friday and all Bank Holidays unless covered by Tariff 4
Initial Charge	£4.05
First Mile	£7.95
Each Additional Mile	£3.00

Waiting time is to be charged at £0.45 per minute, in units of £0.15 per 20 second period.

Tariff4 : Tariff 1 + 100%	Chargeable Christmas Day, Boxing Day and New Year's Day
Initial Charge	£5.40
First Mile	£10.60
Each Additional Mile	£4.00

Waiting time is to be charged at £0.60 per minute, in units of £0.20 per 20 second period.

Extras	
NO CHARGE FOR ANY ASSISTANCE DOG OR WHEELCHAIR	
Proprietors of Hackney Carriages licensed to carry <u>and actually carrying</u> 5, 6, 7, or 8 passengers are entitled to Charge 1& ½ times current Tariff.	
For the soiling of the vehicle by the passenger(s)/animals	£80
For each item of luggage, bicycle, perambulator or animal	20p

Detailed Breakdown: Tariff 1 -Minimum Charge is for 226 yards. All increments beyond that distance are 10p per 59.00 yards until 1 mile has been travelled and 10p per 88.00 yards for all subsequent miles.

Tariff 2 - Minimum Charge is for 220 yards. All increments beyond that distance are 10p per 55.00 yards until 1 mile has been travelled and 10p per 73.33 yards for all subsequent miles.

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Appendix 8 Responses to Fares Consultation

1

On the subject of the fare increases.

I do not think they are sufficient. However, because you are also proposing to allow drivers to charge what they want below tariff price, as a small business the bigger ones are going to price me out.

The truth is our expenses have risen greatly and with Russia moving into Ukraine fuel is going to sky rocket.

I would like to suggest that the Council remove the option to negotiate price within its boundaries and make it a requirement to use the meter.

That way our businesses are on a fair footing.

The general public will either pay the increase or not....but I cannot keep absorbing all the costs and remain in business. At least it would create a more level playing field.

Can you please make sure this gets seen by the appropriate members of the Council.

2

To whom it may concern

I am writing to you again to further my objection to this tariff. Since you have sent this email out for our point of view, I have watched fuel increase a further 20 pence per litre. As I understand you are trying to give your license holders a living wage increase, but by giving us an extra 80p of a mile or over for trips just isn't going to work when fuel has increased by 20p per litre with no sign of stopping increasing.

Regards

Excel Taxis Wareham

3

having had a look at the proposed taxi fare change I feel it is very sustainable, especially in today's climate so would love you to go ahead with this!!

The one thing I would like to know is whether we will keep the bank holiday and Sunday rate which was rate 2 in north Dorset?

Many Thanks

Owner

Blandford Travel

4

I'd like to voice my view regarding the new Dorset Tariff which is proposed to come into force soon.

I noticed that Tariff 2 is not going to be anymore on a Sunday and also starts at 2300 weekdays. Personally, I feel that unsociable hours should start at 2200 on Tariff 2, and that Sunday should stay as Tariff 2.

I believe, that if the changes come in, there will have less drivers available for Sunday work, as being on T2 for the day makes it worth while to work.

As well as the price increase from fuel both, for vehicles and home bills, always on the increase, I personally think that cutting the T2 out on Sunday and making T2 start later on weekdays, is going to have a detrimental effect on all the drivers living costs.

5

I am strongly against the pathetic taxi Tariff change for the Purbeck area.

If I recall the last meter rise was 8 years ago.

If we only go back 6 years my diesel cost 99p per litre and today it is £1.54 per litre.

THIS IS OVER 50% RISE

The Hackney licence has gone up considerably during this time

The drivers badge cost has risen during this time

Insurance costs for running just two taxis is now over £3000 per year to pay and that's with full no claims

The local council rank costs have risen during that time

In addition DCC have taken away our Main Street rank in Swanage so we have no working area in the main pub/restaurant area causing us to just slowly drive round the street until flagged down using excess fuel and also adding to the air pollution! This rank in the square Swanage is now a loading bay 7am to 7 pm so we can't use it and taxi rank from 7pm to 7 am where it is blocked by illegally parked vehicles and there are no wardens through the night in Swanage so again we can't use it!!

In real terms taxi profits in Purbeck are less per annum now than in 2016!!

