

## **Application for a licence to drive Private Hire Vehicles**

### **Knowledge Test Information**

If you are applying for the 'first grant' of a licence to drive private hire vehicles you will be required to take a knowledge test.

When you have submitted your application an appointment will be arranged for you to take this test and this document will provide you with the necessary information to help you prepare for the test. You will always be offered the next available appointment.

The test that you will take will depend on which part of the Borough you are proposing to work in, and to which you have specified on your application.

- ☒ West (Ashton in Makerfield, Standish, Wigan etc)
- ☒ East (Astley, Atherton, Golborne, Hindley, Leigh, Tyldesley etc)

Knowledge tests currently take place at 10:00 a.m. on a Thursday and are usually held every 2 weeks. The tests are held at:

Wigan Life Centre (South Building)  
College Avenue  
Wigan  
WN1 1NJ

Please note, this is the **not** the building where you attend to submit your application, it is the building which also includes the Healthy Living Zone / Swimming Pool.

You should be in reception by no later 9:45 a.m. where you will be met by a member of staff from the Licensing Section.

- If you fail to arrive on time you will not be permitted to enter the examination room and therefore will be unable to carry out your test.
- If you are unable to attend the test you must give at least 24 hours notice (not including weekends or bank holidays).
- You must produce your UK driving licence prior to the start of the test. If you don't you will be unable to carry out your test.

In the above circumstances a further fee may be payable before another test will be arranged.

If you fail the test you will be given the opportunity to re-sit the test until a pass mark is obtained. However please be advised that a further test fee will be payable.

Applicants will normally be informed of their test result within 24 hours of the test (usually by telephone). However please be aware that in some circumstances it may be longer than 24 hours before your test result is available.

If you have any questions about the knowledge test or require any additional support when undertaking the test please contact the Licensing Section by email at: [licensing@wigan.gov.uk](mailto:licensing@wigan.gov.uk)

## About the Test

The test is in two parts, the first being on the law and conditions relating to private hire and the second part of the test relates to knowledge of the Borough.

It is essential that you have a good knowledge of the law and conditions and of the local area to be able to pass this test.

You will be given 45 minutes in which to complete the test and you will be permitted to use an A to Z for this test. A copy of which will be provided by the Licensing Section at the time of the test. You will not be permitted to use your own A to Z.

The PASS mark for the test is 70%. However this is dependant on you meeting the qualifying criteria set in this document.

## Part One – Law and Conditions

Part one of the test is in two sections as outlined below:-

### (a) Compulsory Questions

You will be given 4 multiple choice questions in this section which must **all** be answered correctly. Should you fail to answer any of these 4 questions correctly then you will **automatically fail** the test and the rest of your test paper will not be marked.

Page 4 of this document sets out the 4 compulsory questions.

### (b) Multiple Choice Questions

You will then be provided with 6 further multiple choice questions which will be chosen at random from a list of 28. You will only be required to answer 4 of these questions. If you do complete more than 4 questions only the first 4 will be marked. You are therefore advised to read all 6 questions and ensure you answer the ones you feel most confident with.

Pages 4 and 5 of this document sets out the list of multiple choice questions.

5 marks will be allocated to each question answered correctly in the above sections. You will have to read the contents of this document to find the answers to these questions.

## Part Two - Knowledge of the Borough

Part two of the test is also in two sections as outlined below:-

### (a) Popular Destinations

You will be required to locate 10 'popular destinations' from within the Borough which will be selected at random from a list. A full list of the destinations that may be on your test can be found on pages 5 and 6 of this document. Your answers should include the name of the road / street and the area they are in, for example: -

☒ Alexandra Park = **Victoria Street, Newtown**

☒ Leyland Park = **Park Road, Hindley**

2 marks will be allocated to each question answered correctly in this section. The full 2 marks cannot be allocated if you fail to include the area to which a destination is located. You need to obtain at least 10 marks in this section to qualify for a pass.

### (b) Section (b) Routes

You will then be provided with 6 questions which will be chosen at random from a list. You should describe the shortest (not quickest) route between the 2 locations given, naming all roads, major junctions etc.. that you travel through, for example Hunter Road, Marsh Green to Wigan North Western Railway Station would be: -

- ☒ From Hunter Road turn right into Scot Lane. Continue into Robin Park Road to the traffic lights at Ormskirk Road & Warrington Road (Saddle Junction), turn left with the traffic flow, through the traffic lights to Wallgate, under the first railway bridge, continue along Wallgate under the second railway bridge, turn right and you have reached your destination.

