

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

NOTES FOR APPLICANTS

*** PLEASE NOTE – HOURS OF OPENING FOR COUNTER ENQUIRIES ARE 9.00 A.M TO 12.00 NOON, MONDAY TO FRIDAY. IF YOU CANNOT MAKE YOUR VISIT BETWEEN THESE TIMES YOU WILL NEED TO MAKE AN APPOINTMENT ON THE FOLLOWING TELEPHONE NUMBER (01223) 443024 OR (01223) 443132 FOR FURTHER ASSISTANCE.**

GENERAL

- (1) Section 15 of the 1985 Transport Act applies the taxi licensing provisions of the 1847 Act throughout the district of South Cambridgeshire.
- (2) After 1st January 1987, it will be an offence for a vehicle to stand or ply for hire in a street or public place in South Cambridgeshire unless it is licensed for that purpose.
- (3) Part II of the Local Government (Miscellaneous Provisions) Act 1976 provides for the licensing of hire cars and modifies the licensing of taxis under the 1847 Act. This came into force in South Cambridgeshire on 9th February 1987 and from that date private hire vehicles, drivers and operators must be licensed.

FEES

Fees for any applications are non-refundable. Please refer to the separate sheet for fees relevant to your application.

DEFINITIONS

- (1) A hackney carriage is able to ‘ply for hire’ which includes taking passengers from the street without any pre-arranged booking.
- (2) A private hire vehicle cannot ‘ply for hire’. It can only convey passengers who have booked the vehicle through the operator.
- (3) A driver may be either an owner/driver or employed by the owner of a vehicle.
- (4) A vehicle adapted to carry more than eight passengers that is used for hire or reward is a public service vehicle and is licensed under different legislation.

OPERATOR LICENSING

Private Hire Operator licences will usually only be granted to applicants who have a control centre or business address within the South Cambridgeshire District boundary from where bookings are taken.

If you are a Council Tenant, permission to run a business from your home address must be sought in writing from the Housing Office, South Cambridgeshire District

Council, 9-11 Hills Road, Cambridge CB2 1PB, before your application is submitted to the Licensing department.

If you own the property you wish to run a business from, the Licensing Department will make enquiries to the Planning Department to confirm that Planning permission is not required. This will be done prior to any application being processed.

If the property you live in is owned by a Housing Association or Privately Rented Accommodation you must provide written permission to allow you to run a business from that address before applying.

VEHICLE TESTING

- (1) The 1976 Act provides powers for ensuring that vehicles are suitable for use as taxis or private hire vehicles and that they are maintained in a satisfactory condition. It also contains specific powers to inspect and test vehicles and to suspend, revoke or refuse to renew a licence.
- (2) Testing of vehicles will take place at the Council's Depot, Water Lane, Oakington. The cost is normally included in the licence fee. The proprietor and driver's knowledge of the Council's conditions and byelaws will also be tested. **The testing by the Council will not avoid the need for annual MOT testing for vehicles more than one year old.** This should be obtained by applicants independently (if required) and the Test Certificate must be produced on the Council's inspection and have at least three months before it expires.

In the case of hackney carriage drivers, a driving test and a short area knowledge test may also be carried out.

- (3) **Safety Equipment is required for every vehicle test. You will need to provide the following:-**
 - **An efficient fire extinguisher (minimum capacity 0.6 kg) carried in a position so as to be readily available for use**
 - **A suitable First Aid Kit containing appropriate first aid dressings and appliances.**

DOCUMENTS (apart from application form and fee)

- (1) An applicant for a vehicle licence must produce a valid vehicle registration document, and a Certificate of Insurance or policy that must include an endorsement covering fare-paying passengers.
These must be produced at South Cambs Depot, Dickerson site, A10, Waterbeach on the day of the vehicle test.
- (2) No licence will be issued until the above documents have been produced.
- (3) An applicant for a driver's licence must produce a valid full driving licence, two passport size photographs, an Enhanced Police Disclosure and medical certificate if required.
- (4) On renewal of Operator's licences, record books must be produced.

DRIVERS

PREAMBLE: The grant of a License is subject to satisfactory checks with the Criminal Records Bureau, The Driver Vehicle Licensing Agency and where required a Medical Practitioner. We may get information about you from certain third parties, or give information to them to check the accuracy of information, to prevent or detect crime or to protect public funds in other ways as permitted by law. These third parties include other Local Authorities and Government departments.

- (1) The Council is permitted to satisfy itself that an applicant for a vocational driving licence is a fit and proper person.
- (2) Applicants are advised that references are likely to be taken up. In the case of renewal, references will be taken up if there is a material change in circumstances. References will be taken up in appropriate cases in respect of criminal and medical disclosures.
- (3) Applicants are requested in the application form to declare any convictions or cautions they may have, including those that are regarded as “spent” under the Rehabilitation of Offenders Act 1974 and all future convictions. All relevant convictions, spent or otherwise may be considered by the Council when determining an application by virtue of the Rehabilitation of Offenders Act 1974 2002 amendment s75. The information given will be treated in confidence and will only be taken into account in relation to the application. **Please read the accompanying Policy Statement before making your application.**

The licensing authority is empowered in law to check with the Criminal Records Bureau for the existence and content of any criminal record held in the name of an applicant. Information received from the Criminal Records Bureau will be kept in strict confidence while the licensing process takes its course and will be retained for no longer than is necessary.

The disclosure of a criminal record or other information will not debar an applicant from gaining a licence unless the authority considers that the conviction renders them unsuitable. In making this decision the authority will consider the nature of the offence, how long ago and what age you were when it was committed and any other factors which may be relevant.

- (4) Applicants should request their GP’s to examine them in accordance with the medical certificate unless specifically exempted. Any fee will be directly payable by the applicant.

A licensee is examined:

- (a) on first applying for a hackney carriage or private hire vehicle driver’s licence;
- (b) on reaching the age of 55 years;
- (c) on reaching the age of 60 years;
- (d) on reaching the age of 65 years;

LENGTH OF LICENCE

- (1) Driver’s licences will normally be valid for a period of three years.

- (2) Vehicle licences will be valid for a period of one year, and should be renewed at least one week before expiry.
- (3) Operator's licences will be valid for a period of one year, and must be renewed at least 2 weeks prior to expiry.

APPEALS

An applicant who is refused a licence will have a right of appeal to the Magistrates' Court. There is also a Review Procedure operated by the Council where aggrieved applicants may have their cases reviewed by members of the appropriate Licensing Committee, without prejudice to the applicant's statutory rights of appeal to the Magistrates' Court.

LICENCE BADGES (DRIVERS) AND PLATES (VEHICLES)

The Council now operate a straightforward system of allocating identification badges to drivers (for which there is a fee on issue to cover the cost of the badge) and licence plates for vehicles.

The Council views with seriousness the operation of any business without having and displaying the badges and plates and without having appropriate third party insurance. It may summarily suspend or revoke licences on complaint, pending inquiries, so you should ensure that the formalities are observed at all times.

Nothing in this, or the enclosed documents, shall be interpreted as overriding the provisions of the Town Police Clauses Act 1847 (as amended) or the Local Government (Miscellaneous Provisions) Act 1976.