



Hackney Carriage and Private Hire Licensing Policy 2021-2026

Introduction

Bristol City Council is the Licensing Authority under the Town Police Clauses Act 1847, as amended, and Part II of the Local Government (Miscellaneous Provisions) Act 1976. It has the duty to carry out its licensing functions in respect of:

- Hackney Carriage Vehicle Licences
- Hackney Carriage Drivers Licences
- Private Hire Vehicle Licences
- Private Hire Drivers Licences
- Private Hire Operator Licences

This information is intended to provide guidance on the licensing requirements and it is not intended to be an exhaustive or definitive statement of the law and all drivers, operators and proprietors should familiarise themselves with the provisions of the relevant Acts, local byelaws and conditions.

Following consultation with trade, regulators and safety campaign groups, the government has issued statutory taxi and private hire vehicle (PHV) standards to licensing authorities, outlining how they should carry out their licensing function.

Whilst the focus of these standards is on protecting children and vulnerable adults, all passengers will benefit from the recommendations, which aim to better regulate the taxi and PHV sector, this policy has been updated to include these standards.

1. Policy overview and objectives

This policy is intended to provide how the Council will deal with the licensing of hackney carriage and private hire drivers and private hire vehicle operators. The Council, will determine each application on its merits, but will place public safety above all other considerations.

This Policy aims to:

- Set out the Council's approach to regulation, enforcement and sanction of drivers, vehicles and operators;
- Define and offer guidance on the legislation in relation to the provision of hackney carriage and private hire vehicles services by drivers; and
- Set out the licensing conditions applicable to drivers, vehicles and operators.

The Council will aim to formally review this Policy at least every 5 years. However the Policy and its appendices may also be changed in the interim period to accommodate changes in law, corrections of errors and other triggers to policy change. The Council reserves the right to alter this Policy to ensure compliance with the law as a minor policy change without further consultation.

In exercising its discretion in carrying out its regulatory functions, the Council will have regard to this Policy document and the aims set out above.

The Council will also take into account the Department for Transport (DfT) or other recognised bodies Best Practice Guidance, relevant legislation and the Councils enforcement policy.

2. Departure from Policy

In exercising its discretion in carrying out its functions, the Licensing Authority will have regard to this Policy and the objectives set out herein.

Where the individual circumstances of a case justify a departure from this policy, clear reasons for doing so will be given.

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Hackney Carriage Vehicle Policy

Hackney Carriage Vehicle Specification

Vehicles will not generally be accepted for hackney carriage licensing unless they comply with the following specification;

1. Any vehicle presented for licensing on the first occasion, that is not replacing an existing licensed Hackney Carriage, must be an Ultra-Low Emission Vehicle (ULEV) as well as meeting the specification set out in the remainder of this policy. Vehicles presented for licensing on the first occasion, which are replacing an existing licensed Hackney Carriage (that is not a ULEV), do not have to be a ULEV. Replacements for existing licensed Hackney Carriages that are a ULEV must also be a ULEV.

Note: A ULEV is a vehicle with tailpipe CO2 emissions of 75 g/km or less

Age Limit Policy

2. Vehicles presented for licensing on the first occasion shall be EURO 6 or higher standard and less than three and a half years old from the date of registration or, in respect of vehicles that have been imported other than as new into the United Kingdom, less than three and a half years old from the date of manufacture (In the remainder of this policy reference to date of first registration with regard to vehicles which are imported should be construed as date of manufacture).
3. Any licence granted shall be renewed annually until the vehicle has reached eight years provided that the vehicle remains continuously licensed in that period a vehicle will be deemed to have been continuously licensing notwithstanding a delay in renewal following expiry provided that;
 - a. Any late renewal is made within 3 months of expiry and,
 - b. An additional fee levied by the Council has been paid.
4. Any vehicle first registered on or before 31st August 2015 can be relicensed until 10 years from date of first registration.
5. Any vehicle first registered on or after 1st September 2015 can be licensed until 12 years from the date of first registration.

6. Any Electric LEVC (London Electric Vehicle Company) produced purpose built Hackney Carriage vehicle can be licensed until 15 years from the date of first registration.

Wheelchair Accessibility

7. On the grant of any new vehicle licence the vehicle shall be capable of conveying a passenger using a wheelchair and benefit from ECWVTA (European Community Whole Vehicle Type Approval) (i.e. constructed as a purpose built taxi). The applicant must produce the appropriate documentation to evidence ECWVTA at time of application.
8. The vehicle should be both accessible and comfortable. In considering whether the vehicle for which a licence is sought meets this requirement the Council will have regard to the design and quality standards recommended by the Bristol Physical Access Chain and as varied by the Licensing Manager in consultation with the committee chair from time to time.
 - a. In considering whether the vehicle meets this expectation the Council will have regard to the design and quality standards attached as Appendix A.

Vehicle testing

9. All vehicles on initial application should be of such standard and condition so as to have passed the vehicle safety cosmetic test including an MOT as specified by the Council. Vehicles shall be maintained to such standard and condition whilst the vehicle remains licensed.
10. On subsequent applications vehicles should be inspected every twelve months at a place specified by the Council. This inspection will include the vehicle safety cosmetic test including the MOT as set by the Council.
11. Vehicles over the age of 8 years from the date of first registration will undergo the check every 6 months, and be issued with a 6 month licence.
12. All Vehicles should have a minimum of 4 doors and be right hand drive and be so constructed and the doors open sufficiently wide as to allow easy access and egress from the vehicle and cause no inconvenience to passengers.
13. Vehicles should be suitable for carrying passengers in safety and comfort including the provision of adequate seating space, head and knee room.

Livery

14. Vehicles to display a uniform all over livery of Bristol Blue, defined by a paint code (in this condition "Bristol Blue" means the colour identified by the British

Standard code BS 381C (108) (or any European Standard code which may supersede or replace it) except on the areas where advertisements can be displayed.

Advertising

15. Advertising that complies with the Council's Hackney Carriage Advertising Policy may be displayed. Advertising on the exterior of the cab may cover all or part of the complete exterior body shell and the full width and height of the rear window, except for:
- a. the front windscreen, side windows and any other glass areas;
 - b. the tyres and/or the rims and bumpers;

Save for any area where advertising is displayed all Exterior bodywork shall be uniformly coloured Bristol Blue.

Write off

16. Any vehicle written off may be replaced with another vehicle provided it is not older than the written off vehicle. The replacement vehicle may be of the same fuel type as the written off vehicle, or if it is not must comply with the policy in this respect. Applications for replacement vehicles shall be submitted within 3 months from the date the write off was confirmed by the insurance company

Seating

17. Any alteration to the seating configuration or capacity of a vehicle is not permitted.

Temporary Vehicles

18. Any Hackney carriage being licensed as a temporary replacement vehicle whilst repairs are being undertaken should comply with all aspects of the current hackney carriage specification with the exception of the requirement of being a ULEV (unless it is replacing an existing Hackney carriage that is a ULEV)

Electronic Payments

19. All Hackney carriages must have an electronic payment facility to accept debit/credit card and contactless payments.
20. The electronic payment device must be kept in the vehicle, be fully operational and available for immediate use at all times the vehicle is being used for public hire, or hire and reward (including whilst standing or plying for hire).

21. All Hackney carriages must display signage that is prominently on view to prospective passengers that states contactless card payments are accepted.
22. No additional costs as a result of card payments may be passed onto the passenger.

Fit and Proper

23. In respect of new applications a basic disclosure check for each individual/company director/company secretary (as applicable) must be provided. The disclosure must be dated no earlier than 2 months prior to the date of the Council receiving the complete application. Vehicle proprietors that also hold a current private hire or hackney carriage driver's licence do not need to provide a basic disclosure unless they cease to hold a drivers licence.

24. All individuals/company directors/company secretary (as applicable) must supply a new basic disclosure to the Council annually, unless they are existing drivers as above. The disclosure must be dated no earlier than 2 months prior to the date of the Council receiving the complete application.

25. All applicants including individuals, company directors, company secretaries shall generally be expected to provide a certificate of good character (or similar) from each country if they have lived outside of the UK for a continuous period of three months (or more) within the last five years of the date of their licence application, save in exceptional circumstances. Where this Certificate has been produced in a non-English language, the applicant will generally be required to produce a translation of the Certificate from the Embassy or Consulate of that country and provide the original document, save in exceptional circumstances. An exception might be permitted where a refugee has been allowed to stay in the UK and has been given asylum, and this exception will only apply to that country. The cost of certificates of good character (or similar) are to be met by the applicant in full.

Language proficiency

26. The Council will have the right to require applicants and licence holders to complete a test of their language proficiency which will cover both oral and written English language skills and be specified by the Council. Such a test will be completed the licensees expense.

Appendix A – Hackney carriage Cab Accessible Design Standards Approved by Bristol Physical Access Chain (BPAC)

Hackney Cab Accessible Design Regulations		
		Requirement – minimum unless otherwise stated
1	Clear opening width of nearside or rear passenger door	Unobstructed width 850mm with 900mm preferred
2	Internal door height	1300mm
3	Internal roof to floor height	Floor – door lintel 1320mm
4	External Floor (at interval level) to ground height	540mm (maximum)
5	Grab handles: Position and number e.g. Door and post, height from floor	Above door lock at 830mm- 910mm above floor level. Second handle must be on the door opposite the other grab handle e.g. attached to the bulkhead
6	Grab handles contrasted in colour	Should be yellow or primary contrast colour
7	Side and/or rear loading for wheelchair passengers	Can be either or both but must comply with Design Regulations
8	Wheel chair passenger facing front or rear	Should always face to the rear of cab unless using rear loading system
9	Wheelchair restraints fitted	Must have tested restraint system fitted
10	Wheelchair passenger seat belt fitted and type	3 point i.e. includes lap and diagonal restraint belt
11	Seat height from floor	380mm
12	Space for wheelchair measures – L x W	1200mm x 800mm
13	Non slip floor surface	Rubberised or non-slip vinyl
14	Sufficient additional luggage space	Any removal of seating must still allow for luggage storage
15	Taxi meter visible from rear passenger seat	Display must be clearly visible facing forward

Private Hire Vehicle Specification

Vehicles will not generally be accepted for private hire licensing unless they comply with the following specification;

1. Vehicles presented for licensing on the first occasion shall be petrol, petrol hybrid or an Ultra-Low Emission Vehicle (ULEV, excluding diesel ULEV vehicles) and less than three and a half years old from the date of registration or, in respect of vehicles that have been imported other than as new into the United Kingdom, less than three and a half years old from the date of manufacture (In the remainder of this policy reference to date of first registration with regard to vehicles which are imported should be construed as date of manufacture).
 - b. Exceptions to the requirement that vehicles will be petrol may be granted by the Licensing Manager in respect of executive vehicles.

Note: A ULEV is a vehicle with tailpipe CO2 emissions of 75 g/km or less

2. Any licence granted shall be renewed annually until the vehicle has reached eight years provided that the vehicle remains continuously licensed in that period. A vehicle will be deemed to have been continuously licensing notwithstanding a delay in renewal following expiry provided that;
 - a. Any late renewal is made within 3 months of expiry and,
 - b. An additional fee levied by the Council has been paid.
3. Any vehicle first registered on or before 31st August 2015 can be relicensed until 10 years from date of first registration.
4. Any vehicle first registered on or after 1st September 2015 can be licensed until 12 years from the date of first registration.
5. All vehicles should have a minimum of 4 doors, be right hand drive and must be so constructed so that the doors open sufficiently wide as to allow easy access and egress from the vehicle. No discomfort or inconvenience should be caused to passengers. In order to ensure this the vehicle should comply with the following dimensions:
 - a. From the top of the seat cushions to the roof at the lowest point directly above the seat cushions should be a minimum of 865mm.
 - b. The measurement between the rear of the front seats and the backrest of the rear seat should be a minimum of 750mm.
 - c. The measurement between the backrest of the front passenger seat and the dashboard fascia should be a minimum of 750mm when measured horizontally forward with the seat cushion.

- d. The depth of the seat from the backrest to the front edge must be a minimum of 405mm.
- e. All passenger seats within the vehicle shall have a minimum of 405mm) width per passenger.
- f. In the case of vehicles licensed for 5 to 8 passengers, the measurement between the rear of a front passenger seat and the backrest of the rear seat should be a minimum of 650mm.

Vehicle testing

- 6. All vehicles on initial application should be of such standard and condition so as to have passed the vehicle safety cosmetic test including an MOT as specified by the Council. Vehicles shall be maintained to such standard and condition whilst the vehicle remains licensed.
- 7. On subsequent applications vehicles should be inspected every twelve months at a place specified by the Council. This inspection will include the vehicle safety cosmetic tests including the MOT as set by the Council.
 - a. Vehicles over the age of 8 years from the date of first registration will undergo the check every 6 months, and be issued with a 6 month licence.

Wheelchair Accessibility

- 8. Any vehicle presented for licensing for the first occasion as a private hire vehicle with wheelchair accessibility shall only be licensed if the vehicle benefits from European Community Whole Vehicle Type Approval (ECWVTA). The applicant must produce the appropriate documentation to evidence ECWVTA at time of application.

Vehicle Livery

- 9. No new applications for a private hire vehicle licence should be granted in respect of any vehicle carrying a livery on the blue spectrum.

Write offs

- 10. Any vehicle written off may be replaced with another vehicle provided it is not older than the written off vehicle. The replacement vehicle may be of the same fuel type as the written off vehicle, or if it is not must comply with the policy in this respect. Applications for replacement vehicles shall be submitted within 3 months from the date the write off was confirmed by the insurance company.

Alterations

12. Any alteration to the seating configuration or capacity of a vehicle is not permitted.

Tints

13. Tinted glass windows are permissible provided:
- a. The light transmitted through the windscreen must be at least 75%.
 - b. The front side windows must allow at least 70% of light to be transmitted through them.
 - c. Rear side windows must allow at least 65% of light to be transmitted through them.
 - d. The vehicles rear window is exempt from the light transmission test.
14. Tinted films or glass applied retrospectively to the vehicle windows are not permitted.

Fit and Proper

15. In respect of new applications a basic disclosure check for each individual/company director/company secretary (as applicable) must be provided. The disclosure must be dated no earlier than 2 months prior to the date of the Council receiving the complete application. Vehicle proprietors that also hold a current private hire or hackney carriage driver's licence do not need to provide a basic disclosure unless they cease to hold a drivers licence.
16. All individuals/company directors/company secretary (as applicable) must supply a new basic disclosure to the Council annually, unless they are existing drivers as above. The disclosure must be dated no earlier than 2 months prior to the date of the Council receiving the complete application.
17. All applicants including individuals, company directors, company secretaries shall generally be expected to provide a certificate of good character (or similar) from each country if they have lived outside of the UK for a continuous period of three months (or more) within the last five years of the date of their licence application, save in exceptional circumstances. Where this Certificate has been produced in a non-English language, the applicant will generally be required to produce a translation of the Certificate from the Embassy or Consulate of that country and provide the original document, save in exceptional circumstances. An exception might be permitted where a refugee has been allowed to stay in the UK and has been given asylum, and this exception will only apply to that country. The cost of certificates of good character (or similar) are to be met by the applicant in full.

Language proficiency

- 18.** The Council will have the right to require applicants and licence holders to complete a mandatory test of their language proficiency which will cover both oral and written English language skills and be specified by the Council. Such a test will be completed the licensees expense.

Policy for Advertising on Hackney Carriage Vehicles

Purpose

1. All advertisements appearing on Bristol City Council licensed Hackney Carriages must be in accordance with this policy.

Where advertisements may be displayed

2. Any advertising must be displayed in accordance with the Council's Hackney Carriage Vehicle Policy.

Required content standards of advertising

3. Advertisements shall not be displayed where any of the following apply:
- The advertisement does not comply with the law or incites someone to break the law.
 - The advertisement promotes or endorses goods or services which may be contrary to Council policies or strategies.
 - The advertisement is inconsistent with the obligations of Bristol City Council's Hackney Carriage Vehicle Policy.
 - The advertisement is likely to cause widespread or serious offence to members of the public.
 - No advertisement will be permitted that directly or indirectly promotes or indirectly promotes discrimination against persons with protected characteristics as defined in the Equalities Act 2010.
 - The advertisement relates to or advertises alcohol, nudity, gambling, smoking materials (including E cigarettes) or is of a political nature.
 - The advertisement depicts or refers to indecency or obscenity or uses obscene or distasteful language.
 - The advertisement relates to lap-dancing, 'gentlemen's clubs', escort agencies or massage parlours.
 - The advertisement depicts direct or immediate violence to anyone shown in the advertisement.
 - The advertisement condones or provokes anti-social behaviour.
 - The advertisement could reasonably be seen as likely to cause pressure to conform to an unrealistic or unhealthy body shape, or as likely to create body confidence issues, particularly among young people.
 - The advertisement contains negative references to Bristol City Council services.
 - Advertisements that become obsolete e.g. an event that has already passed or become old/worn out presenting a negative image such as peeling edges must be removed as soon as possible.
 - Advertisements that promote or encourage positive aspects of Bristol will be encouraged. This includes:
 - Public Health messaging
 - Tourism & Events
 - Industry & Commerce

- Cultural awareness, diversity, inclusivity and positive relations.
 - The advertisement is inconsistent with the UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing (CAP) Code or any code which may replace it.
 - The advertisement contravenes the Road Vehicles (Construction and Use) Regulations 1986 as amended or any similar legislation.
4. The licensee remains responsible for the content of any advertisement displayed on his/her vehicle. It remains the licensee's responsibility to comply with the current law and British Code of Advertising Practice referred to above, irrespective of any consent to display the advertisement which may have been given by the Licensing Authority.
5. It is the licence holder's responsibility to ensure that none of the advertising material obscures the driver's vision, the vehicle's licence plates, or constitutes a danger to passengers or the public or other road users where they are displayed on the vehicle.
6. Materials used for advertisements must be of a quality not easily defaced or damaged. Advertisements must be affixed directly to the body of the vehicle or initially attached to a magnetic panel which is then attached to the vehicle.
7. The holder of a vehicle licence shall not remove or obscure any warning signs, safety messages or any other information or signage displayed on a licensed vehicle that is present when it is supplied by the manufacturer and that is aimed at assisting passengers to identify the type or features of the vehicle.
8. The Council shall have no responsibility to the organisation represented or the vehicle owner, operator, proprietor, driver or any other person should any situation occur whereby the display of the advertisement has a detrimental effect on that person, or a that person's good name or reputation.
9. The Council reserves the right to suspend the licence of any vehicle displaying signs that breach the above policy.
10. If you have any queries regarding this policy, please contact the Licensing Team.