You will only be required to answer 4 of these questions. If you do complete more than 4 questions only the first 4 will be marked. You are therefore advised to read all 6 questions and ensure you answer the ones you feel most confident with.

Details of the routes that may be on your test can be found on pages 6 and 7 of this document.

A maximum of 10 marks will be allocated to each question answered correctly in this section. The full 10 marks cannot be allocated if you fail to describe the correct route in full. You need to obtain at least 20 marks in this section to qualify for a pass.

## The Questions

### Part One – Law and Conditions

#### (a) Compulsory Questions

Remember these 4 questions are compulsory and **must** be answered correctly.

- 1) Where must you display your drivers badge?
- 2) What must you do if you are convicted of any offence, given a formal caution or have any fixed penalty notice imposed on you?
- 3) Whilst you are working but don't have a booking, you are approached by someone in a street and they ask you to take them as a passenger. What must you do?
- 4) Can you drive a private hire vehicle in a bus lane, which has a sign, "buses & taxis only"?

#### (b) Multiple Choice Questions

- 1) What must you do about any lost property found in your vehicle after you have dropped a passenger off?
- 2) What must you do if you change address?
- 3) When do you have to issue a receipt?
- 4) Do you have to carry an animal in your vehicle?
- 5) Can you convey passengers other than the one who hired the vehicle?
- 6) When the vehicle has been hired to pick up at a specified time & place, what must you do?
- 7) Who is responsible for ensuring a child aged under 14 yrs wears a seat belt in your vehicle?
- 8) An authorised officer of the Council or a Police Officer who is making enquiries about private hire vehicles asks you to give him information or to assist him. What must you do?
- 9) Do you have to produce your private hire vehicle driver licence to an authorised officer of the Council or Police Officer when driving a private hire vehicle?
- 10) How must you dress when acting as a private hire vehicle driver?
- 11) Are you or your passengers allowed to smoke in your vehicle?
- 12) What is your duty in relation to any noise made by a radio or other sound producing instrument or equipment in your private hire vehicle?
- 13) What is your responsibility in relation to passengers?
- 14) Can you play a radio or other sound producing equipment or instrument whilst you have a passenger in your vehicle?
- 15) What safety equipment must be carried in a private hire vehicle?
- 16) Can you stop on a 'taxi' rank to pick up a passenger?
- 17) Can you sound your horn to attract the attention of your passenger when you have reached the pick up point and stopped?
- 18) Between what hours must you not sound your horn in a built up area?
- 19) What must you do if you find a defective tyre on your private hire vehicle?
- 20) What route must you follow from pick up to drop off when booked to take a passenger?
- 21) When must you wear your drivers identity badge?
- 22) Where on the vehicle should a private hire plate be fixed?
- 23) How long does your licence to drive private hire vehicles last?

- 24) What is the maximum number of passengers a private hire vehicle can be licensed to carry excluding the driver?
- 25) If you lose your badge what must you do?
- 26) Can your partner drive your private hire vehicle to go shopping or for other personal use?
- 27) Can you charge extra for carrying a disabled passenger?
- 28) Can you leave your private hire vehicle unattended on a 'taxi' rank?

## Part Two - Knowledge of the Borough

### (a) Popular Destinations

#### ➤ West

▪ Wigan Town Hall		▪ Citizens Advice Bureau
▪ St. John Fisher Catholic High School		▪ Wigan Police Station
▪ Thomas Linacre Outpatient Centre		▪ Wigan & Leigh Magistrates Court
▪ Village on the Green		▪ Wigan North Western Railway Station
▪ La Mama Restaurant		▪ DW Stadium
▪ Winstanley College		▪ Wigan Library
▪ Sir Thomas Gerard		▪ Boston House
▪ Wigan Infirmary		▪ Wigan Sorting Office
▪ Britannia Hotel		▪ Fat Olive Restaurant
▪ Winstanley's Pramworld		▪ Revolution
▪ Talbot House Farm		▪ Wigan R.U.F.C.
▪ Wigan Golf Club		▪ Albert's Restaurant
▪ Tesco Extra		▪ Wigan Little Theatre
▪ Gidlow Cemetery		▪ Swimming Pool, Wigan
▪ Newbridge Learning Community		▪ Dean Wood Manor
▪ Pemberton Leisure Homes		▪ Bocket Arms
▪ The Allotment		▪ Douglas Valley Children's Centre
▪ Hope Community Library		▪ Wigan Roller Rink
▪ Central Park Academy		▪ Edwards Funeral Directors
▪ Heinz Factory		▪ Ancliffe Residential Care Home