The pull off should be at least £3.60

The additional miles should be £3.40

Even then we would still not be back to 2016 earnings!!

Respectfully submitted

Swanage and Purbeck Taxi

6

I write further to your recent correspondence regarding the Tariff and Fee increase.

I believe that the increase in the HC vehicle renewal charge cannot possibly be justified by the Council in any way. The increase is completely disproportionate and in my opinion unfairly burdens drivers and operators so close the Covid 19 outbreak when drivers are still not returning to the levels of work they saw previously.

Furthermore could you clarify, as your letter is unclear, that Tariff 2 would come into affect for Sundays and Bank / Holidays as it is currently in the North Dorset Zone.

I also believe that Tariff 2 should commence at 22.30 hours as it does currently in the North Dorset Zone.

Could you please also confirm that the Local Authorities approved Taxi Meter Installers are aware of your intentions and have enough time to write the relevant programs etc in order to handle the influx of requests they will be subjected to in order to re-program taxi meters.

Also, I feel as you are now a unitary authority, Weymouth should be included in this matter. How can a unitary authority be so when there are clear distinctions between Weymouth and the rest of the County.

Futhermore, am I correct is assuming that all plates HC will be one color and PH will be an alternative colour throughout all the zones.

Thank you for your time and assistance with this matter and I gratefully look forward to receiving your response at your earliest convenicne.

Yours sincerely;

Eric's Taxis

7

I am writing to clarify that there is no mention of Sunday rates a T2 on the new proposal for prices? I strongly object to this if this is the case and you will probably find no one will be available to work as everybody gets paid extra for Sunday's.

Also I object to the to rather large rise in fees for new licenses on an industry that is already struggling with price rises on everything. It seem to you are giving with one hand and taking away with the other.

Please consider my points

Thank you

8

Well this seems strange after receiving your letter it seems the council are not listening to any of us here in Weymouth.

Point 1

The hackney association of Weymouth sent you are proposal for the fare increase that apparently you agreed in principle then decided to change it why !!

Point 2

How can you justify an increase in license fee for are cars by such an amount when we now have to pay for a mot at your registered garage's who will no doubt charge a premium just because it's a taxi.

Point 3

Meter test for a mot what is the point in having a certified meter fitted by a qualified technicians then a certificate issued only to be over ridden by a mot mechanic who isn't even qualified to even fit it let alone know how to use it.

I would like my objections to be noted on these points as no consideration has been made in how this policy has made without proper conciliation with anyone from the hackney association just bulldozed through without proper thought

As you are aware there is a rapidly increasing hike in fuel costs, therefore I object to the tariff proposed by Dorset Council. The tariff emailed to us means until the following tariff change after this one, we would be taking an extra 80p on fares 1 mile or over. I would be more happy to see a 20p per subsequent mile increase proposed on our current Purbeck Zone tariff of £3.60 Initial, £2.80 subsequent. Based on this we would earn an extra £2 for a trip to Swanage, rather than 80p. If the initial mile is to raise by 80p, it isn't worth us paying a minimum of £15 per meter to have it updated.

Also I find it highly unfair, baring in mind I have never agreed with the de-zoning that Weymouth & Portland should be charging a much reduced tariff to it's customers. This will actually cause us to continue losing custom from passengers in our zone to travel to Weymouth & Portland areas. Based on a trip from Durdle Door to Weymouth this would mean on meter rate we would charge approximately £43, yet on their tariff would be approximately £33. It appears to me there is a lot of favouritism with the Weymouth & Portland zone over other zone areas keeping their zone and own tariff to their selves, where as the rest of us have been forced against our decision to be de-zoned and share a tariff.

Under the new taxi policy for 2022, it clearly stated:

2.25. Dorset Council must balance the ability of drivers to earn a living with ensuring fair access to this

important mode of transport for all. Because there will be no zones, apart from the Weymouth and Portland Zone, there will be one maximum tariff set for all hackney carriages across the whole of the Council area. It is recognised that different areas may suit different tariffs and there is a need to allow an open market so there will only be a maximum limit set over which it will be an offence to charge. Vehicle proprietors are free to set their meters to a level that is equal or less than each element of the maximum allowed.

I emphasise to this part of the statement "Because there will be no zones, apart from the Weymouth and Portland Zone, there will be one maximum tariff set for all hackney carriages across the whole of the Council area."