Hackney Carriage and Private Hire Vehicles Inspection Standards

A best practice guide which sets out the procedures and standards for those who carry out inspections, proprietors and the travelling public.

Introduction

This document is intended to provide comprehensive information regarding the licensing of hackney carriages and private hire vehicles. The information includes issues relating to Bristol City Council policy, vehicle specification and testing standards. It is primarily intended to set out the procedures and standards for those who carry out inspections of hackney carriage and private hire vehicles, vehicle proprietors, regulators and the travelling public who may find it useful as it details the standards that vehicles are subjected to.

Purpose

The aim of a local licensing authority is to protect the public. Bristol City Council believes that the public should have reasonable access to safe and well maintained HC and PHVs and promoting the taxi trade as a professional public service provider forming a vital part of the City's transport infrastructure.

This standard is intended to be a working document and may therefore be subject to regular review and amendment. Although detailed in its content it is not exhaustive.

Equalities Statement

Bristol is a city of increasing diversity, which brings positive benefits to us all. It is crucial that the council reflects this diversity but also ensures that all our citizens have equal access to and equal outcomes from the services that are provided by the council. All staff must promote equal opportunities as part of their everyday work and work in a positive way to include people from different backgrounds, to that end all customers will be treated courteously and with respect. All types of harassment, victimisation and bullying in the workplace and in the community are unacceptable and as such members of staff are as entitled as customers to be protected. Abuse or harassment of staff whether verbally or physically will not be tolerated. Applicants for taxi licences should be aware that they have to be considered 'fit and proper persons' to hold such licences. Incidents of abuse or harassment towards any member of staff may jeopardise the licence, whilst complaints against staff will be thoroughly investigated.

Specification of Vehicle Types That May Be Licensed

The legislation gives local authorities a wide range of discretion over the types of vehicle that can be licensed as HC or PHVs. Normally, best practice is for local

licensing authorities to adopt the principle of specifying as many different types of vehicles as possible. Bristol City Council does not specify particular types of vehicles but allows for flexibility within certain constraints. The parameters for determining whether a vehicle is suitable to be operated as a HC or PHV are set out below. The intention being to keep it open where possible for the HC and PHV trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way, there can be flexibility for new vehicle types to be readily taken into account.

Accessibility

Hackney carriages licensed by Bristol City Council must be wheelchair accessible. Private Hire vehicles do not have to meet this requirement but may be wheelchair accessible.

Fitness standard for vehicles

The Bristol City Council vehicle fitness standard is based on the National Inspection Standard and has been the subject of full consultation with trade representatives. The purpose being to assist those who inspect, maintain and prepare vehicles for inspection prior to being issued with a Hackney Carriage or Private Hire licence. It is intended that this document will ensure a consistent minimum vehicle inspection standard.

To this end, this document details specific vehicle safety issues and requirements of licensed vehicles. It seeks to embrace safety aspects of vehicle inspections using, as a basic inspection standard, those laid down in the MOT Inspection Manual for Car & Light Commercial Vehicle Testing issued by DVSA (Driver and Vehicle Standards Agency). This guide provides additional testing requirements to those in the MOT Inspection Manual and all HC and PHV must be maintained to no less than the standards set out in the DVSA publication "MOT inspection manual: cars and passenger vehicles. However, in assessing the mechanical safety of a vehicle, it is more likely an item which would ordinarily pass an MOT test with an advisory note, could fail the HC & PHV test. The guide also explains the reasons why a vehicle presented for inspection, may not be considered suitable to be licensed.

As the term implies, Hackney Carriage and Private Hire Vehicles are vehicles used for hire and reward purposes and as such are subject to much higher annual mileages and more arduous driving than normal private vehicles. Therefore, in the interests of passenger and other road user's safety, a more stringent maintenance and testing regime is required.

It is an offence under the road traffic regulations to use an un-roadworthy vehicle on the public highway. HC & PHV proprietors who fail to maintain their vehicles in a safe and roadworthy condition may have their licence suspended, curtailed or revoked by the Local Licensing Authority.

Certificate of conformity

Once a vehicle has been tested and has been deemed to comply with the standards as set out in this document it will be issued with a certificate of conformity by the

testing station. On production of that certificate at the licensing office the vehicle can be licensed as a hackney carriage or private hire (subject to other factors such as relevant insurance, proof of ownership etc.).

Incidental to the certificate of conformity the testing station will issue an MOT certificate at no additional cost. The reason for issuing an MOT certificate is that the base requirements of the standard are in fact those required for an MOT. There is no additional cost incurred when being presented with an MOT certificate but it is a recognition that the vehicle has passed those requirements as well as the standards set out for licensed vehicles.

Presenting vehicle for testing

The vehicle must be presented for test in such a condition that if the vehicle passed its test it could be used immediately (as soon as the licence is issued) as either a hackney carriage or private hire vehicle. Vehicles presented for test should conform to the following:

- a) Exterior must be clean
- b) Interior surfaces and upholstery must be clean
- c) All windows and mirrors must be clean and free from marks, grease, etc.
- d) All loose seat covers must be removed to allow for inspection of seat cushions. (Professionally fitted/tailored seat covers will not be required to be removed).
- e) Hub caps must be removed from the wheels prior to inspection but should be available in the vehicle.
- f) No smoking signs must be correctly fixed to side windows.
- g) Hackney carriages and private hire vehicles with fitted meters, which are being inspected for the purpose of renewal of licence, must display tariff sheets within the vehicles in such a position that they can be clearly seen and read by passengers. Please note it is a requirement of the licence that private hire vehicles fitted with taximeters shall display tariffs.
- h) Meters where fitted must be located in such a position that they can be easily seen by passengers in the rear of the vehicle and must not be located behind any fixture, fitting or equipment such as gear sticks, steering wheels, mobile phone holders etc. The position of the meter, if in the wiper sweep area shall be clear of zone A.
- i) Meters where fitted must be secure, wired in such a manner that the wires are not subject to chaffing, rubbing, breakage etc. and must be so secured that the wires cannot be tampered with.
- j) Top signs where fitted must be secure, wired in such a manner that the wires are not subject to chaffing, rubbing, breakage etc. and must be so secured that the wires cannot be tampered with.
- k) The engine bay should be clean.
- l) Where the test is in respect of a renewal of a licence the plates (including front, rear and side) must be firmly fixed and displayed on the vehicle. If the expiry date of the licence has past, the plates must be carried within the vehicle (but not in such a position as to be visible to the public – preferably in the boot) and surrendered to the garage prior to the test commencing.
- m) In respect of hackney carriages all roof signs must be linked/wired to the meter in such a manner that when the meter is engaged the roof sign is not illuminated.

The inspection standards are set out at Appendix A. Please note that licensed vehicles may only tow trailers (associated with fee paying journeys such as transporting passengers and luggage to airports, etc.) that have been checked and tested. A model pass certificate for a trailer is attached at Appendix B below.

Inspection Process

This document clearly sets out the mechanism that will be followed by the inspectors designated by Bristol City Council when a vehicle is presented for testing. The flow chart attached at Appendix C clearly sets out the mechanism that will be followed by the designated garage when you present your vehicle for testing.

The purpose of this procedure is to ensure consistency of approach and that customers are fully aware of their rights and obligations in respect of vehicles being tested. The procedure will be regularly reviewed and updated as necessary.

1. All appointments for testing of taxi vehicles must be booked directly with Fleet Services. All applicants are advised to make appointments well in advance to avoid disappointment or inconvenience.
2. Applicants must be clear when making an appointment as to whether or not they require a full test or a retest. A retest is required where on initial testing the vehicle has failed to pass the test. Failure certificates will be marked with a **1**, **2**, or **3**.
 - a) **1** indicates a 1 (one) hour appointment will be required for any subsequent retest
 - b) **2** indicates a ½ (half) hour appointment will be required for any subsequent retest
 - c) **3** indicates that re-test is free of charge.
3. If the vehicle is being presented for a retest every effort will be made to ensure that retest is conducted by the same tester as conducted the initial test. However it will be appreciated that this cannot be guaranteed due to a range of factors such as service demands, absence, etc.
4. On day of appointment the person presenting vehicle for test must attend at fleet services reception at least 10 minutes prior to the allotted appointment time (the vehicle should also be available at this time).
5. Reception – customer pays for the test and will be issued with a receipt which will show if the test is for a full test, retest or if it is free of charge (FOC). The receipt will be handed to customer who must take it to the testing bay and shown to the tester as proof of booking. Failure to produce receipt to the tester will result in test NOT taking place.
6. Tester to conduct test and provide customer with a pass/fail certificate. If the vehicle has failed the test, a further appointment will be required for a retest.
7. Where there may be some question mark / dispute regarding a failure the matter will be assessed for final determination by a quality assessor based at

the testing station. Customers may also seek resolution of disputes regarding only the MOT (Ministry of Transport) elements of the test with DVSA.

8. In very exceptional circumstances where a vehicle has failed the test, the Licensing Office may still grant a licence. It must be stressed that these are very exceptional circumstances only and would be for example; where the vehicle is subject to an unresolved insurance claim and full documentary evidence is provided to substantiate why minor repair works that do not impact on customer safety or comfort have not been carried out. This will NOT apply where there has been any damage that affected the mechanical safety of the vehicle; it will ONLY apply to cosmetic issues.

APPENDIX A**The Inspection of Hackney Carriage & Private Hire Vehicles**

This document sets out the procedures and standards for those who carry out inspections of Hackney Carriage & Private Hire Vehicles. Proprietors, operators and drivers of Hackney Carriage & Private Hire Vehicles may find it useful as it details the standards that vehicles are subject to which are over and above the MOT requirements. The guide also explains the reasons why, a vehicle presented for inspection, has not been issued with a pass certificate.

The purpose of the HC & PHV test is to confirm vehicles meet these more stringent standards. Vehicles must be submitted fully prepared for the test. It is not intended that the test be used in lieu of a regular preventative maintenance programme.

If in the opinion of the vehicle examiner the vehicle is not in a safe condition or is potentially contaminated (for example if it has been used to transport asbestos), the test may be terminated and a further test could be required when the vehicle is in a suitable condition.

Note: Where a licensed vehicle is presented for inspection the driver must produce their valid Bristol City Council private hire or Hackney carriage driver licence at the time of the appointment. Failure to produce a valid licence will result in the inspection being cancelled. The inspection fee will be forfeit.

<u>Section</u>	<u>Subject</u>	<u>Page Number</u>
1	Lighting and Signalling Equipment: 1.3 Stop Lamps – High Level Stop Lamps 1.8 Electrical Wiring and Equipment 1.9 Additional Lamps	
2	Steering: 2.1 Steering Control – Steering Wheel 2.1 Steering Control – Steering Column 2.4 Suspension Spring Units & Linkage	
3	Tyres & Road wheels: 3.1 Tyres – Condition	
4	Body & Structure: 4.1 Vehicle Body and Condition – (Exterior) 4.1 Vehicle Body, Security and Condition – (Interior) 4.2 Doors and Seats 4.5 Bumper Bars	
5	Fuel & Emissions: 5.1 Exhaust System 5.2 Fuel System – Pipes & Tanks	

6	Drivers View of the Road: 6.1 Mirrors 6.3 Windscreen – View top the Front 6.5 Window Glass or Other Transparent Material	
7	Additional Requirements: 7.1 Speedometer 7.2 Transmission 7.3 Engine & Transmission Mountings 7.4 Oil & Water Leaks 7.5 Luggage/Load Space 7.6 Trailers & Towbars 7.7 Warning lights 7.8 Vehicle Registration Marks	
8	Ancillary Equipment: 8.1 Wheelchair Restraint & Access Equipment 8.2 Meters 8.3 Electronic Payment Facility	

All HC and PHV must be maintained to no less than the standards set out in the DVSA publication “MOT inspection manual: cars and passenger vehicles.”

Section 1 – Lighting and Signalling Equipment

Section Contents:

Sub-section Subject

- 1.3 Stop Lamps – High Level Stop Lamps
1.8 Electrical Wiring and Equipment
1.9 Additional Lamps
- Reversing Lamps
 - Front Fog/ Driving Lamps
 - For Hire and Roof Signs

1.3 Stop Lamps – High Level Stop Lamps

Method Of Inspection	Reason For Rejection
Any additional stop lamps fitted must be tested. Check the high level stop lamp where fitted: a. Is not obscured, and is not obviously incorrectly positioned.	High Level Stop Lamp

b. At least 50% of the lamp must be visible from the rear.	a. Obscured or obviously incorrectly positioned. b. More than 50% of the lamp not working or obscured.
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1.8 Electrical Wiring and Equipment

Method Of Inspection	Reason For Rejection
This examination is limited to that part of the electrical system that can be readily seen without dismantling any part of the vehicle a. Check all electrical wiring for: • Condition • Security • Position • Signs of Overheating • Heavy Oil Contamination b. Battery and Carrier for: • Security • Battery for Leaks c. Check all switches controlling all obligatory lights	a. Wiring • Not adequately insulated • Not adequately secured • Position so that it is chafing or clipped to a fuel line or likely to be damaged by heat so that insulation will become ineffective • With clear evidence of overheating • Heavily contaminated with oil b. Battery and Carrier • A battery and / or carrier not secure and likely to become displaced • Battery leaking c. Insecurity or malfunction of a switch controlling an obligatory light.

1.9 Additional Lamps

Method Of Inspection	Reason For Rejection
With the ignition switched on check: <u>Reversing Lamps:</u> a. The Reversing Lamps emit a diffused white light when reverse gear is selected. b. The lamps extinguish when neutral gear is selected c. The lamps are in good working order and are secure	<u>Reversing Lamp:</u> a. That fails to operate or does not emit a white diffused light. b. Fails to extinguish when neutral or forward gear is selected c. Are not in good working order or insecure

d. The lamps do not flicker when lightly tapped by hand <u>Front Fog / Driving Lamps</u> Check that: e. A single front fog lamp emitting a white or yellow diffused light illuminates only when dipped beam is selected f. A pair of matched of lamps both emitting a white or yellow diffused light should illuminate together g. A pair of matched, long-range driving lamps, both emitting a white diffused light should illuminate together. <u>'For Hire' and Roof Signs</u> h. Ensure the sign is securely fastened to the vehicle i. Check condition and security of wiring j. Functional test of signs for illumination k. Hackney Carriages top light to be linked / wired to/through meter.	d. Lamps flicker when tapped lightly by hand <u>Front Fog / Driving Lamps</u> e. Lamp inoperative or operates other than in dipped beam mode f. Lamps operate incorrectly g. Lamps operate incorrectly <u>'For Hire' and Roof Signs</u> h. Insecure sign i. Wiring is not in good condition and is loose or chaffed j. Illumination not consistent across the sign, i.e. all light bulb(s) LED(s) illuminated when switched on. k. Top light remains illuminated when meter is engaged.
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Section 2 – Steering

Section Contents:

Sub-section Subject

- | | |
|-----|--------------------------------------|
| 2.1 | Steering Control – Steering Wheel |
| 2.1 | Steering Control – Steering Column |
| 2.4 | Suspension Spring Units and Linkages |

2.1 Steering Control – Steering Wheel

Method Of Inspection With both hands rock the steering wheel from side to side at right angles to the steering column and apply slight downward and upward pressure to the steering wheel rim	Reason For Rejection
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(in line with column). Note:	
a. Fractures in steering wheel hub.	a. Steering wheel hub fractured
b. Fractures in steering wheel rim.	b. Steering wheel rim fractured.
c. Steering wheel spokes loose or fractured.	c. A steering wheel spoke loose or fractured.
d. Jagged edges on steering wheel rim.	d. Jagged edges on steering wheel rim likely to injure the driver
e. If possible, check the retaining device on the steering wheel is fitted.	e. A steering wheel hub-retaining device is not fitted.

2.1 Steering Control – Steering Column

Method Of Inspection	Reason For Rejection
a. Try to lift the steering in line with the steering column and not the movement at the centre of the steering wheel.	a. Excessive movement of centre of steering wheel in line with steering column (end float). Note: Certain types of steering column might show some movement not due to excessive wear, e.g. those fitted with universal joints or flexible couplings.
b. Push steering wheel away and then pull it towards you. Note any side play.	b. Excessive side play indicating worn top bearings or insecure top mounting bracket.
c. While steering wheel is rotated, check for deterioration in any flexible coupling or universal joint of steering column.	c. A flexible coupling or universal joint deteriorated, worn or insecure.
d. Where practical, check any clamp bolts for presence and security of locking devices. (These may be located in the engine compartment or under chassis).	d. A coupling clamp bolt or locking device loose or missing.

2.4 Suspension Spring Units and Linkages

Method Of Inspection	Reason For Rejection
<u>Coil Springs</u>	<u>Coil Springs</u>
a. Welding Repairs	a. Repaired By Welding

Section 3 – Tyres & Road wheels

Section Contents:

Sub-section Subject

3.1 Tyres – Condition

3.1 Tyres

Method Of Inspection	Reason For Rejection
<u>Wheels</u> All hub caps must be removed prior to inspection, to allow for inspection of wheel nuts. Advisory: Where hub caps are available / used they should be a matched set and be in good condition <u>Condition Of Tyres</u> On all the tyres, including the spare wheel (in all vehicles except those where the vehicle is fitted with an alternative such as tyre weld, or limited mileage emergency use only tyres), examine each tyre meets all the requirements laid down in the MOT Inspection Manual for Car & Light Commercial Vehicles (ISBN 0-9549239-0-1) Advisory: Tyres should be replaced where the tyre depth is below two millimetres. <u>Tools for changing wheels / tyres</u> It is a requirement of the licence for hackney carriages and private hire vehicles that they must have the tools for the changing of a spare wheel and tyre. Note 1 Where a doughnut tank is fitted in the boot for LPG, the spare wheel if still carried in the boot must be properly secured. Alternatively, a spare wheel cage installed to manufacturers and British Standards may be fitted to the underside of the vehicle.	Failure to remove hub caps (even on request) prior to inspection thereby preventing the checking of wheel nuts. Wheel nuts must be checked to ensure that all required are present and are properly secured. In accordance with MOT Inspection Manual for Car & Light Commercial Vehicles (ISBN 0-9549239-0-1) No tools in the vehicles to enable a spare wheel and tyre to be changed. Note 2 Space saver tyres should only be approved with the support of a method statement highlighting driver responsibilities with regard to the maximum permitted speed and that space savers are a temporary 'get-you-home-tyre'.