#### ➤ East

▪ Leigh Police Station		▪ Cineworld
▪ Pennington Flash Country Park		▪ Weaver's Arms
▪ Oakfield High School & College		▪ Fourways Accommodation Service
▪ Holiday Inn Express		▪ Turnpike Gallery

▪ R Banks & Son		▪ Common Fold Kennels & Cattery
▪ Sir Charles Napier		▪ Atherton Cemetery
▪ Garrett Hall Primary School		▪ BJ's Bingo
▪ Suhana Indian Restaurant		▪ Frankie & Bennys
▪ Oaklea Private Day Nursery		▪ Booker Cash & Carry
▪ Leigh NHS Walk In Centre		▪ Atherton Library
▪ Fred Longworth High School		▪ Woodlands Care
▪ Leigh Cemetery		▪ Concert Inn
▪ Tyldesley Post Office		▪ The Chanters Care Home
▪ Hindley Railway Station		▪ Leigh Sports Village
▪ Hollybank Boarding Cattery & Kennels		▪ Mahabarat Restaurant
▪ Howe Bridge Leisure Centre		▪ Old Boathouse
▪ Nando's		▪ The Pelican Centre
▪ Hindley Health Centre		▪ Applewood Farm
▪ St Mary's Catholic High School		▪ The Oaks Boarding Kennels
▪ Golborne Health Centre		▪ Tyldesley Health Centre

## (b) Routes

### ➤ West

▪ Chatsworth Street, Pemberton	to	Brocket Arms
▪ Red Robin	to	Netherby Road, Beech Hill
▪ Buzz Bingo, Robin Park	to	Balliol Way, Ashton in Makerfield
▪ Boston House	to	Dean Crescent, Orrell
▪ Windsor Crescent, Aspull	to	Wigan Little Theatre
▪ Tracks Lane, Billinge	to	Upper Dicconson Street, Wigan
▪ Wykeham Close, Ince	to	Wallgate Train Station
▪ Franco's Restaurant	to	Jupiter Grove, Winstanley
▪ Britannia Hotel, Standish	to	DW Stadium
▪ Clapgate Lane, Marus Bridge	to	Pemberton Train Station
▪ Moon Under Water	to	Raj Gate Indian Restaurant, Orrell
▪ Highfield Grange Avenue	to	Pemberton Primary Care Resource Centre
▪ Wigan & Leigh Magistrates Court	to	Vulcan Road, Marsh Green
▪ Gathurst Golf Club	to	Park Avenue, Shevington
▪ Wigan Infirmary	to	Leigh Infirmary
▪ North Western Railway Station	to	Village on the Green, Aspull
▪ Wigan Golf Club	to	MacDonald Kilhey Court
▪ Bucks Head, Abram	to	Ince Railway Station

▪ Stubshaw Cross Labour Club	to	Premier Inn, Wheatlea Park
▪ Lidl, Standish	to	Rowton Rise, Standish
▪ Central Park Academy	to	Swimming Pool, Wigan
▪ Wigan Town Hall	to	Ashfield House Hotel, Standish
▪ Primark, Standishgate	to	Empire Cinema
▪ Cheetham Grove, Wigan	to	Wigan Library

➤ **East**

▪ Leigh Cricket Club	to	Lilford Park, Leigh
▪ Cromer Drive, Atherton	to	Wigan Infirmary
▪ Tesco Superstore, Atherton	to	Peel Close, Atherton
▪ Atherton Central Railway Station	to	Chanters Industrial Estate, Atherton
▪ Ringway Avenue, Leigh	to	St Thomas C of E Primary School, Leigh
▪ Heathfield Drive, Tyldesley	to	St Michael's Avenue, Howe Bridge
▪ Lidl, Derby Street, Leigh	to	Royal Drive, Leigh
▪ Shopmobility, Leigh	to	Hope Carr Lane, Leigh
▪ Leigh Bus Station	to	The Point, Astley
▪ The Greyhound Sporting Lodge Inns	to	Leigh & Lowton Sailing Club
▪ Asda Super Centre, Atherleigh Way	to	Cromer Drive, Atherton
▪ Hindley Railway Station	to	Hindley Green Family Church
▪ Spinners Arms, Leigh	to	Belmont Avenue, Bickershaw
▪ Asda Superstore, Golborne	to	Heywood Avenue, Golborne
▪ Tyldesley Cemetery	to	The Greyhound Sporting Lodge Inns
▪ Leigh Police Station	to	HM Prison Hindley
▪ Ley Crescent, Astley	to	Leigh Sports Village
▪ St George's Parish Church, Atherton	to	Heathfield Drive, Tyldesley
▪ Applewood Farm	to	Willow Grove, Golborne
▪ Tesco Superstore, Atherton	to	North Croft, Atherton
▪ Pickley Green, Leigh	to	Oakfield High School
▪ B and M, Tyldesley	to	Cherrington Drive, Tyldesley
▪ Coltsfoot Close, Leigh	to	Cineworld, Leigh
▪ Devon Road, Tyldesley	to	Leigh NHS Walk In Centre
▪ Hindley Railway Station	to	HM Prison Hindley