This clearly states "there will be one maximum tariff", yet now Weymouth & Portland are going to get their own tariff?

Regards

Excel Taxis Network

Excel Taxis Wareham Xways Cars Durdle Door Cabs Corfe Castle Taxis Silver Cars

10

I have a query on the proposed new tariff. There appears to be no extra charge for passengers over 1 as has been on previous tariff cards.

5.6.7.8 car loads can charge rate 2 but a 4 seater 4 passengers cannot charge any extra.

Can the 30p / passenger be added back in ?

Thank you

11

I have seen the proposed changes to the Purbeck Taxi Tarriffs and feel that only changing the rolling rate for the first mile is totally inappropriate as the vast majority of our fares in Swanage (some 80%) are minimum fare which is £3.00 on tariff 1 which means we get little bene fit from rolling rate increases.

I would suggest a minimum pull away fare of £3.40 as we have waited for a fare increase for over five years so we have taken a fare cut every year in real terms.

All the drivers I have discussed this with agree, particularly as our industry and incomes have suffered greatly during COVID with the addition of massive fuel price increases. If drivers from other areas feel that they don't require an increase, they can be free to charge their original fares.

I hope that you can seriously consider this.

First of all, I'd like to say that an increase to the tariff charges is very welcome and long overdue after 10 years. Costs have increased exponentially in those 10 years and the industry has started to become unattractive to new & existing drivers. We must work in the only industry where costs have the potential to be unlimited but our income is limited & capped.

I have 3 objections to the proposed plans:

Tariff 2 - Moving the time from 22:30 to 23:00

- 22:30 at night is already too late to change Tariff 2, let alone even later. I believe 22:00 or even earlier to be much more acceptable and appropriate
- Increasing it to 23:00, when in rural North Dorset there is practically no work Monday - Thursday in those hours meaning this is a pay reduction on peak trade times – Friday & Saturday nights.
- Fridays and Saturday evenings are the most unsociable days & times to be working, so I don't agree that I should be out working at 22:45 at night and still on Tariff 1. The same money as working at midday!
- This will certainly result in a decrease of available drivers throughout the area – Lets take week days for example: Who would want work an evening to maybe only get 1 job at tariff 2, but they have to wait until almost midnight to get the higher rate, and then be up for school runs/work in the morning? Or Fridays & Saturdays: Peak times are between 10pm and 1am. This proposal means 33% of that peak time income will now be reduced to Tariff 1. Would you want to stay out until 1am on your Friday or Saturday night only to get 2 hours' worth of work at Tariff 2?
- Wiltshire Council have just lowered the start time of their Tariff 2 to 22:00

I assume Tariff 2 remains on Sunday's & Bank Holidays all day? As it doesn't mention Sundays or Bank Holidays on the tariff sheet

- Removal of Tariff 2 on Sunday's & Bank Holidays is completely unacceptable and will mean a severe lack of drivers available in the area. Hard enough to get a taxi on a Sunday at the moment, without drivers having their pay decreased further.

I don't believe the increase in Tariff 1 by £0.80 a mile comes close to covering the cost increases incurred over the last 10 years, let alone the proposed removal of tariff 2 on Sunday's, Bank Holidays and decreasing the start time to 11pm as laid out in the proposal letter. These proposals masquerade as a pay increase for drivers, but actually contribute to a pay reduction in drivers peak earning times. I realise prices need to be acceptable for the customer or they will find alternative means of transportation, but at the current Tariff 2 times (Friday/Saturday nights & Sundays), there is very high demand, zero or little other transportation options and a lack of taxi drivers already. We should not compound this further.

If Tariff 2 started at 22:00 or a maximum of 22:30, and remained on Sunday's and Bank Holidays, then I believe the proposals are acceptable.

Soiling charge increase

- The soiling charge is too low even at £80.
- Wiltshire Council have increased theirs to £100
- A full car cleaning on a soiled vehicle is around £40 during the day using a mobile valet. Soiling tends to happen late at night, so cleaning is difficult or impossible. Heavy soiling not only renders a car completely unusable, meaning all ongoing work that late at night is lost, it also damages a company's reputation from the cancellations. £80 doesn't come close to covering that and it is not a deterrent.

Stag Taxis

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