Section 4 – Body and Structure

Section Contents:

Sub-section	Subject
4.1	Vehicle Body and Condition – (Exterior)
4.1	Vehicle Body, Security and Condition – (Interior)
4.2	Doors and Seats
4.4	Bumper Bars

4.1 Vehicle Body and Condition – (Exterior)

Method Of Inspection	Reason For Rejection
<u>Body Condition (Exterior)</u> Examine the body thoroughly for security, corrosion, damage, poor repair/paint match or sharp edges that are likely to cause injury.	<u>Body Condition (Exterior)</u> a. An insecure or missing body panel, trim step or accessory. b. Any sharp edge whatsoever which may cause injury c. Heavy scuffing, abrasions or deformation to front and rear bumper. d. More than 8 stone chips visible on a bonnet/grill that has not penetrated to the metal or more than 4 stone chips that have penetrated to the metal. e. More than 8 stone chips on any panel including door edges, provided the base coat has not been penetrated. f. More than 4 stone chips on any panel where the base coat has been penetrated to the metal and has not been treated. g. A single dent of more than 80mm in diameter, or more than 3 dents of not more than 20mm in diameter in any one panel. h. More than 4 scratches and or abrasions of more than 50mm in length in any one panel provided that the base coat has not been penetrated. i. Dull, faded paintwork which has lost its gloss finish or paint miss match to a panel(s) to such an extent that it detracts from the overall appearance of the vehicle. j. Evidence of poor repairs and or paint finish to a repaired panel(s) including runs and overspray to adjoining panels/trim that detracts from the overall appearance of the vehicle. k. Obvious signs of rust/corrosion of any size particularly those that are covered by advertising signs, or where damaged areas have the appearance of being ‘filled’ so as to disguise the extent of any damage. l. Exterior so dirty as to obscure condition of paintwork

	m. Lack of clearly displayed or omission of 'No Smoking' signs a minimum of 70mm x 70mm in size.
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4.1 Vehicle Body, Security and Condition – (Interior)

Method Of Inspection	Reasons For Rejection
Body Condition (Interior) a. Examine thoroughly the interior for damaged, insecure or loose fixtures, fittings or accessories. b. Dirty, missing and worn trim, carpets, seat belts, mats, headlining, boot area and inclusion of prescribed items. Remove mats to inspect carpets underneath for cleanliness and wear. c. Examine interior lights, motion door locks and warning lights. d. Examine heating, demisting and air condition systems for correct operation, including passenger compartment controls where fitted (includes electric front and rear screen demisters) e. Examine all windows ensuring they allow lowering and rising easily. f. Examine interior door locks, grab handles/ rails and safety covers. g. Examine grills/partitions for security and condition. h. Examine electrical wiring for	a. Insecure and loose fixtures, fittings or accessories. b. Missing, dirty, soiled, stained, worn or insecure trim, carpets, headlining, surfaces and mats. c. An inoperative interior light (all lights must illuminate if they are part of the manufacturers standard equipment). Missing or defective motion switch/lock or warning lamp not illuminated. d. A system(s), which does not function correctly, or any part is missing including vents, controls and switches. e. An opening window that is inoperative or difficult to open and or close mechanism broken/missing. f. Missing, defective or loose door locks, child locks, protective covers, grab handles and rails. Grab handles/rails, which are rigid and aid the blind and partially sighted are worn to excess. g. A grill/ partition which is insecure or has sharp edge(s) which may cause injury to passengers or the driver. h. Frayed, chaffing wiring, non-shielded terminals and cables so routed that they cause a trip hazard, cables that can be easily disconnected. Intercom

condition and security, including meters (where fitted), intercom systems, etc. i. Examine the boot for access, contents, cleanliness and water ingress. Additional items to be inspected in limousines and novelty vehicles: j. A notice identifying the maximum seating capacity to be displayed in the passenger compartment and clearly visible to all passengers. It may be necessary to display more than one sign indicating the maximum seating capacity.	system defective, warning light inoperative and signs illegible/missing. i. unable to open, close and or lock boot lid, failure of boot lid support mechanism, defective seals/ evidence of water ingress, dirty boot and or carpets, loose items stored in boot (i.e. spare wheel tools and equipment etc.) j. No maximum seating capacity sign or signs displayed. A sign or signs not clearly visible to all passengers.
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4.2 Doors and Seats

Method Of Inspection <u>Doors And Emergency Exits</u> Examine the condition of all doors and emergency exits. Check door locks, striker plates handles and hinges for security, wear and missing and damaged trim/cover plates. Check markings describing the presence and method of opening emergency exit(s) are readily visible on or adjacent to the exit and are legible. Check that seats are secure, clean and not unduly worn. All loose seat covers must be removed prior to inspection (except that purpose fitted covers may be left in situ) <u>Accessibility: Wheelchair Vehicles</u>	Reason For Rejection <u>Doors And Emergency Exits</u> a. A door or emergency exit does not latch securely in the closed position. b. A door or emergency exit cannot be opened from both the inside and outside from the relevant control in each case. c. Missing, loose or worn handles, lock or striker plate. d. Markings describing the presence and method of opening an emergency exit missing, illegible or incorrect. e. Missing loose or damaged trim/cover plate. f. Seat cushion(s) stained, torn, holed, worn or insecure. A seat that does not provide adequate support at base or backrest. Torn, slashed or badly stained seats are not acceptable. <u>Accessibility: Wheelchair Vehicles</u>
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Door Configurations for wheelchair accessible vehicles: a. Single rear door – must open to a minimum of 90 degrees and be capable of locking in place. b. Twin rear doors – both must open to a minimum of 180 degrees and be capable of being locked in place. This is to enable an attendant (driver or guide) to assist the wheelchair passenger if required.	a. Door does not open to a full 90 degrees and cannot be secured in the open position. b. Twin doors do not open to a full 180 degrees and cannot be secured in the open position.
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4.4 Bumper Bars

Method Of Inspection	Reason For Rejection
Examine the bumper bars and check: a. They are secure to the vehicle. b. The mountings are secure to the vehicle. c. There is no evidence of damage.	a. A loose bumper bar or mounting. A weakened bumper bar and/or mounting is insecure because of poor repairs b. A fractured mounting bracket. Mounting bolts so worn or elongated that the bumper bar is likely to detach partially or completely from the vehicle when in use. A bumper bar secured by wire or other temporary means is regarded as insecure and must be rejected. c. Bumper bars which have jagged edges, cracks splits or projections, which may cause injury to persons near the vehicle. Paint miss match or fading which is significantly different to that of the rest of the paintwork.

Section 5 – Fuel &Emissions

Section Contents:

Sub-section	Subject
5.1	Exhaust System
5.2	Fuel System – Pipes & Tanks

5.1 Exhaust System

Method Of Inspection	Reason For Rejection
Where applicable, check for presence, security and adequacy of	A heat shield is missing, insecure or inadequate.

grease shields to hot exhausts.	
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5.2 Fuel System – Pipes & Tanks

Method Of Inspection	Reason For Rejection
a. Examine fuel tank(s) for security and leaks b. Check that fuel tank filler caps are: • Present • Of the correct type • Secure and seated properly to ensure correct function of sealing. c. Examine pipes to see they are securely clipped to prevent damage by chafing and cracking, and are not in a position where they will be fouled by moving parts. d. Check that no fuel pipe runs immediately adjacent to or in direct contact with electrical wiring or the exhaust system.	a. Fuel tank insecure or leaking. b. A filler cap missing or unsuitable or in such condition that it would not prevent fuel leaking or spilling. Note: Temporary/ emergency fuel caps are not permitted. c. Damaged, chafed, insecure pipes or pipes so positioned that there is a danger of them fouling moving parts. d. A fuel pipe immediately to or in direct contact with electrical wiring or exhaust system.

Section 6 – Drivers View of the Road

Section Contents:

Sub-section	Subject
6.1	Mirrors
6.3	Windscreen – View To The Front
6.5	Window Glass Or Other Transparent Material

6.1 Mirrors

Method Of Inspection	Reason For Rejection
The number and position of all obligatory mirrors must be checked: a. Check the condition of each mirror reflecting surface and whether a person sitting in the driver's seat can see clearly to the rear.	Note: A defective additional external mirror is not reason for rejection. All licensed vehicles must be fitted with an internal rear view mirror. a. Mirror Condition • A mirror reflecting surface deteriorated or broken. • In such a position that a person sitting in the driver's seat cannot see clearly to the rear.

6.3 Windscreen – View to the Front

Method Of Inspection	Reason For Rejection
Sit in the driver's seat and check that there is a reasonable view of the road ahead, bearing in mind the original design of the vehicle. a. For all air operated wipers examine: • The condition of any visible piping • The function of the operating mechanism, and • The function of necessary valves to protect the braking system Note: Equipment or objects not originally fitted to the vehicle as part of the original design must not obstruct the designed forward view of the driver. In particular, objects such as (but not limited to) pennants, cab decorations and external stone guards/visors should not interrupt the view through the swept area by the windscreen wipers.	The position or size of any object restricts the drivers view of the road ahead, bearing in mind the original design of the vehicle. a. Air operated wipers • Pipes inadequately clipped or supported • Incorrect function of the wipers or leaking components • Incorrect operation of protection valves.

6.5 Window Glass or Other Transparent Material

Method Of Inspection	Reason For Rejection
a. Visually Check the condition of all windscreens, internal screens,	a. A crack, surface damage or discolouration in glass or other transparent material that:

partitions side, rear, roof, and door windows for cracks, surface damage and discolouration. b. Check presence and security of all windscreens, side, rear, or rear windows, or internal screens or partitions. c. Check for evidence of obvious leaks from all windscreens and side, rear, roof or door windows. d. Check for presence, security and condition of guard rails or barriers at windows, internal screens or partitions. e. For all vehicles first used before 1 January 1959. As far as is practicable, check that glass fitted to windscreens and outside windows facing to the front is safety glass. f. For all vehicles used on or after 1 January 1959, as far as is practicable, check that glass used for windscreens and all outside windows is safety glass or safety glazing. g. Vehicles first used on or after 1 June 1978, check that windscreens and other windows, wholly or partly, on either side of the drivers' seat are made from safety glass displaying an acceptable safety mark. h. The light transmitted through the windscreen must be at least 75%. The front side windows must allow at least 70% of light to be	• Impairs the drivers front, side or rear view of the road, or; • Presents a danger to any person in the vehicle. • Dirty, smeared or marked glass or other transparent material. • Films placed over the surface of the window such as to darken or make opaque b. A windscreen or any other outside window missing, or any windscreen, window, internal screen or partition insecure. c. Any external window or windscreen is obviously leaking. d. A guard-rail or barrier at a window, internal screen or partition missing, insecure or damaged. e. The windscreen and/or any outside window facing to the front of a vehicle obviously not safety glass fitted to a vehicle first used before 1 January 1959 f. Glass used for a windscreen or an outside window is obviously not safety glass. g. For vehicles first used on or after 1 June 1978, that windscreens and/or other windows wholly or partly on either side of the drivers seat that are not made from safety glass display an acceptable safety mark. h. The required percentage of light is not transmitted through the window.
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transmitted through them. Rear side windows must allow at least 65% of light to be transmitted through them. The vehicles rear window is exempt from the light transmission test. Note: Marking is not required for safety glass used on vehicles first used before 1 June 1978.	
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Section 7 – Additional Requirements

Section Contents:

Sub-section	Subject
7.1	Speedometer
7.2	Transmission
7.3	Engine & Transmission Mountings
7.4	Oil & Water Leaks
7.5	Luggage/ Load Space
7.6	Trailers & Towbars
7.7	Warning lights
7.8	Vehicle Registration Marks

7.1 Speedometer

Method Of Inspection	Reason For Rejection
a. Check that a speedometer is fitted. b. Check the condition of the speedometer. c. Check that the speedometer can be illuminated.	a. Speedometer not fitted b. Speedometer not complete or clearly inoperative, or dial glass broken or missing. c. The speedometer cannot be illuminated.

7.2 Transmission

Method Of Inspection	Reason For Rejection
Examine transmission, check for: a. Missing or loose flange bolts b. Cracked or insecure flanges c. Wear in shaft and/or wheel	a. A flange loose or missing flange bolt(s) b. A flange cracked, or loose on the transmission shaft c. Excessive wear in shaft bearing

[illegible]

7.3 Engine And Transmission Mountings

Method Of Inspection	Reason For Rejection
a. Engine bay must be clean b. Examine condition of: • Mountings • Sub-frames And c. The security to chassis and check for:	Very dirty or heavily contaminated engine bays can obscure sources of leaks or other problems. Failure to present vehicle with a clean engine bay will result in the test not being completed. Any Mounting Or Sub-frame -Loose -Fractured -Deteriorated -Inappropriate repair

• Fractures • Looseness • Deterioration	
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7.4 Oil And Water Leaks

Method Of Inspection	Reason For Rejection
a. Check vehicle for oil and water leaks from any assembly or component to the ground. b. And/or which could be deposited on the surrounding bodywork or onto the exhaust system. Note: If necessary, the engine can be run at <u>idle speed</u> to confirm the existence of an oil leak.	a. An oil or water leak, from any assembly, which deposits fluids underneath the vehicle whilst stationary. b. Leaks which, when the vehicle is moving, could be deposited upon the surrounding bodywork, exhaust and brake system so that it would: • Contaminate areas • Could potentially cause a health, safety or fire risk.

7.5 Luggage/Load Space

Method Of Inspection	Reason For Rejection
Physical separation is not so much an issue as is the safety of passengers in the event of an accident. The luggage should therefore be secure and prevented from becoming dislodged in an accident in such a manner as may cause injury. Such security can be by means of a sheet or net, which could be anchored to the floor of the luggage area. Clearly if the luggage compartment is not physically separated from the passenger compartment then care will need to be taken so as not to carry any hazardous items such as fuel cans, detergents or other loose items that could leak if they become damaged.	• Load restraint system, if required, not present at time of test. • Load restraint system faulty or unserviceable.

7.6 Trailers & Towbars

Method Of Inspection	Reason For Rejection
<u>Trailers</u> a. Where a local licensing authority permits the use of trailers for the carriage of luggage, then the trailer needs to be presented for test along with the vehicle that will be authorised to tow it. The trailer will also need to display the appropriate registration plate. Note: Trailers presented for inspection should be built by an approved or recognised trailer manufacturer. An example of a typical trailer inspection sheet can be found at Appendix 'B'	a. Rejections as indicated on the trailer inspection sheet shown at Appendix 'B'
<u>Tow-bars</u> b. Where tow bars are fitted checks must be made on the condition and security to the towing vehicle	b. Rejections as indicated on the trailer inspection sheet shown at appendix 'B'

7.7 Warning lights or alarms

Method Of Inspection	Reason For Rejection
Dashboard fascia warning lights are illuminated, and/or alarms are activated it shall be at the discretion of the testing station as to whether or not the test is completed.	

7.8 Vehicle Registration Marks

Method Of Inspection	Reason For Rejection
Vehicle Registration Marks must conform to the Regulations applicable to that vehicle	Vehicle registration does not comply

Section 8 – Ancillary Equipment

Section Contents:

Sub-section	Subject
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8.1 Wheelchair Restraint & Access Equipment

- 8.2 Meter
8.3 Electronic Payment Facility

8.1 Wheelchair Restraint & Access Equipment

Method Of Inspection <u>Wheelchair Restraint</u> a. Where applicable check condition and operation of wheelchair restraint. b. A system for the effective anchoring of wheelchairs shall be provided within the vehicle in all spaces designated as wheelchair spaces. <u>Wheelchair Access & Equipment</u> A vehicle shall be fitted with either of the following forms of wheelchair access equipment: Ramps c. Check that appropriate ramps fitted are securely installed in the designated storage area. Examine for damage, deformity, sharp edges etc. and provision of anti-slip covering. Wheelchair Lift d. A purpose designed wheelchair lift shall conform to the LOLER 98 Regulations. A report, confirming that the lifting equipment is safe to use, shall be presented at the time of the vehicle inspection. Vehicles presented for inspection with a wheelchair lift will require a LOLER certificate that is valid for a period of six months from the date of issue. Note: Passenger lifting equipment will need to be thoroughly examined by a competent person, in use, at least once every six months. e. Any purpose designed wheelchair access ramp is carried must be lightweight and easy to deploy. The installed ramp shall have visible	a. A wheelchair restraint is defective, worn or missing. b. Wheelchair anchorage systems and devices does not conform to European Directive 76/115 EEC (as amended by 90/629 EEC). c. Ramps missing, insecurely stored, damaged/ deformed, anti-slip covering in poor condition or missing. d. Vehicle not presented with a valid or current LOLER certificate. e. The installed ramp does not have any visible reference to a maximum safe working load or certification BS 6109.
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reference to safe working load of 250 kgs and certified to BS 6109. f. Wheelchair access equipment shall be fitted either into the rear or side access door of the vehicle. Where it is fitted to a side door this shall be the door situated on the near side of the vehicle, i.e. kerbside when stopped in a normal road. g. The aperture of the door into which the access equipment is fitted shall have minimum clear headroom in its central third 1,220 mm. The measurement shall be taken from the upper centre of the fully raised platform, or the upper face of the ramp fully deployed on level ground. h. A locking mechanism shall be fitted that holds the access door in the open position whilst in use. i. All wheelchair tracking must be fit for purpose and structurally sound. Further information on Disabled peoples transport is available from the Disabled Persons Transport Advisory (DPTAC) Website Below. www.dptac.gov.uk	f. Wheelchair access equipment is fitted to the off-side access door of the vehicle. g. There is not clear headroom in the aperture within the central third 1,220 mm h. No evidence of a suitable locking mechanism to hold the door open. i. Damaged or insecure tracking or detritus deposits within the tracking rails.
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8.2 Meters

a. Check wiring of meter is sound and secure b. Check top light works when activated by meter.	a. Wiring is damaged, frayed, loose or not properly secured b. Top light not operative
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8.3 Electronic Payment Facility

Method of Inspection	Reason for rejection
a. Check that the electronic payment signage is affixed	a. Signage not displayed which states that contactless card payments are accepted. Signage must be displayed in such a position

	that it is prominently on view to prospective passengers i.e. visible from the exterior of the vehicle.
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APPENDIX B**Trailer Inspection Sheet**