## The Law and Conditions

### The Law

#### ▪ **Production of licences**

Licence holders must produce the licences to an authorised officer or police constable if requested to do so (Sections 50, 53 & 56 LG(MP)A).

If the licence cannot be produced at the time of request it must be produced within 7 days, either at the Licensing Section or Wigan Police Station.

#### ▪ **Obstruction of Authorised Officer or a Constable**

Under Section 73 of the Local Government (Miscellaneous Provisions) Act 1976 any person who:

- (a) wilfully obstructs an authorised officer or constable acting under the provisions of the Act; or
- (b) without reasonable cause fails to comply with any requirement properly made to him by such officer or constable under the Act; or
- (c) without reasonable cause fails to give such an officer or constable any other assistance or information which he may reasonably require of such person for the purpose of the performance of his function under the Act;

Shall be guilty of an offence.

### Operators

#### ▪ **Operator licences**

Every operator of private hire cars must be licensed by the Council (Section 46 LG(MP)A). The Council cannot grant a licence unless it is satisfied that the applicant is a 'fit and proper person' (Section 55 LG(MP)A).

A licence cannot be issued for a period exceeding five years (Section 55(2) LG(MP)A). Wigan Council licences are issued for 5 years with an annual fee payable each year on the date of the grant of the licence.

#### ▪ **Responsibility for hirings**

Every hiring of a private hire car is deemed to have been made with the operator who accepted the booking, whether or not he himself provided the vehicle (Section 56 LG(MP)A).

Operators are therefore directly responsible for the actions or omissions of drivers or proprietors used by them and must therefore, ensure that all vehicles and drivers are licensed and insured.

#### ▪ **Suspension and revocation of operator licences**

The Council may suspend or revoke or refuse to renew a licence on the following grounds:-

- (a) the commission of an offence under the LG(MP)A;

- (b) unbefitting conduct of the operator;
- (c) any material change in the operator's circumstances; or
- (d) any other reasonable cause (Section 62 LG(MP)A).

## Vehicles

### ▪ **Vehicle licences**

Every vehicle used for private hire purposes must be licensed by the District Council (Section 46 LG(MP)A). The Council cannot grant a licence unless it is satisfied the vehicle is:-

- (a) suitable in type, size and design for such use;
- (b) does not resemble or appear to be a hackney carriage;
- (c) in a suitable mechanical condition;
- (d) safe and comfortable; and
- (e) insured for private hire use.

### ▪ **Type of vehicle**

- (a) The vehicle must not be an Austin FX4, TX1, Metrocab or similar vehicle approved for use as a hackney carriage in Wigan.
- (b) The vehicle must not be left hand drive.
- (c) The vehicle must have at least four doors.
- (d) The vehicle must produced 90HP or more; or have an engine capacity of at least 1600cc.
- (e) Private hire vehicles may be licensed for up to eight passengers. The approval for the use of such vehicles depends on: -
  - (i) all passenger seats facing to the front or rear;
  - (ii) all seats positioned to ensure the comfort and safety of the passenger;
  - (iii) there must be at least two separate means of exit for all passengers seated to the rear of the driver's seat. The exits and paths to the exits must be unobstructed by seating, wheel-arches, engine cowling, vehicle trim or other protrusions, so that passengers have a second means of exit in case the first is unavailable either because of malfunction or accident;
  - (iv) tip-up seats are not permissible;
  - (v) saloon cars or estates which are promoted as seven or eight seaters will only be licensed for four passengers. The very rear seat passengers are required to pass tip-up seats (e.g. Peugeot, Citroen).

The towing of trailers by licensed vehicles is not permitted unless the trailers have been tested together with the vehicle licensed by the Council and displaying the necessary licence plate. Over-riders (Bull Bars) are not allowed on private hire vehicles.

If you have any doubts regarding the age and types of vehicles applicants are recommended to contact the Licensing Section for advice.