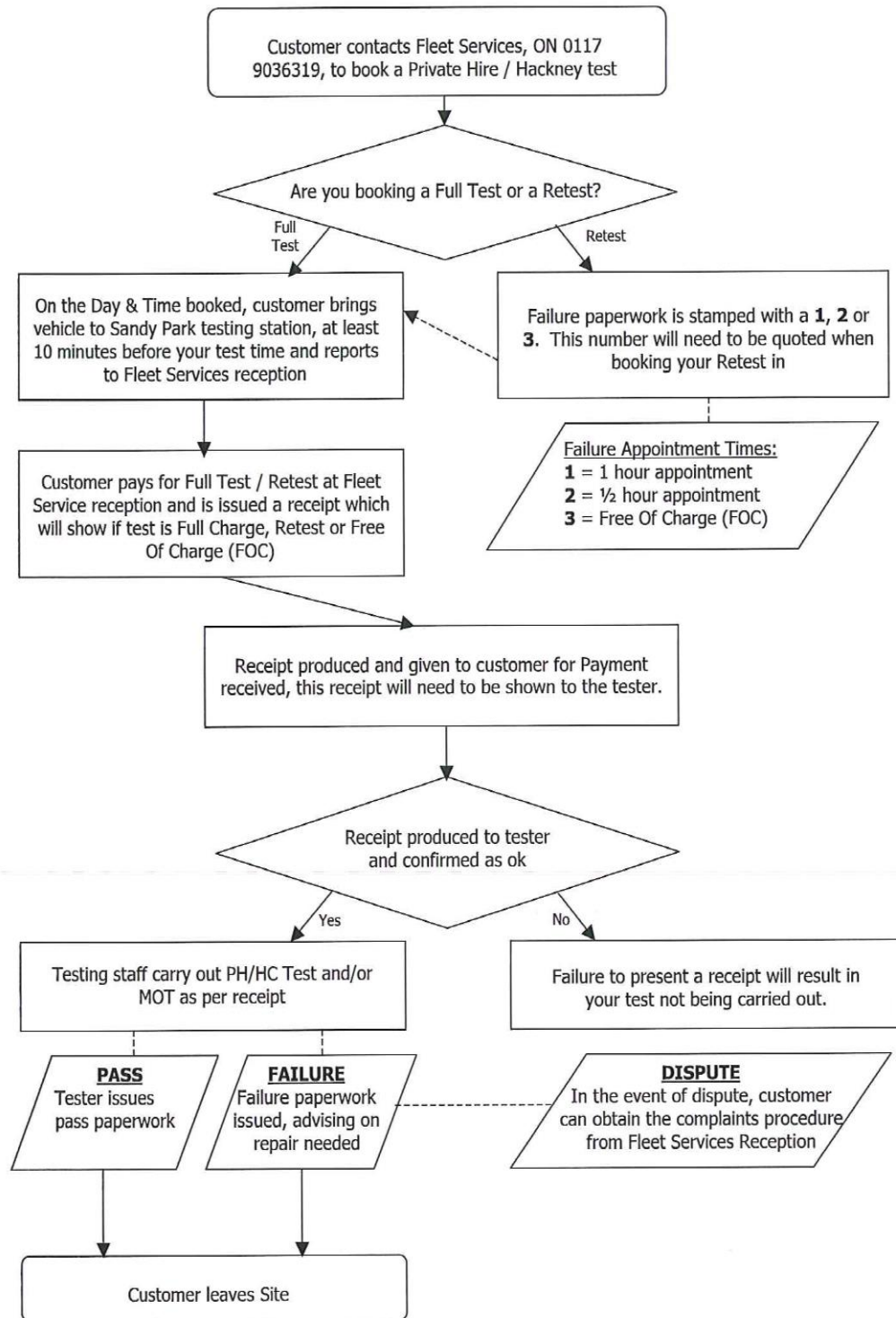
Name of owner of trailer:	
Address of owner of trailer:	
Contact number of owner:	
Manufacturers plate showing chassis number:	
Manufacturers plate showing maximum weight:	

Inspection Area	Description	Pass (tick)	Fail (X)
Trailer couplings	Check condition and operation and presence of a safety breakaway cable		
Tow bar mounting brackets	Check condition and security		
Trailer body	Check condition of side and rear tailboards		
Trailer chassis	Check condition		
Suspension	Check condition and operation		
Wheel bearings	Check for excessive free play or roughness in bearings		
Tonneau cover and fittings	Check for condition		
Wheels and tyres	Check security, condition and wear		
Braking system	Operates satisfactorily		
Lighting	All obligatory lights work		
Indicators	All indicators work		
Reflective triangle	Check presence and condition		
Number plate	Check condition, security of fitting and displayed clearly		
Speed restriction notice	Check condition and displayed clearly		

I hereby certify that the above trailer has been inspected and ***has/ has not** been found to be roadworthy and suitable to be used as a hackney carriage or private hire trailer at the time of inspection. (*Delete as appropriate)

Examined by (name)
Position
Signature

APPENDIX C



Private Hire Vehicles - Exemption from requirement to display Vehicle Identification Policy

1. Statement of intent

1.1 The aim of this policy is to ensure public safety whilst taking a balanced approach to licensing requirements. Its objective is the provision of an exemption to allow 'executive vehicles' to operate without displaying external identification plates.

2. Introduction

2.1 The displaying of the external identification plate on a licensed vehicle and a driver's badge is important in terms of public safety and reassurance. They indicate to the travelling public that prior to being licensed both the vehicle and the driver have been subjected to checks to ensure their (the public's) safety. The visible licence number of the vehicle and driver affords members of the public and other persons such as the Police traceability via the local licensing authority.

2.2 The Local Government (Miscellaneous Provisions) Act 1976 requires that private hire vehicles display an identification plate and drivers of those vehicles wear a driver's badge. The same legislation also allows Bristol City Council to exempt vehicles from the need to display an identification plate and, where that exemption applies, the requirement to wear a Private Hire Driver badge.

3. Policy requirements

3.1 Exemptions from displaying identification plates may be in respect of individual vehicles only based upon demonstrable evidenced based need. Applications for exemptions relating to a fleet of vehicles will not be allowed.

3.2 Each application will be assessed on its own merit.

3.3 Applications for exemption from the requirement to display identification plates may be considered where the following requirements are met;

a) Vehicles must be of a standard of comfort and equipped to a level higher than that of a 'standard' Private Hire Vehicle. It is not intended to form a prescriptive list of acceptable vehicles because this may be subjective and require frequent update.

However as a guide vehicles equal to or above luxury brands of vehicles such as 'S' and 'E' Class Mercedes Benz, 7 Series BMW, Lexus 'GS' or 'LS' models, Audi A8, series, Jaguar, Tesla, Rolls Royce and Bentley saloons may be acceptable (The highest specification executive type cars from other manufacturers may also be considered). Equally large high specification MPVs such as the Volkswagen Caravelle or Mercedes Vito which enable meetings on the move may be considered. Relevant considerations as to whether a vehicle meets this standard include but are not limited to cost, reputation, specification, appearance, perception, superior comfort levels and

seating specification i.e. whether the vehicle offers additional space per passenger opposed to standard vehicles.

b) The vehicle will be in pristine condition with no visible defects, dents or blemishes to the external bodywork or internal trim and seating. Interior seating will usually be leather and the cabin air conditioned to maintain passenger comfort.

c) The type of work undertaken is 'executive' in nature. There must be a demonstrable need for an exemption to apply rather than a one off contract. The type of work that may be considered 'executive' may include:

- i) Corporate bookings to transport employees and clients on business related journeys
- ii) Other journeys where the client specifically requires a vehicle without any private hire plates or signage on it at the time of booking
- iii) Bookings for clients (for example politicians and celebrities) who for security or personal safety reasons would not want the vehicle to be identifiable as a private hire vehicle

The fact that the hirer pays a higher fee for hiring what may be referred to as an Executive Hire Car (compared to what the hirer may pay for a non-exempt Private Hire Vehicle displaying private hire plates and signage) may be indicative (but not conclusive) that the nature of the business is Executive Hire and that the exemption may be appropriate.

d) The percentage of 'executive' work undertaken by the vehicle must constitute at least 75% of the total work carried out by the vehicle. An application to renew an exemption from the display of identity plates must be accompanied by a copy (preferable electronic) of the relevant Private Hire Operator records to evidence the nature of the work carried out over the previous licence period. Operator records must also detail evidence of contracts with clients which require vehicles supplied to be exempt from the display of identity plates.

e) In certain circumstances passengers or businesses may request vehicles with tinted windows. Applicants must provide evidence of such a demand in order for the Council's to depart from its standard requirements prohibiting tinted windows.

The proprietor must at all times ensure that all windows of the vehicle comply with current Road Traffic or Construction and Use Regulations

f) A dress code commensurate with executive work is required. Applicants to provide details of the dress code (suit/jacket or equivalent) which the operator(s) for whom they work require them to adhere to. Dress code must be followed at all times the vehicle is being used to undertake a booking relating to executive work.

3.4 Where a proprietor wishes to make an application for a vehicle to be exempt from displaying identification plates they will be required to complete the appropriate

application form. The application form will be accompanied by documentation that supports the application and the application fee; which will be non-refundable.

3.5 A notice of exemption from displaying identification plates will be granted at the Council's discretion. The applicant must provide sufficient documentary evidence to support their application. Such evidence may include:

- a) A letter from each customer indicating:
 - i) Why they require a vehicle which does not display an identity plate,
 - ii) Whether they require privacy glass, and why privacy glass is required.
 - iii) The type of vehicle they require.
- b) A letter from the Private Hire Operator for who work is undertaken stating the vehicle registration number of the vehicle to which this application relates and detailing the work that will be carried out and the percentage of the work to be carried out.
- c) Copies of written contracts with customers.
- d) Copies of invoices

3.6 The Council may require applicants to provide any additional documentation as reasonably necessary to allow the Council to make an informed decision. Where such documentation is not provided to the satisfaction of the Council the application will be refused.

3.7 Where an application is granted and a vehicle is exempted from displaying its external identification plate an exemption notice will issued as soon as practical after the decision is made.

3.8 Where a vehicle is exempted from the requirement to display an external identification plate the vehicle will also be exempted from the need to display the two internal plates.

3.9 Irrespective of when an exemption notice is granted the initial exemption notice will expire on the same day as the expiration of the vehicles current private hire licence, unless it is otherwise surrendered or revoked. Thereafter any renewed exemption notice will last for a period of time that is coterminous with that vehicle's private hire licence unless either the licence or notice is otherwise surrendered or revoked.

3.10 Exemption notices may be renewed annually. An application to renew the exemption must be accompanied by the renewal fee which is non-refundable.

3.11 The authority to determine any application for an exemption notice is by virtue of this policy delegated to the Licensing & Trading Standards Manager and Licensing Team Leader.

3.12 Other than where to do so would conflict with the requirements of this policy, all vehicles granted an exemption notice must, in addition to the requirements of this policy, comply with the requirements for private hire vehicles contained within the Private Hire Vehicle licence conditions.

3.13 The below conditions apply to all Private Hire Vehicles granted an exemption from displaying identification plates and are in addition to the criteria and general conditions applicable to all Private Hire Vehicles;

- a. The valid Private Hire Vehicle plates issued to the licence holder shall be kept within the vehicle at all times and shall be produced for inspection by an authorised officer of Bristol City Council or a Police Officer upon request.
- b. The exemption notice shall be retained within the vehicle at all material times and shall be produced for inspection by an authorised officer of Bristol City Council or a Police Officer upon request.
- c. In the event of loss or damage rendering such plate or notice unserviceable the proprietor shall make immediate application for a replacement for which a fee is payable.
- d. The proprietor will not display in, on or from the vehicle any advertisement, signage, logos or insignia advertising the operating company or the vehicle's status as a private hire vehicle.
- e. During the period of the exemption notice, the driver shall not be required to wear a Private Hire Driver's identification badge but will have it available for immediate inspection by an authorised officer of the Council or any Police Officer on request.
- f. The second Private Hire Driver's identification badge must at all times be displayed in a prominent position in the vehicle.
- g. Failure to comply with the above terms will invalidate the exemption granted with immediate effect.
- h. These terms shall remain valid for the term of the notification unless replaced by a different scheme or system of identification.
- i. When the vehicle is being used for non-executive private hire work the licence plates must be displayed.
- j. The exemption will cease to have effect on selling or transferring the vehicle to another party. The exemption notice must be returned to the Council along with the private hire vehicle identification plates unless being sold to for use as a Private Hire Vehicle in Bristol; in which case, only the exemption notice has to be returned.
- k. A taximeter will not be installed in the vehicle.

l. During the period of exemption the driver is required to comply with the dress code previously supplied to the Council.

m. The proprietor shall notify the Council of any change in the use of the vehicle by the end of the following working day.

3.14 The below conditions apply to all Private Hire Operators who operate vehicles to which an exemption from display of plates has been granted. These conditions are in addition to the general conditions applicable to all Private Hire Operators;

a. Bookings taken in respect of clients who require vehicles exempt from the display of plates must be paid for on account. No payment can be made to the driver of the vehicle at time of hiring.

b. Bookings in respect of clients who on occasion require vehicles exempt from the display of plates must be subdivided into to those which;

i) Require vehicle to be exempt from display of plates

ii) Do not require vehicles exempt from the display of plates

Copies of records detailing the division of work to be kept for 12 months from period of hire and must be provided to the Council on request.

c. Copies of contracts with clients who require vehicles exempt from the display of plates must be kept for 12 months from date of commencement and provided to the Council on request.

d. Dress code commensurate with executive work (suit/jacket or equivalent) to be in place in relation to bookings taken for vehicles exempt from the display of plates. Drivers of such vehicles to be required by the operator to comply with the dress code during the hire period.

**Policy to address nuisance annoyance and obstruction of the highway by
hackney carriage and private hire vehicles**

This policy is not limited to behaviour that is alleged to contravene the criminal law, although inappropriate parking can result in the commission of offences this is not necessarily so in every case.

In the event that proprietors of vehicles are observed as standing in an unauthorised location they will receive a letter asking for the identity of the driver of the vehicle at the time and warning that the driver is at risk of having their licence suspended or revoked. The driver will be asked to promise in writing not to repeat the problem in the future.

If the proprietor fails to provide the information, or if the promise is not forthcoming, or if any promise given is alleged to have been broken, then a hearing will be arranged.

At the hearing the driver will be afforded the opportunity to make representations as to why the policy guideline (one month suspension for a first and isolated incident) should not be applied in his/her case. It is proposed that a failure of the proprietor to identify the driver should be treated in the same way as if the proprietor were themselves the driver.

As with all licensing decisions there would be a right of appeal to the Magistrates' Court against any decision to suspend.

Hearings should be convened to take place before a delegated officer, thereby enabling a quick response by the council.

The Licensing Manager (or his nominated deputy in his absence) have delegated powers to consider suspension or revocation of licences which are extended to considering allegations that fall within this policy.

Hackney Carriage and Private Hire Driver Fit and Proper Person Policy

All applicants and licence holders shall satisfy the Council that they are a fit and proper person to hold such a licence. The Medical Fitness Policy and Training Policy shall form part of the fit and proper person test.

Fit & Proper Person is the statutory test set out in the relevant legislation and is a pre-requisite before an applicant can be granted a licence. There is no statutory definition of Fit & Proper Person but there is case law that aids the Council's understanding of its meaning. In simple terms, it means the applicants suitability to hold a licence by complying with the minimum expected standards as detailed in the Policy.

Drivers must at all times remain fit & proper persons whilst licensed. In the event of complaint or reported incident the driver's fitness will be considered in the context of the fit & proper person policy, with reference to the guidelines relating to the relevance of criminal behavior, and appropriate action taken.

DVLA (Driver and Vehicle Licensing Agency) Licence check

1. All new applicants for Hackney carriage and private hire drivers' licences and all existing licensees on their next application for renewal shall be required on application (and on renewal every three years thereafter) to provide information in the form of a DVLA history check;

Applicants who hold a;

- a. community licence,
- b. exchangeable licence or
- c. Northern Ireland driving licence

may still be granted a Hackney carriage or private hire driver licence. Such applicants will be required to exchange their driving licence to a **Full DVLA Driving Licence before** the renewal of their first private hire or Hackney carriage driver licence.

Enhanced Disclosure and Barring Service (DBS Update Service)

2. All applicants and drivers shall be required to undertake the following steps:
 - a. An enhanced DBS certificate or future equivalent must be provided to the satisfaction of the Licensing Team.
 - b. The applicant must subscribe to the DBS Update Service , or future equivalent and maintain subscription to the service and at all times whilst they hold a hackney carriage or private hire drivers licence
 - c. Information relating to the applicants DBS Update Service Details and a Consent Form shall be provided to the satisfaction of the Licensing Team

- d. The Council will have the right to require a further DBS check to be completed at the licensee's expense at any time during the currency of the licence should the Council have reason to doubt the fitness of the licence holder to hold the licence.
- e. In the event of a delay of 6 weeks or more for a DBS application to be returned the Licensing Team may inform the Chair of the Public Safety and Protection Committee of the delay.
- f. If an applicant or licence holder does not continuously subscribe to the DBS Update service or the status of a DBS certificate changes the applicant will be required to;
 - (i) Provide a new enhanced DBS Certificate or future equivalent;
 - (ii) Subscribe to the DBS Update Service, or future equivalent;
 - (iii) Provide information relating to the applicant's DBS Update Service Details and a Consent Form shall be provided to the satisfaction of the Licensing Team

Any pending applications may not be determined and existing licences may be revoked or suspended until these steps are completed to the satisfaction of the Licensing Team.

Certificate of Good Character

- 3. Where any applicant has been resident abroad at any time up to 5 years prior to an application they must generally provide a Certificate of Good Character or similar document from each and every country within which they have been resident, save in exceptional circumstances. Residency for these purposes is considered by this Licensing Authority as where the person has lived in a country for longer than 6 months in a given calendar year. Where this Certificate has been produced in a non-English language, the applicant will generally be required to produce a translation of the Certificate from the Embassy or Consulate of that country and provide the original document, save in exceptional circumstances. An exception might be permitted where a refugee has been allowed to stay in the UK and has been given asylum, and this exception will only apply to that country. The cost of any DBS checks undertaken, subscription to the DBS Update Service and Certificates of Good Character are to be met by the applicant in full.

Medical Fitness

- 4. The Council's current medical requirement is summarised as follows;
 - a. Applicants shall demonstrate that they have satisfied the medical standard as specified by the Council.

- b. Applicants shall supply a Council medical examination report completed by their own GP, or other doctor who works at the applicant's own registered medical practice. This will be a Group 2 medical as specified by the (DVLA) for PCV/HGV drivers.
- c. A completed medical examination report must be provided by new applicants.
- d. Existing drivers must supply a medical examination report as follows:
 - i. Every five year period from the age of 45,
 - ii. Annually from the age of 65
- e. The Council will also have the right to recall the licence holder at any time during the lifespan of the licence for a medical examination should the Council have reason to doubt the fitness of the licence holder to hold the licence.

Skills Requirement

- 5. The Council can require applicants or licence holders to pass certain tests and undertake training in order to hold or continue to hold a licence. The Council can also require existing drivers to undertake mandatory training so that their skills and knowledge are refreshed. This training may be a condition of the renewal of the licence. The current requirements are set out below

Knowledge Test

- 6. All new applicants must pass a knowledge test as specified by the Council relevant to the licence type applied for, i.e. Hackney carriage or private hire driver licences. The test will include a requirement that the applicant demonstrates a sufficient level of communication skills to be a licence holder.

Current private hire driver licence holders applying for a Hackney carriage driver licence must pass the knowledge test at the Hackney carriage standard.

Gold Standard

- 7. All new applicants for a Hackney carriage or private hire driver licence must provide information to the Council to show they have completed the Bristol Gold Standard training programme.

Applicants who already hold a current Hackney carriage or private hire driver licence do not have to undertake the Bristol Gold Standard training if applying for the alternative licence.

Driving Test

- 8. All new applicants must pass a further driving test as specified by the Licensing Manager in consultation with the Chair of the Public Safety & Protection Committee.

Training for Existing Licensed Drivers

9. All existing Hackney carriage and private hire drivers will be required from time to time to attend mandatory training as set by the Council. Completion of any training may be a requirement of licence renewal

Mandatory Safeguarding Training

10. All new applicants for a Hackney carriage or private hire driver licence must complete mandatory safeguarding training as specified by the Council.
11. All licensed Hackney carriage or private hire drivers must complete mandatory safeguarding training as specified by the Council within 6 months of the policy being implemented.

Language Proficiency

12. All new applicants must complete a mandatory test of their language proficiency, which will cover both oral and written English language skills and be specified by the Council. The Council may require existing Hackney carriage and private hire drivers to conduct this test. Such a test will be completed the licensees expense.

Expired Licences

13. In the event a private hire or Hackney carriage driver licence expires the following applies:
 - a. For applications submitted less than 12 months from expiry of the previous licence the applicant will not be required to complete the Gold Standard or Knowledge Test if they have previously completed this requirement. If the applicant has not yet completed the Gold Standard training they shall be required to complete this by their next renewal or grant application;
14. Applicants who already hold a current Hackney carriage or private hire driver licence do not have to undertake the Bristol Gold Standard training if applying for the alternative licence.

Hackney Carriage and Private Hire Vehicles Licensing of individuals – Guidelines relating to the relevance of criminal behaviour.

General policy

General Matters

1. Each case will be decided on its own merits.
2. The overriding consideration is the safety of the public. The Council should ensure so far as possible that those licensed to drive hackney carriage and private hire vehicles are suitable persons to do so, that they are safe drivers with good driving records and adequate experience, sober, courteous, mentally and physically fit, honest and not persons who would take advantage of their employment to abuse, assault or otherwise mistreat passengers. Members of the public entrust themselves to the care of drivers both for their own safety and for fair dealing. Passengers may be especially vulnerable people; the widespread use of hackney carriage and private hire vehicles by Council departments and voluntary agencies working with children and adults with special needs is indicative of the trust those bodies place in drivers. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare etc. Overseas visitors can be confused by the change in currency and become "fair game" for an unscrupulous driver.
3. A person with a current conviction for a serious crime need not be permanently barred from obtaining a licence but should be expected to (a) remain free of conviction for an appropriate period and (b) show adequate evidence of good character from the time of the conviction. Simply remaining free of conviction will not generally be regarded as sufficient evidence of good character.
4. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. Similarly, multiple offences or a series of offences over a period of time are likely to give greater cause for concern and may demonstrate a pattern of inappropriate behaviour which should be taken into account. A particularly serious view may be taken where the victim of the offence is especially vulnerable.
5. Any changes in legislation will be dealt with as appropriate.
6. Applicants or licence holders who had attended police training schemes would have such attendance taken into account.

Licensee Self Reporting

Licence holders are required to notify the Council in writing by close of business on the following working day of the happening of any of the following events:

1. Receiving a simple or conditional caution or being convicted of any criminal offence
2. Being arrested, interviewed, charged, reported for summons or receiving a postal requisition in connection with any motoring or criminal offence.
3. Receiving any out of court disposal including formal warnings, community resolutions, restorative justice education and awareness courses, community protection warnings and notices or fixed penalty notices.

Any failure to notify the Council of the happening of any of the above events may result in a review by the Council as to whether the licence holder is a fit and proper person.

Importantly, a failure by a licence holder to disclose any of the above events that the Council is subsequently advised of might be seen as behaviour that questions honesty and therefore the suitability of the licence holder regardless of the outcome of the initial allegation.

A licensee shall not be entitled to benefit from a failure to disclose such relevant information to the Council where any period of time specified in this policy has expired.

Offending Behaviour

The following examples afford a general guide on the action which might be taken where convictions, cautions or alternative methods of disposal and endorsable fixed penalties are disclosed, or where offending behaviour is proved to the satisfaction of the Council and reference to conviction should be construed accordingly.

Crimes resulting in death

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.

This will include:

Murder
Manslaughter
Manslaughter or culpable homicide while driving
Arson with intent to endanger life
Grievous Bodily Harm with intent
Malicious Wounding

This is not intended to be an exhaustive list

Exploitation

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 will include:

- Slavery
- Child sexual abuse
- Exploitation
- Trafficking
- Grooming
- Psychological
- Emotional or financial abuse

This is not intended to be an exhaustive list

Offences involving violence against the person/property

As hackney carriage and private hire drivers have close contact with the public, in general where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted, in general, until at least 10 years have elapsed since the completion of any sentence imposed.

This will include:

- Grievous Bodily Harm
- Robbery
- S 4 or S4A Public Order Offences
- S2 or S4 Protection from Harassment Act 1997 offences
- S4 Protection from Harassment Act 1997 offences
- Actual bodily harm
- Violent Disorder
- Common Assault
- Assault Emergency Worker
- Affray
- Riot
- Criminal Damage
- Arson

This is not intended to be an exhaustive list

Possession of a weapon

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

Sexual offences and offences of Indecency

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

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

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

This will include:

- Theft
- Burglary
- Fraud including Benefit Fraud
- Handling/Receiving stolen goods
- Supply of Counterfeit or illicit goods (for example tobacco or alcohol)
- Forgery
- Conspiracy to defraud
- Obtaining by deception
- Bribery
- Perjury
- Perverting the Course of Justice

This is not intended to be an exhaustive list

Drugs

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, in general, until at least 10 years have elapsed since the completion of any sentence imposed.

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

Discrimination

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

Motoring convictions

Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the granting of a licence. However, applicants with multiple motoring convictions may indicate that an applicant does not exhibit the behaviours of a safe road user and one that is suitable to drive professionally.

Any motoring conviction while a licensed driver demonstrates that the licensee may not take their professional responsibilities seriously. However, it is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence may not necessitate the revocation of a taxi or private hire vehicle driver licence providing the authority considers that the licensee remains a fit and proper person to retain a licence.

Consideration will be given to the nature of the offence and the penalty including points and fines.

Drink driving/driving under the influence of drugs

Where an applicant has a conviction for drink driving, driving under the influence of drugs or being in charge of a vehicle whilst under the influence of drink or drugs, in general a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed.

In the case of driving under the influence of drugs, any applicant may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

In addition, applicants will normally be required to show that a period of at least 5 years has elapsed after completion of detoxification treatment if (s)he was an alcoholic.

Using a hand-held device whilst driving

Where an applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

Miscellaneous Offences

The above categories of offences are not intended to capture every type of offending behaviour. Any other offences of a like kind shall be construed accordingly. Those that plainly fall outside of the above categories shall be considered on a case by case basis taking into consideration the nature and seriousness of the offending conduct.

Examples of identified offending behaviour not falling within the above categories but to be construed accordingly are:

Resisting Arrest
Obstructing an Officer
S5 Public Order Act offence
Drunk & Disorderly

This is not intended to be an exhaustive list.

Offences under the Town Police Clauses Acts and Part of the Local Government (Miscellaneous Provisions) Act 1976

One of the main purposes of the licensing regime set out in the Town Police Clauses Acts and Part II of the Local government (Miscellaneous Provisions) Act 1976 ("the Acts") is to ensure the protection of the public. For this reason a serious view is taken of convictions for offences under the Acts (including illegally plying for hire) when deciding whether an applicant is to be treated as a fit and proper person to hold a licence and when considering the impact of such conduct on an existing licensee.

In particular, an applicant will normally be refused a licence where (s)he has been convicted of an offence under the Acts at any time during the 6 months preceding the application or has more than one conviction within the last 2 years preceding the date of the application.

Policy for Exemption Requests from carrying Assistance Dogs

Statement of Intent

1. The aim of this policy is to provide a process for drivers who have a certifiable medical condition which is aggravated by exposure to dogs to apply for an exemption from their duties to carry assistance dogs on medical grounds.

Introduction

2. Section 168 of the Equality Act 2010 places duties on private hire and hackney carriage drivers to carry assistance dogs in their vehicles, and not charge extra for doing so.
3. An assistance dog, as prescribed under Section 173 of the Equality Act 2010, is:
 - a dog which has been trained to guide a blind person
 - a dog which has been trained to assist a deaf person
 - a dog which has been trained by a prescribed charity to assist a disabled person who has a disability that consist of epilepsy or otherwise affects the persons mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects
 - a dog of a prescribed category which has been trained to assist a disabled person who has a disability
4. The Council must issue a driver with an exemption certificate if satisfied it is appropriate to do so on medical grounds.

The Policy

5. Exemptions from carrying assistance dogs may be made in respect of individual drivers only.
6. Each application will be based on its own merit.
7. Applications for exemption from the requirements to carry an assistance dog may be considered where the following requirements are met;
 - 7.1 A request for exemption is made in writing, using the Council's Application for Exemption form

Sufficient evidence supporting the request is presented to the Licensing Team from a medical professional, usually their general practitioner, or other Doctor who works at the applicant's own registered medical practice

Sufficient evidence may include allergen testing results, clinical history, details of any ongoing investigations, or a full diagnosis (for example severe allergy or cynophobia), including if the allergy is time limited. A simple statement from a medical professional will not be considered sufficient for the purpose of an exemption request

- 7.2 The evidence presented proves that the driver cannot carry an assistance dog in their vehicle, as this would be detrimental to the drivers health
8. On receipt of an exemption request, the Licensing Manager will consider the request taking into account the supporting medical evidence.
 9. For Hackney Carriage drivers, further consideration will be made taking into account the type of Hackney Carriage vehicle that will be driven. Particular consideration will be given to the interior of the vehicle, and whether the vehicle has a partition separating the driver from the assistance dog and passenger.
 10. The Licensing Manager reserves the right to consider advice from the Council's Occupational Health service. Any costs incurred will be borne by the applicant.
 11. If an exemption from carrying assistance dogs is granted, an exemption certificate and badge as prescribed by law will be issued to the driver.
 12. An exemption will be granted for a specified period of time as determined by the Licensing Manager.
 13. The prescribed exemption badge must be clearly displayed at all times in any Hackney Carriage or Private Hire vehicle that the exempt driver will be driving, and made available to an Authorised Officer on request.
 14. The exemption badge and certificate remain the property of the Council, and must be returned at the request of the Licensing Team.
 15. If you have any queries regarding this policy, please contact the Licensing Team.

Policy for Exemption Requests from carrying Passengers in Wheelchairs

Statement of Intent

1. The aim of this policy is to ensure public safety and the safety of licensed drivers, whilst taking a balanced approach to licensing requirements. Its objective is the provision of a process to exempt drivers from carrying passengers in wheelchairs on medical grounds, where the act of transferring or assisting the passenger could cause harm to the driver, passenger, or both.

Introduction

2. Section 165 of the Equality Act 2010 places duties on Private Hire and Hackney Carriage Drivers who operate a Wheelchair Accessible Vehicle to carry passengers in a wheelchair, and provide assistance to ensure safety and reasonable comfort.
3. Certain medical grounds may exist meaning the driver cannot provide assistance, for example where a person's physical condition makes it impossible, or reasonably difficult, to assist passengers in a particular type of wheelchair.
4. Where this is the case, an exemption may be granted to the driver, exempting them from the requirement to provide assistance to a passenger with a wheelchair.

The Policy

5. Exemptions from carrying passengers in wheelchairs can be made in respect of individual drivers only.
6. Each application will be based on its own merit.
7. Applications for exemption from the requirements to carry a wheelchair passenger may be considered where the following requirements are met;

- 7.1 A request for exemption is made in writing, using the Council's Application for Exemption application form

Sufficient evidence supporting the request is presented to the Licensing Team from a medical professional, usually their General Practitioner, or other Doctor who works at the applicant's own registered medical practice.

Sufficient evidence may include clinical history, details of any ongoing investigations, or a full diagnosis. A simple statement from a medical professional will not be considered sufficient for the purpose of an exemption request

The evidence presented proves that the driver cannot physically carry out the duty of carrying passengers with wheelchairs, and that this would cause a hazard for both the driver and passenger

8. On receipt of an exemption request, the Licensing Manager will consider the request taking into account the supporting medical evidence provided.
9. The Licensing Manager will reserve the right to consider advice from the Council's Occupational Health service. Any costs incurred will be borne by the applicant.
10. If an exemption from carrying passengers in wheelchairs is granted, an exemption certificate and badge will be issued to the driver.
11. An exemption will be granted for a specified period of time as determined by the Licensing Manager.
12. The exemption badge must be clearly displayed at all times in any Hackney Carriage or Private Hire vehicle that the exempt driver will be driving, and made available to an Authorised Officer on request.
13. The exemption badge and certificate remain the property of the Council, and must be returned at the request of the Licensing Team.

If you have any queries regarding this policy, please contact the Licensing Team

Private Hire Operator Policy

1. As with driver licensing, the objective in licensing private hire vehicle operators is to protect the public, who may be using operators' premises and trusting that the drivers and vehicles dispatched are above all else safe. It is important therefore that the Council are assured that those that are granted a private hire vehicle operator also pose no threat to the public and have no links to serious criminal activity. Although private hire vehicle operators may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately licensed and so maintain the safety benefits of the driver licensing regime.

Criminality checks for private hire vehicle operators

2. Enhanced DBS and barred list checks are not available for private hire vehicle operator licensing. A basic disclosure from the DBS is required annually. Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). The Council will consider whether an applicant or licence holder with a conviction for offences other than those relating to driving, meet the 'fit and proper' threshold with reference to the guidelines relating to the relevance of criminal behavior and appropriate action taken.
3. In many cases individuals that licence as a private hire vehicle operator may already be licensed as a driver. If this is the case the applicant a basic DBS check is not required. Should the individual cease to hold a driver licence a basic certificate shall be required immediately.
4. Refusal to licence an individual as a driver or to suspend or revoke a driver licence does not automatically mean that the individual cannot be issued with or continue to hold a PHV operator's licence. The Council's decision will be independent of a driver licence refusal/suspension/revocation and based on appropriate information. The Council will generally only consider information that would be available via a basic DBS check. If however the Council has in its possession information regarding an individual that was disclosed via an enhanced DBS check which casts doubt over whether that individual is a fit and proper person to hold a PHV Operator's licence, the Council may take it into account if considered relevant.
5. A private hire operator licence may be applied for by a company or partnership. The 'fit and proper' test shall be applied to each of the directors or partners in that company or partnership. Private hire vehicle operators are required to advise the Council of any change in directors or partners within 7 working days.
6. All applicants and existing licence holders who have lived in another country for a continuous period of three months (or more) within the last five years of the date of their licence application are required to submit a certificate of good character" (or similar) from each country. This document will either confirm good character" or list any convictions recorded against an applicant. Where this Certificate has been produced in a non-English language, the applicant will

generally be required to produce a translation of the Certificate from the Embassy or Consulate of that country and provide the original document, save in exceptional circumstances. An exception might be permitted where a refugee has been allowed to stay in the UK and has been given asylum, and this exception will only apply to that country. The cost of certificates of good character (or similar) are to be met by the applicant in full.

7. The Operator shall, due to handling and processing personal information, register with the Information Commissioners Office as per the Data Protection Act 2018. Further information can be found at <https://ico.org.uk/for-organisations/register/>. Evidence of registration must be provided to the Council.
8. The Operator shall ensure personal information taken at the time of booking is stored in accordance with General Data Protection Regulation (GDPR) regulations.

Booking and dispatch staff

9. Private hire vehicle drivers are not the only direct contact that private hire vehicle users have with private hire vehicle operators' staff, for example a person taking bookings (be it by phone or in person). A vehicle dispatcher decides which driver to send to a user, a position that could be exploited by those seeking to exploit children and vulnerable adults. It is therefore appropriate that all staff that have contact with private hire vehicle users and the dispatching of vehicles should not present an undue risk to the public or the safeguarding of children and vulnerable adults.
10. The Council needs be satisfied that private hire vehicle operators can demonstrate that all staff that have contact with the public and/or oversee the dispatching of vehicles do not pose a risk to the public. Private hire operators are required to keep a register of all staff that will take bookings or dispatch vehicles is kept.
11. Operators are required to evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff and to ensure that Basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders. DBS certificates provided by the individual should be recently issued when viewed, alternatively the operator could use a 'responsible organisation' to request the check on their behalf. When individuals start taking bookings and dispatching vehicles for an operator they shall be required, as part of their employment contract, to advise the operator of any convictions while they are employed in this role.
12. The register of all staff that will take bookings or dispatch vehicles shall be a 'living document' that maintains records of all those in these roles for the same duration as booking records are required to be kept, this will enable cross-referencing between the two records. A record that the operator has had sight of a basic DBS check certificate (although the certificate itself should not be retained) shall be retained for the duration that the individual remains on the

register. Should an employee cease to be on the register and later re-entered, a new basic DBS certificate should be requested and sight of this recorded.