Currently, vehicles will normally only be considered for licensing for private hire purposes if they are no older than 6 years at time of initial application. Upon reaching 7 years of age a vehicle will normally no longer be considered for licensing unless it is a purpose built hackney carriage or wheelchair accessible vehicle, in which case this will be extended to 10 years.

Vehicles exceeding the above age limits may be approved for licensing provided that they are in a satisfactory condition and able to fully comply with the council's vehicle inspection criteria.

The Council has a mixed fleet policy which means that most vehicles will be considered, saloons, MPV's and estate type vehicles. Importance is placed on the vehicle's condition and maintenance.

▪ **Number of persons to be carried**

The maximum number of persons who may be lawfully carried in a private hire vehicle (excluding the driver) is eight as stated in Section 68 Part II of the Local Government (Miscellaneous Provisions) Act 1976.

▪ **Testing of vehicles**

All vehicles (whatever their age) must be tested and inspected before a licence can be issued to ensure that they are mechanically fit, safe, comfortable and of good appearance (Section 48 LG(MP)A).

An authorised officer or police constable has power to inspect and test any licensed vehicle at any reasonable time (Section 68 LG(MP)A).

▪ **Vehicle insurance**

Before a vehicle licence can be issued a current certificate of insurance or cover note relating to the proposed use of the vehicle must be produced (Section 48 LG(MP)A).

A certificate or cover note must be produced on demand to an authorised officer (Section 50(4) LG(MP)A).

▪ **Identification plates on vehicles**

A licensed vehicle must display the plate issued by the Council at all times (Section 48 LG(MP)A).

The plate need not be displayed on a licensed private hire car if:-

- (a) the vehicle is being used in connection with a funeral;
- (b) the vehicle is being used in connection with a wedding; or
- (c) the vehicle is carrying written permission by the Council that the plate need not be displayed (Section 75 LG(MP)A).

On revocation, suspension or expiry of the vehicle licence, the plate must be returned to the Council within seven days (Section 58 LG(MP)A).

The place where the plate must be fitted is set out in the conditions attached to a vehicle licence. The condition requires the plate to be fitted on the outside and at the rear of the vehicle and maintained so it can be clearly seen at all times.

▪ **Taxi Ranks**

The Local Government (Miscellaneous Provisions) Act 1976 states that no vehicles other than hackney carriages are allowed to stop or park on a hackney carriage rank. That applies therefore to private hire vehicles.

▪ **Plying and standing for hire**

Private hire vehicles must not pick up passengers without a prior booking made by the hirer direct with the operator for which the vehicle works. Failure to do otherwise is an offence and may also invalidate your insurance cover (Section 45 TPCA).

▪ **Charging separate fares**

The practice of 'doubling up' of passengers and charging separately is illegal except in the following circumstances:-

- (a) all the passengers carried on the occasion in question booked their journeys in advance; and
- (b) each of them consented, when booking his journey, to sharing the use of the vehicle on that occasion with others on the basis that a separate fare would be payable by each passenger for his own journey on that occasion (Section 11 TA).

Note that separate fare agreements must be made at the time of booking with the operator, **not** the driver, owner of the vehicle or anyone else.

A private hire driver cannot charge a disabled person any extra because that person has a disability (e.g. wheelchair user).

A private hire driver cannot refuse to take a fare unless they have a reasonable excuse to do so.

▪ **Accidents and damage to vehicles**

Vehicles damaged as a result of an accident which materially affect the safety, performance or appearance of the vehicle must be reported to the Council by the proprietor or driver immediately and in any case within 72 hours (Section 50 LP(MP)A).

▪ **Defective tyre(s)**

If when driving or inspecting a private hire vehicle it is found to have a defective tyre(s) the matter should immediately be reported to the owner and the vehicle taken off the road until a new tyre has been fitted.

▪ **Advertisements on vehicles**

A roof sign consisting of or including the words 'taxi', 'cab' or 'for hire' or similar words is prohibited (Section 64 Transport Act 1980).