13. The register of all staff that will take bookings or dispatch vehicles shall be made available to authorised officers on request.
14. Operators may outsource booking and dispatch functions but they cannot pass on the obligation to protect children and vulnerable adults. Operators shall be required to evidence that comparable protections are applied by the company to which they outsource these functions.
15. Operators or applicants for a licence shall provide the Council with their policy on employing ex-offenders in roles that would be on the register of all staff that will take bookings or dispatch vehicles. Those with a conviction for offences provided in the Council's guidelines relating to the relevance of criminal behavior other than those relating to driving, may not be suitable to decide who is sent to carry a child or vulnerable adult unaccompanied in a car.

**Fit and Proper Person policy in respect of booking and dispatch staff,
individuals that handle personal information relating to bookings or act as
designated safeguarding lead**

16. The Operator shall have in place a Fit and Proper Person policy for all individuals that take bookings and dispatching vehicles, handle personal information in respect of bookings or act as designated safeguarding lead on behalf of the Operator. The Policy shall include how checks including basic disclosures will be documented, the frequency of checks, the decision making process in respect of unspent convictions and the frequency of policy reviews. Records relating to the checks and policy shall be made available to Authorised Officers on request.

Record keeping

17. Section 56 of the Local Government (Miscellaneous Provisions) Act 1976 requires private hire vehicle operators to keep records of the particulars of every booking invited or accepted, whether it is from the passenger or at the request of another operator. The Council require as a minimum private hire vehicle operators to record the following information for each booking:
 - e. The name of any individual that responded to the booking request
 - f. The date and time on which the booking is made and if different, the date of the proposed journey;
 - g. The name of the hirer, and their contact details such as an address, phone number or e-mail and the name of the lead passenger if different from the hirer;
 - h. The agreed time and place of pick-up point, or, if more than one, the agreed time and place of the first pick-up-point;
 - i. The destination(s);

- j. The drivers badge and licence number and vehicle plate and registration number allocated the booking;
 - k. The fare agreed for the journey (where appropriate);
 - l. Any particular needs of the customer for example disability requirements (where appropriate);
 - m. If appropriate, the name of the other operator for whom a booking was received and / or to whom the booking was subcontracted and any relevant notes;
 - n. How the booking was made (i.e. in person, telephone, online);
 - o. The name of any individual that dispatched the vehicle
 - p. Whether the booking was fulfilled and if not the reasons why it was not fulfilled.
18. Booking registers will enable the passenger to be traced if this becomes necessary and should improve driver security and facilitate enforcement. Booking records should be retained for a minimum of twelve months.
19. Private hire vehicle operators have a duty under data protection legislation to protect the information they record. The Information Commissioner's Office provides comprehensive on-line guidance on registering as a data controller and how to meet their obligations.
20. Operators are required to maintain and keep an up-to-date a register containing the following information:
- a. Name, date of birth and home address of every Private Hire Driver operated by them;
 - b. Details including date of expiry of the Council Private Hire Driver licence, badge number and licence number of every Private Hire Driver licence holder operated by the Operator;
 - c. Any call sign/codes allocated to each Private Hire Driver;
 - d. The date the driver commenced and ceased carrying out bookings on behalf of the Operator (if applicable);
 - e. Name and home address of the proprietor of every Private Hire Vehicle working on behalf of the Operator;
 - f. Details including The Council licence plate number, licence number, expiry date, vehicle make and vehicle registration number of every Private Hire Vehicle used to carry out bookings.
 - g. The date the Private Hire Vehicle commenced and ceased being used for carrying out bookings on behalf of the Operator;
 - h. The name of the individual who responded to the booking request
 - i. The name of the individual who dispatched the vehicle
- This register must be made immediately available for inspection on demand by any authorised Officer or Police Officer.
21. Operators are required to keep and maintain the following for every Private Hire Driver and Private Hire Vehicle working on behalf of the Operator;
- a. A copy of the drivers current Private Hire Drivers licence ;
 - b. A copy of the drivers current Private Hire Drivers badge;

- c. A copy of photographic proof of identification ;
 - d. A copy of the current Private Hire Vehicle licence;
 - e. A copy of the Private Hire Vehicles current MOT certificate;
 - f. A copy of the Private Hire Vehicles current vehicle safety cosmetic test;
 - g. A copy of the Private Hire Vehicles current insurance certificate or cover note in respect of the driver using the Private Hire Vehicle;
 - h. A copy of the Taximeter calibration certificate, where appropriate;
22. Where the licensed Private Hire Vehicle register is paper based it shall be in the form of a bound book
23. Where the licensed Private Hire Vehicle register is computerised the register shall be capable of being readily printed and produced on demand to an Authorised Officer or Police Officer. Computerised records shall be properly backed up so as to ensure compliance with the provision of governing retention.
24. Operators shall forward an electronic copy of the current register of Private Hire Drivers and Private Hire Vehicles to the Council on the first working day of each month.

Use of passenger carrying vehicles (PCV) licensed drivers

25. PCV licensed drivers are subject to different checks from taxi and private hire vehicle licensed drivers as the work normally undertaken, i.e. driving a bus, does not present the same risk to passengers. Members of the public are entitled to expect when making a booking with a private hire vehicle operator that they will receive a private hire vehicle licensed vehicle and driver. The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire vehicle operator's licence without the informed consent of the booker. Where a private hire vehicle is unsuitable, for example where a larger vehicle is needed because more than eight passenger seats required or to accommodate luggage, the booker should be informed that a PSV is necessary, and that a PCV licensed driver will be used who is subject to different checks and not required to have an enhanced DBS check.

Trading name

26. Operators shall ensure that any trading name is approved by the Council, including any change of name. Where a trading name is of a similar nature to an existing operator, or deemed offensive in nature, the trading name will normally be refused.
27. The Operator shall notify the Council, in writing, of any proposed change of name of the Operator and shall await approval in writing from the Council prior to using any new name.

Nominated individuals.

28. The Operator shall ensure that the Council are notified in writing of the name and the details of any individual nominated as a Responsible Person for managing the business in the absence of the Operator.
29. The Operator shall have a designated safeguarding lead which shall be detailed in the Operators Safeguarding Policy. Any changes to the contact details or name of this lead shall be provided to the Council at least 7 working days prior to taking effect

Note: Further guidance is available for operators in respect of the content of policies

Safeguarding Policy

30. The Operator shall have in place a Safeguarding Policy which includes - how reports of safeguarding issues will be reported and managed by the Operator, the name and contact details of the Safeguarding Lead acting on behalf of the Operator, how safeguarding reports may be escalated and determined and how frequently the policy will be reviewed . The policy shall be provided on application and any policy changes will be forwarded to the Council at least 7 working days prior to taking effect.

Note: Guidance is available for operators in respect of the content of policies

Language proficiency

31. The Council will have the right to require applicants and licence holders to complete a mandatory test of their language proficiency which will cover both oral and written English language skills and be specified by the Council. Such a test will be completed the licensees expense.

Premises

32. Should the premises where the Private Hire Operator licence is held include a public waiting area, the operator shall ensure adequate public liability insurance is in a place for a minimum of £5,000,000.
33. The Council shall not grant a Private Hire Operators licence to any person who does not have a physical address located within the Bristol City Council district.

Complaints and Customer Service

34. The Operator shall comply with GDPR compliant requests for information from the Council in respect of complaints, conduct or offences relating to drivers or vehicles.

35. The Operator shall disclose any information they consider may impact on a driver or a vehicle proprietors suitability to hold a licence to the Council, in respect of complaints, conduct or offences including any suspicion of offences.
36. The Operator shall have in place a Customer Service and Complaints Policy which includes in detail the level of customer service to be provided, how complaints are dealt with by the Operator and how the needs of customers will be addressed. This shall be provided on application and any changes to its Complaint Policy will be provided to the Council at least 7 working days prior to the change taking effect.
37. The Operator shall inform the Council of any drivers or vehicles which are removed from the operator's registers, as detailed in the Private Hire Operator Conditions.

Note: Further guidance notes are available in respect of the content of policies

38. The Operator shall as far as reasonably practical provide a prompt, efficient and reliable service and shall do everything necessary to ensure that Private Hire Vehicles attend punctually at the time, at the place agreed with the Passenger and that the needs of the passenger are met.
39. The Operator shall inform the Licensing Team of any best practice schemes that are proposed. Such as safe taxi schemes for students.

Training Policy

40. Operators must put in place their own Training Policy which details the training provided for all individuals working on behalf of the Operator. The Training Policy shall include :
 - Training in respect of the Operators Complaints Policy for all drivers, vehicle proprietors, booking handlers, individuals dispatching vehicles, individuals, handling information regarding bookings and the Safeguarding Lead;
 - Safeguarding and vulnerable adults training for individuals taking bookings, handling information regarding bookings and the Safeguarding Lead;
 - Training in respect of the Operators Safeguarding Policy for all drivers, vehicle proprietors, individuals taking bookings, handling information regarding bookings and the Safeguarding Lead;
 - Equalities training including accessibility, assistance dog requirements, mobility assistance and how to be Dementia Friendly to individuals taking bookings, handling information regarding bookings and the Safeguarding Lead
 - Data protection/GDPR training to all drivers, vehicle proprietors, individuals taking bookings, handling information regarding bookings and the Safeguarding Lead.

41. The training policy and evidence of training detailed in the policy shall be made available to an Authorised Officer when requested, and provided on application, including renewals.
42. The Operator shall provide any changes to their Training Policy to the Council at least 7 working days prior to the change taking effect.

*Further information on the above is available through guidance on our website.
Template policies will be made available.*

Conditions

Operators must at all times comply with the Council's Private Hire Operator conditions.

Hackney Carriage and Private Hire Licence Conditions

Introduction

The following conditions are those which the Council will generally attach to the licence of the relevant type issued pursuant to the provisions of the Relevant Legislation.

Any departure from these conditions which may be agreed in an individual case will be specified in writing at the time of issue or renewal of the Licence. The council reserves the right to impose additional conditions where appropriate in a particular case. Any additional condition applying will be specified in writing at the time of issue of the licence.

Licence holders should therefore scrutinise the documentation issued on grant or subsequent renewal to ensure they are aware of their obligations under the licence and to obtain any necessary clarification in advance of undertaking any activity which depends upon the licence.

These conditions are in addition to and do not override the provisions of the legislation governing private hire and Hackney carriage vehicle and driver licensing. Licensees should therefore familiarise themselves with the requirements of the legislation governing such vehicles. Licensees should also be aware of the need to comply at all times with the relevant road traffic legislation applicable to the licensed vehicle.

IMPORTANT NOTE

Applicants and licensees should scrutinise the conditions applying to the particular licence(s) they hold or are applying for. Applicants should also be aware of the law which governs and the general licence conditions which attach to other activities within their field of operation. For example, individuals who hold a private hire driver licence should be aware of the law and rules which relate to private hire vehicles and operators as well as that relating to hackney carriages and in particular the criminal offence relating to plying for hire.

Licensees should note that once a vehicle is licensed as a Hackney carriage or a private hire vehicle that vehicle remains a “licensed vehicle” throughout the period of the licence irrespective of the activity the vehicle is being used for. To clarify all licence conditions apply at all times, even if the vehicle is used for social and domestic use, and only a licensed driver can drive the vehicle at any time.

The appendices contained in this package are important documents which are intended to have legal force. As such, they are, of necessity, fairly technical, although the Council has tried as far as possible to set down the conditions in a style which can be understood by licensees. From time to time, where it is considered it will aid their understanding, some guidance notes have been included. All guidance notes (such as those contained here) are printed in italics. Guidance notes DO NOT form part of the conditions and nor should they be relied upon as being an

interpretation of the law or of the conditions. They are simply included in a spirit of helpfulness. Licensing officers will generally assist where they can but they are not authorised to provide formal advice. Any Licensee who is unsure of the effect of the law or the conditions upon their licensed activity is strongly advised to obtain independent advice from a solicitor or other advisor of their choice.

Reading the conditions

*Throughout the conditions there are phrases which are used on a number of occasions. If the full meaning of each phrase were spelt out on every occasion then the document would be cumbersome and difficult to follow. For that reason many key phrases have been defined. The definitions section sets out all of the phrases which have been defined. Wherever a phrase which has been defined is included in the document it has been written in bold type. Therefore whenever you see a phrase or word which is in bold type, you should cross reference with the definitions section of the document in order to see its full meaning. For example, where the phrase **The Council** appears in bold type, if you refer to the conditions section you will find that *The Council means 'the City Council of Bristol'*. From time to time, extracts from or summaries of relevant Council policies are included in the guidance. Where this appears, it will be contained within quotation marks and will appear in bold to help you to refer to it. It is not possible to include all relevant Council policy within this document and of course from time to time the policy may be added to or amended so you should not rely upon this guidance as being definitive or up to date. Information about relevant Council policy can be obtained from the Licensing team and much of it can be viewed via the Council's intranet site which can be accessed through the internet and from council libraries and other council venues.*

Definitions governing all general conditions contained in the appendices to this document

In all conditions contained in this document the words and phrases set out in the first column below shall, unless the context requires otherwise have the meaning set out in the second column:

“The Council” means the City Council of Bristol.

“The 1976 Act” means the Local Government (Miscellaneous Provisions) Act 1976

“The 1847 Act” means the Town Police Clauses Act 1847

“Private Hire Vehicle Licence” means a **Licence** issued in pursuant to s.48(1) of **The 1976 Act**

“Private Hire Operators Licence” means a **Licence** issued in pursuant to s.55 of **The 1976 Act**

“Private Hire Drivers Licence” means a **Licence** issued pursuant to s.51 of **The 1976 Act**

“Hackney Carriage Drivers Licence” means a **Licence** issued pursuant to, among other things, **The 1976 Act**

“Hackney Carriage Vehicle Licence” means a **Licence** issued pursuant to, among other things, s. 37 of **the 1847 Act**

“Licence” means, unless the context requires otherwise, the Licence which is governed by the conditions set out in the appendix in which it appears. (For the avoidance of doubt, without prejudice to the generality of the forgoing, in Appendix A **Licence** means a **Private Hire Vehicle Licence**; in Appendix B **Licence** means a **Private Hire Operators Licence** and in Appendix C **Licence** means a **Private Hire Drivers Licence**)

“The Licensee” means the person named as such in **The Licence**

“The Licensed Vehicle” means a vehicle specified in **The Licence**

“Vehicle” means, unless the context otherwise requires, any vehicle owned, controlled or driven by **the Licensee** in the course of employment, trade or business relating to the **Licence**

“Passenger” means any person hiring the Vehicle and where the context permits includes any person entitled to be conveyed in the vehicle pursuant to the hire of it

“The Relevant Legislation” means any legislation governing the issue and conduct of the Licence and in particular means **The 1976 Act** and/or **The 1847 Act**

“Authorised Officer” means any person authorised in writing by the Council for the purposes of **the Relevant Legislation**.

“Licence Plates” means the plates issued by the Council for the purposes of identifying the vehicle as a Hackney Carriage or Private Hire Vehicle licensed with this Council.

“The Relevant Date” means, in respect of an application for a **Private Hire or Hackney Carriage Vehicle Licence**, the date of first registration as a new vehicle in the United Kingdom or, in respect of a vehicle imported other than as new into the United Kingdom, means three years from the date of manufacture

“The Licensee” means the person named as such in the Licence

“The Vehicle” means the Private Hire or Hackney carriage Vehicle specified in the Licence

“The Licensed Driver” means a person licensed by the Council to drive vehicles of the particular type for the purpose of hire or reward

The terms **“Operator”, }**

“controlled district”, }

“driver’s badge”, } Each shall have the

“the district”, }
“Hackney carriage”, } meaning that is
“hackney carriage byelaws”, contained in the
“operate”, } **Relevant Legislation**
“Operator’s Licence”, }
“private hire vehicle”
} “proprietor”, }

“**Vehicle Specification**” shall mean the minimum standards laid down from time to time by **The Council** in respect of **Vehicles** licensed for a particular activity

“**vehicle safety cosmetic test**” shall be the test carried out to the standard as specified by **The Council**

“**Police Officer**” means a constable of any rank, and a Police Community Support Officer in Uniform

Appendix A – Standard Conditions governing Private Hire Vehicle Licences

1. The definitions and common conditions contained in the definitions section pages 5 to 7 of this document including this appendix are incorporated into these conditions.
2. Insofar as is necessary to give effect to these conditions, the **Vehicle Specification** are incorporated into the conditions.
3. **The Licensee** shall not be less than 18 years of age.
4. The **Licensed Vehicle** is licensed on condition that it accords with the **Vehicle Specification**.
5. **Licensed Vehicles** shall be inspected (for both MOT and **vehicle safety cosmetic testing** as specified by **the Council**) at least once a year at a place specified by **the Council**. Where more than eight years has elapsed from the **Relevant Date** such inspection shall occur every twice yearly.
6. **The Licensee** shall ensure that the **Licensed Vehicle** is not used for the conveyance of more Passengers than the number specified in **The Licence**.
7. **The Licensee** shall ensure that at all times during the currency of **the Licence**
 - 7.1. there is force a policy of insurance covering the use of that vehicle as a private hire vehicle / Hackney carriage complying with the relevant legislation, and the driver and Proprietor of the vehicle shall produce for inspection proof that such insurance is currently held immediately on request of an **Authorised Officer** or **Police Officer**
 - 7.1.1. the excise duty for the **Licensed Vehicle** is current;
 - 7.1.2. there is in force where required by law a current MOT certificate in respect of the **Licensed Vehicle** and shall ensure that the original such certificate is produced immediately upon the request of an **Authorised Officer** or **Police Officer**; *(Please note that the condition requires production of the original certificate. Photocopies or faxed copies are not acceptable.)*
 - 7.2. the **Licence Plates** are firmly affixed to the exterior of the **Licensed Vehicle** (positioned to its front offside and rear offside) and kept clean and in such condition as to be easily legible and the **interior plate** is maintained in a position so as to enable passengers to readily view the plate number written thereon;
 - 7.3. The **Licensee** shall cause to be displayed any customer information notices as may be specified by the Council from time to time and such notices shall be sited in a position so as to enable them to be readily viewed by passengers;

7.4. **The Licensed Vehicle** neither displays nor carries any roof signs or additional fittings or articles for the roof other than an aerial or displays any other markings or signage without the written consent of **The Council**;

7.5. Except with the prior written consent of **The Council**, **The Licensed Vehicle** shall not be used for the purposes of advertising. If written consent is sought by **The Licensee** the form and content of the proposed advertisement must be provided with any request;

Where written consent is given by **The Council**, advertising will generally be permitted only on the rear passenger doors in the case of vehicles licensed to carry less than five passengers or on the rear facing doors in the case of vehicles licensed to carry five or more passengers;

7.6. If a **taximeter** is fitted to the vehicle then:

7.6.1. only the tariff(s) notified to **The Council** is displayed so as to be visible to **passengers** at all times and shall be in a format approved by **The Council**;

7.6.2. a copy of the tariff(s) is provided to **The Council**;

7.6.3. the **taximeter** is fixed in such a position within the vehicle that the display is visible to passengers;

7.6.4. the **taximeter** is sealed with a manufacturers or Council approved seal;

7.6.5. The **taximeter** is calibrated by persons approved to do so by **The Council** and a certificate shall be produced to **The Council** as to that calibration;

7.7. Any radio transceiving equipment except cellular telephones, fitted to or being used within **The Licensed Vehicle** shall be type approved mobile radio equipment as licensed by the Radio Communications Agency under the Wireless Telegraphy Act 1949.