The only signs that may be permanently displayed on a private hire vehicle are:-

- (1) No light other than one fitted by the manufacturer of the vehicle at the time of manufacture shall be fitted in or on the vehicle without the Council's written permission.
- (2) Subject to (3) below, nothing shall be displayed in, on or from the vehicle other than something fitted by the manufacturer of the vehicle at the time of its manufacture or which is required by law except:
  - (a) a sign which contains the name of the operator of the vehicle and the name of a passenger(s) who have booked the vehicle through the operator displayed on or from the vehicle whilst it is stopped waiting to pick up the passenger(s) named on the sign; or
  - (b) where the vehicle is a saloon or estate car, a sign displayed only on the front doors of the vehicle, containing only the name, logo, details of the services provided and telephone number of the operator who provides bookings for the vehicle. The sign shall not contain the word hackney, cab or taxi or any word which bears any resemblance to or contains within it, hackney, cab or taxi. The letters, numbers or logos displayed in the sign shall be no larger than 10 cm in height; or

- (c) where the vehicle is a minibus or multi-purpose vehicle, a sign displayed on the front doors, and on the side and rear of the vehicle containing only the name, logo, details of the services provided and telephone number of the operator who provides bookings for the vehicle. The sign shall not contain the word “hackney”, “cab” or “taxi” or any word which bears any resemblance to or contains within it “hackney”, “cab” or “taxi”. The letters, numbers or logos displayed in the sign shall be no larger than 20 cm in height.

- (3) There shall be displayed on the outside of the vehicle in centre of and immediately underneath the window of each **rear** door which passengers use to get into the vehicle the sign provided by the Council bearing the Council’s Logo and words, “Licensed For Pre-Booked Journeys Only”.

- **Transfer of ownership of vehicles**

Where the ownership of a licensed vehicle is transferred the Council must be informed of the transfer by the person listed by the Council as the owner, in writing within 14 days of the transfer, stating the name and address of the new owner (Section 49 LG(MP)A).

- **Suspension and revocation of vehicle licences**

The Council may suspend, revoke or refuse to renew a licence on the following grounds:-

- (a) the vehicle is unfit;
- (b) the commission of an offence under the LG(MP)Act; or
- (c) any other reasonable cause (Section 60 LG(MP)A).

A licence may be suspended by an authorised officer or police constable if he considers the vehicle unfit (Section 68 LG(MP)A).

On suspension, revocation or expiry of the licence, the plate must be returned to the Council within seven days (Section 58 LG(MP)A).

- **Taximeters in vehicles**

A private hire vehicle is not required to fit a taximeter, but if such a meter is fitted, it must be tested and approved (Section 71 LG(MP)A). Where a meter is fitted a table of fares should be displayed showing the operator’s current rates.

- **Use of bus lanes**

Where there is a stipulation in a bus lane which states “Bus Lane & Taxis only” the word ‘taxi’ refers to hackney carriage vehicles only i.e. vehicles licensed by the authority as hackney carriage type vehicles. This precludes private hire vehicles from using such lanes.

- **M.O.T. certificate exemptions for vehicles**

Licensed vehicles are exempt from the requirements to possess an M.O.T. certificate.

If licence holders are requested to produce an M.O.T. certificate, by the police, the licence issued by the Council should be produced instead.

When applying for vehicle tax, the vehicle licence must be produced at Vehicle Licensing Centres or Post Offices.

N.B. Once the Council licence has expired, is suspended, revoked or cancelled, the vehicle reverts to the status of an ordinary private car and the normal traffic laws apply i.e. an M.O.T will be required before the vehicle can be used on a road.

- **Funeral cars**

Vehicles used wholly or mainly for funerals by a funeral director do not need to be licensed for private hire work.

- **Wedding cars**

Vehicles used solely for weddings need not be licensed as private hire vehicles.

- **Sounding the horn**

The Highway Code and Regulation 99 Construction and Use Regulations state:

“The Horn - Use only when your vehicle is moving and you need to warn other road users of your presence. Never sound your horn aggressively.”

You must not use your horn:

- (a) while stationary on a road and
- (b) when driving in a built-up area between the hours of 11.30 p.m. and 7.00 a.m. except when another vehicle poses a danger.

- **Smoking**

On July 1st 2007, England introduced a new law to make virtually all enclosed public places and workplaces in England smokefree. A smokefree England ensures a healthier environment, so everyone can socialise, relax, travel, shop and work free from secondhand smoke.

Under the smokefree law, all vehicles used for public transport are required to be smokefree **at all times**. This will mean that a member of the public can be sure that the public transport they use will always be free from hazardous secondhand smoke.

The Smoke-free (Exemptions and Vehicles) Regulations 2007: -

**11.—(1)** Subject to the following paragraphs of this regulation, an enclosed vehicle and any enclosed part of a vehicle is smoke-free if it is used: -

- (a) by members of the public or a section of the public (whether or not for reward or hire); or

The smokefree law applies to private hire vehicles and therefore such vehicles should remain smokefree **at all times**, which includes times when the vehicle is not being used for hire.

A person who smokes in any smoke free premises, place or vehicle commits an offence which is subject to a fixed penalty fine. In the event of any person failing to pay a fixed penalty fine in respect of either of the offence, further proceedings may be taken through the Magistrates' court. Any person found guilty at court will be liable, upon conviction, to a fine of up to £200.

## Drivers

- **Drivers of licensed vehicles must be licensed**

Once a vehicle is licensed as a private hire vehicle every driver of that vehicle, whether it is used for business or pleasure, must possess a current private hire vehicle licence (Section 45 LG(MP)A).

#### ▪ **Driver licences**

Every driver of a private hire vehicle must be licensed by the Council (Section 46 LG(MP)A). A Council cannot grant a licence unless it is satisfied that the applicant: -

- (a) is a 'fit and proper person';
- (b) has held a full UK driving licence for at least 12 months, for motor cars;
- (c) is medically fit to drive a private hire vehicle (Sections 51 & 57 LG(MP)A);
- (d) satisfactorily completes the 'knowledge test'; and
- (e) is aged 21 years or over.

A licence (if granted) is valid for 3 years from the date of issue and is renewable thereafter before the expiry date.

#### ▪ **Driver's badges**

All drivers must wear the badge provided when driving a private hire vehicle in a position so as to be plainly visible (Section 54 LG(MP)A). The badge need not be worn if: -

- (a) the vehicle is being used in connection with a wedding or funeral;
- (b) the vehicle is carrying written permission by the Council that the plate need not be carried (Section 75 LG(MP)A).

On revocation or suspension of the driver licence, the badge must be returned to the Council on demand (Section 61 LG(MP)A).

If you lose your private hire driver badge you must contact the Licensing Section to make arrangements to obtain a replacement. You should not continue to drive a licensed vehicle until a replacement has been obtained.

#### ▪ **Suspension and revocation of driver licences**

The Council may suspend or revoke or refuse to renew any licence on the following grounds:-

- (a) the commission of an offence involving dishonesty, indecency or violence;
- (b) the commission of an offence under LG(MP) Act; or
- (c) any other reasonable cause (Section 61 LG(MP)A).

#### ▪ **Drivers of licensed vehicles must be licensed**

Once a vehicle is licensed as a private hire car, every driver of that vehicle whether it be used for business or pleasure, must possess a current private hire driver's licence from the Council who licenses the vehicle.

#### ▪ **Prolongation of journey** (Section 69 LG(MP)A)

A driver must proceed by the shortest route, subject to the instructions of the hirer.

#### ▪ **Wearing seatbelts**

Private hire vehicle drivers are exempt from wearing seatbelts (under Motor Vehicles (Wearing of Seatbelts) Regulations 1993) when a fare paying passenger is in the vehicle and not at any other time. It should also be borne in mind that should a child under 14 be a passenger in the vehicle then it is the driver's responsibility to ensure that the child is wearing a seatbelt or other appropriate restraining device.

## Licence Conditions

### ➤ **Schedule of Conditions attached to a Private Hire Driver Licence**

In these conditions any reference to the words “you or your” shall be a reference to the person named in this licence. As the holder of this licence, you shall: -

#### **1. Convictions, Cautions or Fixed Penalty Notices**

If you are convicted of any offence (this includes motoring and criminal offences), given a formal caution for any offence or have any fixed penalty notice imposed on you then, you must write to the Council giving full details of the offence(s), caution(s) or fixed penalty notice(s) within seven days.

#### **2. Change of Address:**

Write to the Council if you move home, giving details of your new home within seven days of moving.

#### **3. Medical Conditions,**

Advise the Council in writing immediately and in any case within seven days of any change in your medical condition which may affect your ability to drive a private hire vehicle.

#### **4. Conduct of Driver**

- (a) When asked to do so, help passengers with their luggage;
- (b) Be smartly dressed, clean and tidy and behave in a civil and orderly manner;
- (c) Make sure that passengers are safe when getting into, out of and when they are in a private hire vehicle;
- (d) Not eat or drink in a private hire vehicle unless you have the permission of the passengers to do so;
- (e) Not play a radio or any other means of reproducing sound except to receive messages in connection with the operation of the vehicle unless you have the permission of the passengers to do so;
- (f) Ensure that if a radio or other sound reproducing equipment is used that it does not cause a nuisance to anyone inside or outside the private hire vehicle.

#### **5. Fitness of vehicle.**

Before you use a private hire vehicle to carry passengers, inspect the vehicle to make sure that it is safe, clean and free from any defect.