7.8. Radio scanners are neither installed nor used within **The Licensed Vehicle**.

7.9. No CCTV system is to be used within **The Licensed Vehicle** unless all Information Commissioner's Office requirements are adhered to;

7.9.1. No audio recording must take place and

7.9.2. A sign must be affixed within **The Licensed Vehicle** so as to be readily visible to **Passengers** informing them that video recording is or may be taking place.

7.10. No dash camera system may be used within **The Licensed Vehicle** unless all Information Commissioner's Office requirements are adhered to and;

- 7.10.1. No audio recording must take place
- 7.10.2. The dash camera system must be outward facing only.
- 7.11. The **Licensed Vehicle** shall:
 - 7.11.1. be kept in good and clean condition both on the interior and exterior;
 - 7.11.2. have seats that are properly cushioned and without any tears or holes in the coverings;
 - 7.11.3. have sufficient space for luggage;
 - 7.11.4. have in proper working order an interior light for the use of passengers;
 - 7.11.5. at all times comply with any legislation applying to it and in particular shall comply with the requirements of the **Relevant Legislation** and the Road Traffic Acts and Construction and Use Regulations in respect of tyres, lights, reflectors, windscreen wipers / washers, exhaust systems, brakes and seat belts;
 - 7.11.6. have a spare wheel and tyre which must be maintained in such a condition as to render it suitable for lawful use on a road and have the tools for the changing of such a spare wheel and tyre;
 - 7.11.6.1. Where a vehicle was supplied by the manufacturer with a limited mileage emergency use only tyre condition 7.11.6 does not apply. In this instance the emergency use must be maintained in such a condition as to render it suitable for lawful use on a road and have the tools for the changing of such a spare wheel and tyre
 - 7.11.6.2. Where a vehicle was supplied by the manufacturer with an emergency tyre inflation kit then condition 7.11.6 does not apply. In this instance an emergency tyre inflation kit must be kept in the vehicle at all times in a usable condition.
- 8. Any alteration to the seating configuration or capacity of a **Licensed Vehicle** is not permitted.
- 9. Tinted films or glass applied retrospectively to the **Licensed Vehicle** windows are not permitted
- 10. **Licence Plates** remain the property of **The Council** and **The Licensee** shall return the **Licence Plates** to **The Council** within seven days of the revocation, suspension or expiry of **The Licence**.
- 11. Employment
 - 11.1. On or before the grant of a licence (and prior to receipt of **Licence Plates**) the **Licensee** shall state the **Operator(s)** with whom he/she will work (where

work includes that work arising from the relationship of employer/employee and/or from any other arrangement under which **The Licensee** secures work or obtains or is entitled to receive any income in consequence of any bookings made through the **Operator** or his operating business);

11.2. **The Licensee** shall report any change in the details provided pursuant to condition 11.1 above by notifying **The Council** by close of business on the next working day following any change;

11.3. **The Licensee** shall ensure that **The Licence** or a certified copy of it is provided forthwith to any **Operator** required to be notified to **The Council** pursuant to the provisions of condition 11.1 and 11.2 and **The Licensee** shall not retrieve any document so provided whilst any arrangements to work with that Operator remains current.

12. **The Licensed Vehicle** shall be made available for inspection by an **Authorised Officer** or Police Officer at any reasonable time and further shall if required by written notification from any **Authorised Officer** or Police Officer be presented for inspection at such time or place within the **Controlled District** as has been specified in the written notification.

Change of circumstances

13. **The Licensee** shall ensure that **The Council** is notified in writing by the next working day of the happening of any of the following events;

13.1. The Licensee receiving a simple or conditional caution, being convicted of any criminal or motoring offence, or receiving any out of court disposal including formal warnings, community resolutions, restorative justice education and awareness courses, community protection warnings and notices or fixed penalty notices;

13.1.2 being bound over by any court;

13.2.3 being arrested or interviewed in connection with investigations into allegations for any offence

13.2. any material change in the circumstances of **The Licensee** where a material change is one that would require **The Licensee** to provide different information on application to **The Council** than has been provided in connection with the most recent application for a **Private Hire Vehicle Licence** made by **The Licensee**, including, by way of example, a change of address, change of name, or change of employer or business;

13.3. any accident or incident resulting in damage to the **Licensed Vehicle**, or by the use of that **Licensed Vehicle** any damage caused to another vehicle, or of any injury caused to any person by the use of the **Licensed Vehicle**

13.4. any alteration to the vehicle (including mechanical or bodywork alterations). For the avoidance of doubt, unless it is with the prior written consent of **The Council**, no alteration may be made to the vehicle which would result in a contravention of any of the conditions attaching to **The**

Licence. Where alterations are made then the Council shall be entitled to require the vehicle to undergo a further inspection.

13.5. the sale or acquisition of a **Licensed Vehicle**.

14. The vehicle shall only be licensed by Bristol City Council. If the Licensing Authority becomes aware of other vehicle licences (hackney carriage or private hire) running concurrently with this licence, then this licence will be revoked

Appendix B - Conditions governing Private Hire Operators

1. The Licensee shall be not less than 18 years of age.

Private Hire Operator records

2. **The Licensee** shall ensure that an entry is made in a register either a record book or computerised booking and dispatch system for each booking which shall include:
 - 2.1 The name of any individual that responded to the booking request
 - 2.2 The date and time on which the booking is made and if different, the date of the proposed journey;
 - 2.3 The name of the hirer, and their contact details such as an address, phone number or e-mail and the name of the lead passenger if different from the Hirer;
 - 2.4 The agreed time and place of pick-up point, or, if more than one, the agreed time and place of the first pick-up-point;
 - 2.5 The destination(s);
 - 2.6 The drivers badge and licence number and vehicle plate and registration number allocated the booking;
 - 2.7 The fare agreed for the journey (where appropriate);
 - 2.8 Any particular needs of the customer for example disability requirements (where appropriate);
 - 2.9 If appropriate, the name of the other operator for whom a booking was received and / or to whom the booking was subcontracted and any relevant notes;
 - 2.10 How the booking was made (i.e. in person, telephone, online);
 - 2.11 The name of any individual that dispatched the vehicle
 - 2.12 Whether the booking was fulfilled and if not the reasons why it was not fulfilled.
3. The register of bookings shall be retained at the Premises for at least 12 months from the date of last entry.

Note: The register must be updated contemporaneously and in writing before the commencement of each journey. The practice of copying up at a later stage from dockets or some other ad hoc system is contravention of these conditions. Contravention renders the Licensee liable to enforcement action, which in appropriate circumstances could result in the suspension or revocation of the Licence.

This guidance note also applies to other registers required to be kept in accordance with the conditions governing this Licence.

Where the booking register is a record book it shall be a suitable hardback book which has consecutive page numbers. All entries shall be clearly and easily legible, with no line spaces or blank pages.

4. Where the register is a computerised booking system the records shall be capable of being readily printed and produced on demand to an Authorised Officer

or Police Officer. Computerised records shall be properly backed up so as to ensure compliance with the provision of governing retention.

5. **The Licensee** shall ensure that any staff responsible for making booking records are competent to do so and are capable of using the system used for the keeping of records including providing records on request to an authorised officer or the police.
6. **The Licensee** shall maintain and keep an up-to-date a register containing the following information:
 - 6.1 Name, date of birth and home address of every Private Hire Driver operated by them;
 - 6.2 Details including date of expiry of the Council Private Hire Driver licence, badge number and licence number of every Private Hire Driver licence holder operated by **the Licensee**;
 - 6.3 Any call sign/codes allocated to each Private Hire Driver;
 - 6.4 The date the driver commenced and ceased carrying out bookings on behalf of **the Licensee** (if applicable);
 - 6.5 Name and home address of the proprietor of every Private Hire Vehicle working on behalf of **the Licensee**;
 - 6.6 Details including The Council licence plate number, licence number, expiry date, vehicle make and vehicle registration number of every Private Hire Vehicle used to carry out bookings.
 - 6.7 The date the Private Hire Vehicle commenced and ceased being used for carrying out bookings on behalf of **the Licensee**;

This register must be made immediately available for inspection on demand by any authorised Officer or Police Officer.

7. For every Private Hire Driver and Private Hire Vehicle working on behalf of **the Licensee** the following shall be kept and maintained;
 - 7.1 A copy of the drivers current Private Hire Drivers licence ;
 - 7.2 A copy of the drivers current Private Hire Drivers badge;
 - 7.3 A copy of photographic proof of identification ;
 - 7.4 A copy of the current Private Hire Vehicle licence;
 - 7.5 A copy of the Private Hire Vehicles current MOT certificate;
 - 7.6 A copy of the Private Hire Vehicles current vehicle safety cosmetic test;
 - 7.7 A copy of the Private Hire Vehicles current insurance certificate or cover note in respect of the driver using the Private Hire Vehicle;
 - 7.8 A copy of the Taximeter calibration certificate, where appropriate;
8. Where the licensed Private Hire Vehicle register is paper based it shall be in the form of a bound book.
9. Where the licensed Private Hire Vehicle register is computerised the register shall be capable of being readily printed and produced on demand to an

Authorised Officer or Police Officer. Computerised records shall be properly backed up so as to ensure compliance with the provision of governing retention.

11. **The Licensee** shall maintain a register of all staff that will take bookings or dispatch vehicles. The register shall be a 'living document' that maintains records of all those in these roles for the same duration as booking records are required to be kept.
12. **The Licensee** shall maintain a record that they have had sight of a basic DBS check certificate for all staff that will take bookings or dispatch vehicles for the duration that the individual remains on the register. Should an employee cease to be on the register and later re-entered, **the Licensee** shall require a new basic DBS certificate and sight of this shall be recorded.
13. Any register or records kept by **the Licensee** shall be immediately made available for inspection by any Authorised Officer or Police Officer upon request at any reasonable time (and at all times whilst **the Licensee** is Operating) and shall forthwith provide to any such Authorised Officer or Police Officer photocopies or electronic copies of any such records and associated documentation as may be required following inspection or, where **the Licensee** is unable to provide copies s/he shall permit the Authorised Officer or Police Officer to remove the register for such period as is reasonable in the circumstances to secure the copying of the required documentation.
14. The register of Private Hire Drivers and Private Hire Vehicles including documentation shall be retained at the Premises for at least 12 months from the date of last entry.
15. **The Licensee** shall take all necessary steps to ensure that all Private Hire Vehicles and Private Hire Drivers working on behalf of them within the Controlled District are properly licensed by the Council and shall not Operate in respect of any Private Hire Vehicle unless satisfied that both the Private Hire Driver and Private Hire Vehicle have been and remain so licensed.
16. **The Licensee** shall take all necessary steps to ensure that all Private Hire Vehicles and Private Hire Drivers working on behalf of them within the Controlled District are properly licensed by the Council and shall not Operate in respect of any Private Hire Vehicle unless satisfied that both the Private Hire Driver and Private Hire Vehicle have been and remain so licensed.

Fit and Proper Person test

17. **The Licensee** must ensure that they use appropriate people to take bookings, handle personal information in respect of bookings on behalf of **the Licensee** and as the designated safeguarding lead. A Fit and Proper Person test, similar to the one the Council uses to determine an operator's licence, shall be in place and used by **the Licensee** for all individuals taking bookings, that handle personal information in respect of bookings or who carry out the role of

designated safeguarding lead on behalf of **the Licensee**. This test shall be detailed in a policy which **the Licensee** shall provide on application. Any changes to this policy shall be forwarded to the Council at least 7 working days prior to taking effect.

18. **The Licensee** shall not employ or have any person involved in taking bookings, handling booking information or as designated safeguarding lead that does not meet their Fit and Proper Person policy.
19. Evidence of the checks carried out by **the Licensee** in accordance with their Fit and Proper Person policy for any individual taking bookings on behalf of **the Licensee**, that handle information relating to bookings or act as designated safeguarding lead shall be held at the Premises for 3 years from the date of the checks. These checks shall include a basic disclosure

Safeguarding Policy

20. **The Licensee** shall have in place a Safeguarding Policy which shall be provided to the satisfaction of the Council and include the name and contact details of the Safeguarding Lead acting on behalf of **the Licensee**. A copy of this policy shall be provided on application and any changes to this policy shall be forwarded to the Council at least 7 working days prior to taking effect

Service to passengers

21. **The Licensee** shall so far as is reasonably practicable provide a prompt, efficient and reliable service and shall in particular do everything necessary to ensure that Private Hire Vehicles attend punctually at the time and place agreed with the Passengers and that the needs of the passengers are met.
22. **The Licensee** shall not permit any Private Hire Vehicle to be used to fulfil bookings that they know or ought to know does not comply with the conditions imposed under its Private Hire Vehicle licence and in particular shall not conduct business in respect of a Private Hire Vehicle unless it is fitted with the approved signage.

Premises

23. **The Licensee** shall ensure that any Premises to which the public have access for booking or waiting is kept clean, has sufficient seating and is adequately heated, ventilated and lit.

24. The possession or use of radio scanner equipment is prohibited in the Premises from which **the Licensee** operates.

Bookings

25. Private Hire Operators are not permitted to accept telephone bookings made on behalf of a potential passenger by a Private Hire Driver.

Information to be provided to the Council

26. **The Licensee** shall notify the Council, in writing, of any proposed change of name of **the Licensee** and shall await approval in writing from the Council prior to using any new name.

27. **The Licensee** shall ensure that the Council is notified in writing by close of business on the following working day full details of the happening of any of the following events in respect of **the Licensee**, any individual, company, director or secretary named on the application form or a currently appointed Responsible Person:

27.1 receiving a simple or conditional caution, being convicted of any criminal or motoring offence, or receiving any out of court disposal including formal warnings, community resolutions, restorative justice education and awareness courses, community protection warnings and notices or fixed penalty notices;

27.2 being bound over by any court;

27.3 being arrested or interviewed in connection with investigations into allegations for any offence

27.4 any offence arising out of the use or keeping of any motor vehicle;

27.5 is refused any type of licence by any other regulatory authority or any such licence is suspended, revoked or refused;

27.6 any material change in the circumstances of **The Licensee** where a material change is one that would require **The Licensee** to provide different information on application to The Council than has been provided in connection with the more recent application for an Operator's Licence made by **The Licensee**, including, by way of example—

27.6.1 any change in the address from which **The Licensee** operates;

27.6.2 any change in the style or title of **The Licensee** or his business or its trading status;

27.6.3 any irregularity that **The Licensee** believes may exist in respect of the licensing of any Private Hire Vehicle or Private Hire Driver in respect of which they Operate;

- 28 **The Licensee** shall forward a copy of the current register of Private Hire Drivers and Private Hire Vehicles to the Council on the first working day of each month.
- 29 **The Licensee** shall check any information provided by the Council concerning suspended or revoked licences within 24 hours of receipt.
- 30 **The Licensee** shall inform the Council of any drivers or vehicles which are removed from the Licensee's Private Hire Driver or Private Hire Vehicle register including the reasons for removal and any relevant information to the Council within 72 hours of the decision to remove the driver or vehicle.
- 31 **The Licensee** shall notify the Council, in writing, of the name and details of any individuals nominated as a Responsible Person for managing the business on behalf of the Operator at least 7 working days prior to their commencement in that role.
- 32 **The Licensee** shall ensure that at the time of passing a booking to a driver the following details are provided:
- 32.1 the name of the passenger;
 - 32.2 the pick-up time and location;
 - 32.3 any special requirement of the passenger;
 - 32.4 any price agreed for the journey;
 - 32.5 the destination specified by the passenger.
 - 32.6 any needs of the passengers
- 33 The Licensee shall comply with requests for information from the Council in respect of complaints, conduct or offences relating to the Licensee, Private Hire Vehicles and Private Hire Drivers licensed by the Council.
- 34 The Licensee shall establish a Customer Service and Complaints policy and shall take all reasonable steps to record and fully investigate any complaints, ensuring a record is kept of the following information;
- 34.1 The name, contact details of complainant and date complaint received
 - 34.2 The date, time and details/nature of the complaint
 - 34.3 The name of the driver (and Badge number) or member of staff, to which the complaint relates
 - 34.4 Details of the investigation carried out
 - 34.5 All records shall be retained for 12 months

34.6 The format of the complaints register shall be maintained in a manner prescribed by the Council;

34.7 Details of when and how complaint forwarded to the Council (if applicable)

34.8 Any action taken as a result of the complaint

- 35 The Customer Service and Complaints policy and complaint records shall be made available on request to an Authorised Officer or police.
- 36 Any records relating to complaints shall be kept in hard copy or on computer. If kept in hard copy they must be in a bound book with consecutively numbered pages.
- 37 The Licensee shall ensure that they notify any complainant of their right to forward their complaint to the Council.
- 38 If **the Licensee** receives a complaint concerning any of the below matters the Operator must inform the Council in writing upon within 72 hours of receiving the complaint, including the name and contact details of the complainant, the nature of the complaint, the name and badge number of a driver, the vehicle details:
- Sexual misconduct, sexual harassment or inappropriate sexual attention;
 - Racist behaviour;
 - Violence;
 - Dishonesty;
 - Theft;
 - Breaches of equality;
 - A driver's behaviour or conduct towards a vulnerable passenger;
 - Report of poor and/or dangerous driving;
 - A driver being under the influence of alcohol and/or any other drug (illegal or medicinal);
 - A refusal of a passenger with a wheelchair or an assistance dog.
- 39 **The Licensee** shall ensure that customers can speak to a person in the event of a complaint or problem with the journey.
- 40 **The Licensee** shall forward any changes to its Customer Service and Complaint Policy to the Council in writing at least 7 working days prior to the change taking effect.
- 41 **The Licensee** shall disclose any information they consider could impact on a driver or vehicle proprietor's suitability to hold a licence to the Council, in respect of complaints, conduct or offences within one working day of the Licensee being in receipt of this information.

- 42 **The Licensee** shall have in place a Training Policy for all people working on behalf of the Operator which includes details of the training provided for all employees or those working on behalf of the Licensee.
- 43 The Training policy and evidence of training shall be made available to an Authorised Officer when requested, and provided on application, including renewals. The Licensee shall forward any changes to the Training Policy to the Council at least 7 days prior to the change taking effect.
- 44 The Licensee shall not cause or allow to be caused any nuisance or annoyance to the owners or occupiers of nearby premises, by the conduct of the business to which this Licence relates. This includes, but is not limited to multiple vehicles being parked in residential areas, vehicle engines being left running for long periods of time, vehicles leaving and returning to premises at unsociable hours and vehicles being maintained or serviced.
- 45 The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire vehicle booking should not be permitted without the informed consent of the booker.

Appendix C – Conditions governing Private Hire Drivers

1. The definitions and common conditions contained at the general conditions section pages 5 to 7 including this appendix are incorporated into these conditions.
2. Insofar as is necessary to give effect to these conditions, the **Vehicle Specification**, **The Training Policy** and **The Medical Fitness Policy** are incorporated into these conditions.
3. **The Licensee** shall ensure that at all times s/he is clean and respectable in dress and in person.
4. **The Licensee** shall conduct herself/himself in an orderly and proper manner to the general public including towards ever **Passenger** hiring or being conveyed in the **Licensed Vehicle** and shall comply with every reasonable requirement of any such person.
5. The **Licensee** shall when requested by any **Passenger** –
 - 5.1. convey a reasonable amount of luggage;
 - 5.2. afford reasonable assistance in loading and unloading;
 - 5.3. afford reasonable assistance in removing luggage to and / or from the entrance of any building, station or place at which the driver may take up or set down such person;
 - 5.4. take all reasonable steps to ensure the safety of **Passengers** when entering or alighting from the vehicle
6. The **Licensee** shall ensure that no luggage is carried on the roof of the licensed vehicle.
7. The **Licensee** shall, so far as is reasonably practicable, attend to convey the **Passengers** at the appointed time and place
8. The **Licensee** shall not demand from any **Passenger** a fare in excess of that previously agreed 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 amount shown on the face of the **taximeter**.
9. The **Licensee** shall proceed to the destination by the most expedient route, unless otherwise agreed with or requested by the **Passenger**.
10. The **Licensee** shall on request of the **Passenger** provide to him/her a written receipt for the fare paid. The receipt shall bear the name and address of the **Operator** and/or his/her business.
11. The **Licensee** shall immediately after the termination of a hiring, or as soon as practicable thereafter, carefully inspect the vehicle for any property that may have been left therein.

Property found following such inspection shall be dealt with according to the Operator policy on lost property. (For the avoidance of doubt this condition does not apply to any suspicious package, the existence of which must be immediately notified to the Police).

12. **The Licensee** shall whilst working for hire and reward:

- i) wear the badge in such a position to be plainly and distinctly visible on the upper torso at all times when outside of the vehicle;
- ii) and display in the vehicle the second badge so as to be distinctly visible and clearly seen by any passengers in the vehicle.

12.1 When not engaged in hire and reward work, one badge must always be carried by **The Licensee** and immediately produced for inspection of request of an Authorised Officer or Police Officer or any other person reasonably requiring it.

12.2 **The Licensee** shall not lend the Identification Badges to any other person or otherwise part with possession of them nor shall s/he cause or permit any other person to use them.

13. The Driver's Badges referred to in Condition 12 shall remain the property of the City Council and shall be returned, within three working days, to the Council Licensing Office by **The Licensee** forthwith upon the happening of any of the following events-

13.1 the expiry of **The Licence**;

13.2 the revocation or the suspension of **The Licence**;

13.3 **The Licensee** being disqualified from driving.

14. **The Licensee** shall carry free of any charge guide dogs, hearing dogs or service dogs for the disabled.

(Licensees may be exempted from this condition for medical reasons subject to such agreement being given in writing by the Licensing Office)

15. **The Licensee** shall not park at or within 20 metres of any Hackney Carriage rank. **The Licensee** may stop near a Hackney Carriage rank only for the purpose of setting down a passenger.

16. Following **The Licence** being granted (and prior to any work being undertaken pursuant to it) **The Licensee** shall inform **The Council** of **The Operator** with whom s/he will work and secure written confirmation of that information from **The Operator**. The Council reserves the right to withhold Identification badges until this condition is complied with in full.

17. **The Licensee** shall ensure that **The Licence** or a certified copy of it is provided to the aforesaid **Operator** for whom they are working, to be retained by the **Operator** throughout the period in which **The Licensee** secures work through that **Operator**.

18. **The Licensee** shall comply with any provision of **The Councils Training Policy** applying to him/her.
19. **The Licensee** must make him/herself aware of Bristol City Council Private Hire Vehicle Licence conditions and ensure that the vehicle s/he is using for hire and reward complies with all the conditions contained therein.
20. **The Licensee** shall ensure that **The Council** is notified in writing by the next working day of the happening of any of the following events;
 - 20.1. The Licensee being arrested or interviewed in connection with investigations for any offence;
 - 20.2 The Licensee receiving a simple or conditional caution, being convicted of any criminal or motoring offence, or receiving any out of court disposal including formal warnings, community resolutions, restorative justice education and awareness courses, community protection warnings and notices or fixed penalty notices;
 - 20.3The Licensee being bound over by any court;
 - 20.4any material change in the circumstances of **The Licensee** where a material change is one that would require **The Licensee** to provide different information on application to **The Council** than has been provided in connection with the most recent application for a **Private Hire Vehicle Driver's Licence** made by **The Licensee**, including, by way of example, a change of address, change of name, change of employer or business, and diagnosis of a medical condition.
 - 20.5 The imposition of any penalty points upon the DVLA Licence held by **The Licensee**.

Appendix D – Conditions governing Hackney Carriage Vehicles

1. The definitions and common conditions contained at General conditions section pages 5 to 7 including this appendix are incorporated into these conditions.
2. Insofar as is necessary to give effect to these conditions, the **Vehicle Specification** shall be incorporated into these conditions.
3. **The Licensee** shall be not less than 18¹ years of age.
4. **The Vehicle** is licensed on condition that it accords with the **Vehicle Specification**.
5. **Licensed Vehicles** shall on initial application be of such standard and condition so as to have passed the vehicle safety cosmetic test including an MOT as specified by the Council. Vehicles shall be maintained to such standard and condition whilst the vehicle remains licensed. s. Where more than eight years has elapsed from the **Relevant Date** such inspection shall occur every six months.
6. On subsequent applications vehicles should be inspected every twelve months as a placed specified by the Council. This inspection will include the vehicle safety cosmetic test including the MOT as set by the Council.
7. The **Licensed Vehicle** shall be made available for inspection by an **Authorised Officer** or Police Officer at any reasonable time and further shall if required by written notification from any **Authorised Officer** or Police Officer be presented for inspection at such time or place within the **Controlled District** as has been specified in the written notification.
8. **The Licensee** shall ensure that at all times during the currency of **The Licence** –
 - 8.1.1. there is force a policy of insurance covering the use of that vehicle as a private hire vehicle / Hackney carriage complying with the relevant legislation, and the driver and Proprietor of the vehicle shall produce for inspection proof that such insurance is currently held immediately on request of an **Authorised Officer** or **Police Officer**
 - 8.1.2. the excise duty for the **Licensed Vehicle** is current
 - 8.1.3. there is in force where required by law a current MOT certificate in respect of the **Licensed Vehicle** and shall ensure that the original such certificate is produced immediately upon the request of an **Authorised Officer** or Police Officer*(Please note that the condition requires production of the original certificate. Photocopies or faxed copies are not acceptable.)*

¹ 29/7/8 Policy revision implication of employment equality regulations

- 8.2. the **Licence Plates** are firmly affixed to the exterior of the **Licensed Vehicle** (positioned to its front offside and rear offside, save where a particular fixing is included in the vehicle design) and kept clean and in such condition as to be easily legible and the **interior plate** is maintained in a position so as to enable passengers to readily view the plate number written thereon. **Plates** must be affixed securely but in such a manner as to facilitate ease of removal by an **Authorised Officer** or Police Officer;
- 8.3. the **Licensed Vehicle** is not used for the conveyance of more passengers than the number specified in **The Licence**;
- 8.4. **The Licensed Vehicle** displays a sign on its roof bearing the legend 'TAXI' which sign must be visible to the general public from the front of the **Vehicle** and which must be illuminated at all times when the **vehicle** is plying for hire but must not be illuminated at any other time
- 8.5. The following documents shall be affixed within the **Licensed Vehicle** so as to be readily visible to **Passengers**-
 - 8.5.1. any customer information notices as may be specified by **The Council** from time to time;
 - 8.5.2. the current tariff of fare as set by **The Council**;
- 8.6. the **taximeter** is operated so that –
 - 8.6.1. the tariff is displayed so as to be visible to **Passengers** at all times;
 - 8.6.2. it is fixed in such a position within the vehicle that the display is visible to passengers
 - 8.6.3. it otherwise accords in all respects with the relevant provisions of the **vehicle specification**;
 - 8.6.4. it is used for all journeys which commence and terminate within the **Controlled District**; for those journeys which commence within the controlled district but which terminate outside of it, the **taximeter** must be used except where the level of fare has been agreed with the **Passenger** prior to the commencement of the journey;
- 8.7. any radio transceiving equipment except cellular telephones, fitted to or being used with **The Licensed Vehicle** shall be type approved mobile radio equipment as licensed by the Radio Communications Agency under the Wireless Telegraphy Act 1949;
- 8.8. no CCTV system is to be used within **The Licensed Vehicle** unless all Information Commissioner's Office requirements are adhered to and;
 - 8.8.1. no audio recording must take place and

- 8.8.2. a sign must be affixed within **The Licensed Vehicle** so as to be readily visible to **Passengers** informing them that video recording is or may be taking place;
- 8.9. No dash camera system may be used within **The Licensed Vehicle** unless all Information Commissioner's Office requirements are adhered to and;
 - 8.9.1. No audio recording must take place
 - 8.9.2. The dash camera system must be outward facing only.
- 8.10. radio scanners are neither installed nor used within **The Licensed Vehicle**;
- 8.11. **The Licensed Vehicle** is used only by persons who are properly licensed and insured to use it pursuant to **The Relevant Legislation**.
- 9. **The Licensed Vehicle** shall:
 - 9.1. be kept in good and clean condition both on the interior and exterior;
 - 9.2. have seats which are properly cushioned and without any tears or holes in the coverings;
 - 9.3. have sufficient space for luggage;
 - 9.4. have in proper working order an interior light for the use of passengers;
 - 9.5. at all times comply with the any legislation applying to it and in particular shall comply with the requirements of the **Relevant Legislation** and the Road Traffic Acts and Construction and Use Regulations in respect of tyres, lights, reflectors, windscreen wipers/washers, exhaust systems, brakes and seat belts;
 - 9.6. have a spare wheel and tyre which must be maintained in such a condition as to render it suitable for lawful use on a road and have tools for the changing of such a spare wheel and tyre;
 - 9.6.1. Where a vehicle was supplied by the manufacturer with a limited mileage emergency use only tyre condition 9.6 does not apply. In this instance the emergency use must be maintained in such a condition as to render it suitable for lawful use on a road and have the tools for the changing of such a spare wheel and tyre.
 - 9.6.2. Where a vehicle was supplied by the manufacturer with an emergency tyre inflation kit then condition 9.6 does not apply. In this instance an emergency tyre inflation kit must be kept in the vehicle at all times in a usable condition.

- 9.7. carry and maintain in good condition securing straps, ramps and steps and any other relevant equipment complying with current British Standards to enable a person in a wheelchair to gain entry to and egress from the vehicle and to be properly secured when traveling. (Wheelchair accessible vehicles only).
- 9.8. Display signage that is prominently on view to prospective passengers that states contactless card payments are accepted.
- 9.8.1. Have an electronic payment facility to accept debit/credit card and contactless payments.
- 9.8.2. The electronic payment device must be kept in the vehicle, be fully operational and available for immediate use at all times the vehicle is being used for public hire, or hire and reward (including whilst standing or plying for hire).
10. **Licence plates** remain the property of the Council and **The Licensee** shall return the **Licence Plates** to **the Council** within seven days of the revocation suspension or expiry of **The Licence**.

11. Taximeters

All vehicles shall be fitted with a taximeter as approved by the Council.

- 11.1 The meter shall at all times be in such a position within the vehicle so as to be fully visible by any passenger within the vehicle.
- 11.2 Every meter shall be capable of displaying the current tariff and any extras incurred within the current Council tariff of fares.
- 11.3 Only meters approved and calibrated in accordance with Council procedure shall be used.
- 11.4 All meters must be calibrated with the current Council tariff of fares, or be changed to the current tariff within 14 days of any change within the Council tariffs.
- 11.5 All meters must be sealed with a manufacturer's seal or seal approved by the Council and seals must be in good condition and intact at all times.
- 11.6 Meters must only be calibrated and sealed by persons authorised to do so by **The Council**. **The Licensee** shall obtain from the authorised person a meter certificate which must be produced to **The Council** when requested.
- 11.7 All meters fitted to new vehicles shall be of BSI standard and approved by the Public Carriage Office according to their current list at that time.
- 11.8 All vehicles shall be fitted with BSI standard meters and approved by the Public Carriage Office according to their list at the time by (date to be fixed).

11.9 The power source for the roof sign light shall be provided by the meter so that when the meter is engaged the roof sign will not be illuminated.

For the avoidance of doubt the fitting of an isolating switch to allow the meter to be turned off without the roof sign being illuminated will be permitted.

Changes of circumstances

12. **The Licensee** shall ensure that **The Council** is notified in writing by the next working day of the happening of any of the following events;

12.1 **The Licensee** shall ensure that The Council is notified in writing by the next working day of the happening of any of the following events;

12.2 **The Licensee** being arrested or interviewed in connection with investigations for any offence;

12.3 **The Licensee** receiving a simple or conditional caution, being convicted of any criminal or motoring offence, or receiving any out of court disposal including formal warnings, community resolutions, restorative justice, education and awareness courses, community protection warnings and notices or fixed penalty notices;

12.4 **The Licensee** being bound over by any court;

12.5 any material change in the circumstances of **The Licensee** where a material change is one that would require The Licensee to provide different information on application to The Council than has been provided in connection with the most recent application for a Private Hire Vehicle Driver's Licence made by The Licensee, including, by way of example, a change of address, change of name, change of employer or business, and diagnosis of a medical condition.

12.6 The imposition of any penalty points upon the DVLA Licence held by **The Licensee**.

12.7 any accident or incident resulting in damage to the **Licensed Vehicle**, or by the use of that **Licensed Vehicle** any damage caused to another vehicle, or of any injury caused to any person by the use of the **Licensed Vehicle**;

12.8 any alteration to the vehicle (including mechanical or bodywork alterations). For the avoidance of doubt, unless it is with the prior written consent of **the Council**, no alteration may be made to the vehicle which would result in a contravention of any of the conditions attaching to **The Licence**. Where alterations are made then **the Council** shall be entitled to require the vehicle to undergo a further inspection;

12.9 The sale or acquisition of any **Licensed Vehicle**.

Condition imposed in respect of certain licensed vehicles that are not coloured Bristol blue (or other approved similar shade) at the date of grant of the licence

In this condition "**Bristol Blue**" means the colour identified by the British Standard code BS 381C (108) (or any European Standard code which may supersede or replace it); and "**Exterior Paintwork**" means those parts of the visible exterior bodywork of the licensed vehicle to which colour was applied by the manufacturer as standard for vehicles of the same year, make and model as the licensed vehicle.

- 13 The Licensed Vehicle may not be used in standing or plying for hire in any street within the administrative area of the City of Bristol unless its exterior appearance accords with the vehicle specification policy that was effective from 16 August 2017, that is to say that:

Advertising on the exterior of the cab may cover all or part of the complete exterior body shell and the full width and height of the rear window, except for:

- a. the front windscreen, side windows and any other glass areas;
- b. the tyres and/or the rims and bumpers;

Save for any area where advertising is displayed all Exterior bodywork shall be uniformly coloured Bristol Blue.

Tuk Tuks and Pedicabs

Over recent years the licensing service has received a number of enquiries concerning the licensing of tuk tuks and pedicabs as private hire vehicles or hackney carriages. The legislation and the council's policies relating to private hire vehicles and hackney carriages do not specifically concern itself with tuk tuks and pedicabs as means of transport.

However it is clear in the legislation that non-motorised vehicles cannot be licensed as private hire vehicles (Section 48 (1) (a) Local Government (Miscellaneous Provisions Act 1976)). The council has a policy relating specifically to hackney carriages which can be motorised or non-motorised. In order for hackney carriage applications to be determined applicants need to demonstrate how they propose to comply with the councils Hackney Carriage Vehicle Policy (as far as practicable), including being Bristol blue and an illuminated sign being displayed on the roof. There are a number of issues in respect of hackney carriages that need to be considered including wheelchair accessibility and the refusal of fares which is particularly relevant for non-motorised transport.

If an applicant wishes to apply for a private hire vehicle licence for a tuk tuk all work must be pre-booked with a licensed operator, which could be through telephone bookings.

The drivers of hackney carriages and private hire vehicles need to hold an appropriate drivers licence issued by the council. Applicants for such licences need to satisfy the councils Hackney Carriage and Private Hire Fit and Proper Persons policy, which includes a knowledge test, mandatory safeguarding training, check and medical test.

Currently the council do not have a policy that specifically relates to the licensing of tuk tuks or pedicabs in Bristol. Therefore applicants are required to consider the existing policies in respect of private hire and hackney carriages and to demonstrate to the Public Safety and Protection Committee how they propose to comply with the relevant policies. If the committee were minded to depart from existing policies and grant licences for tuk tuks or pedicabs appropriate conditions would need to be attached.

For further information please contact the Licensing Team.