#### **6. Prompt attendance**

If you have been told by a private hire vehicle operator to attend at a time, date and place with a private hire vehicle to collect passengers, then, unless you are delayed by circumstances beyond your control, you must attend at that place on time.

#### **7. Lost Property**

After each journey, search the vehicle for any property left by the previous passengers.

If you find any property in a private hire vehicle or have any property handed to you take it to a Police Station within 24 hours unless the loser claims it.

## **8. Passengers**

Not carry any other passenger in a private hire vehicle without the permission of the person who hired it.

## **9. Receipts**

If requested by the hirer, give them a receipt for the fare paid.

## **10. Guide, Hearing and Assistance Dogs**

Carry a guide, hearing or assistance dog that is accompanying a passenger at no extra cost and allow the dog to stay with the passenger unless you hold a Certificate of Exemption issued by the Council.

## **11. Animals.**

Not carry any animal in a private hire vehicle other than an animal with a passenger. That animal must be carried in the rear passenger area of the vehicle.

If you fail without reasonable excuse to comply with these conditions that may amount to reasonable cause for the Council to suspend, revoke or refuse to renew this licence subject to each case being considered on its merits.

## **➤ Schedule of Conditions attached to a Private Hire Vehicle Licence**

In these conditions reference to the words “you or your” shall mean any person who has a proprietary interest in the vehicle to which this licence is issued and where that person is a Limited Company, that Company.

### **1. Maintenance of vehicle**

The vehicle, its fittings and equipment shall be maintained at all times in a safe, clean and tidy condition and shall comply with the requirements of the Council's Manual of Fitness Standards.

### **2. Alteration of vehicle**

No alteration or addition of any kind shall be made to the vehicle without the prior written permission of the Council. For the avoidance of doubt, CCTV may be fitted provided that it does not cause danger to any person conveyed in the vehicle.

### **3. Identification Plate**

The plate supplied by the Council which is required to be displayed on the vehicle by Section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976 and which identifies the vehicle as a private hire vehicle shall be fitted on the outside and at the rear of the vehicle and maintained so it can be clearly seen at all times.

### **4. Safety Equipment**

There shall be carried on the vehicle, a fire extinguisher that conforms to B.S. 5423 or equivalent and is marked as such. It shall be kept in proper working condition, fully charged and carried in a secure position on the vehicle where it is easily accessible to the driver.

### **5. Signs, Notices, etc.**

- (1) No light other than one fitted by the manufacturer of the vehicle at the time of manufacture shall be fitted in or on the vehicle without the Council's written permission.

- (2) Subject to (3) below, nothing shall be displayed in, on or from the vehicle other than something fitted by the manufacturer of the vehicle at the time of its manufacture or which is required by law except:
- (a) a sign which contains the name of the operator of the vehicle and the name of a passenger(s) who have booked the vehicle through the operator displayed on or from the vehicle whilst it is stopped waiting to pick up the passenger(s) named on the sign; or
  - (b) where the vehicle is a saloon or estate car, a sign displayed only on the front doors of the vehicle, containing only the name, logo, details of the services provided and telephone number of the operator who provides bookings for the vehicle. The sign shall not contain the word hackney, cab or taxi or any word which bears any resemblance to or contains within it, hackney, cab or taxi. The letters, numbers or logos displayed in the sign shall be no larger than 10 cm in height; or
  - (c) where the vehicle is a minibus or multi-purpose vehicle, a sign displayed on the front doors, and or the side and rear of the vehicle containing only the name, logo, details of the services provided and telephone number of the operator who provides bookings for the vehicle. The sign shall not contain the word "hackney", "cab" or "taxi" or any word which bears any resemblance to or contains within it "hackney", "cab" or "taxi". The letters, numbers or logos displayed in the sign shall be no larger than 20 cm in height, and no sign or part of a sign shall be placed in any window on the vehicle unless approved by the Council.
- (3) There shall be displayed on the outside of the vehicle in the centre of and immediately underneath the window of each rear door which passengers use to get into the vehicle the sign provided by the Council bearing the Council's Logo and words "Licensed For Pre-Booked Journeys only"

## **6. Change of address**

If you move home or registered office, you shall write to the Council giving details of the new home or new address of the registered office within seven days of moving.

## **7. Convictions, Cautions or Fixed Penalty Notices**

If you are convicted of any offence (this includes motoring and criminal offences), given a formal caution for any offence or have any fixed penalty notice imposed on you then, you must write to the Council giving full details of the offence(s), caution(s) or fixed penalty notice(s) within seven days.

## **8. Bull bars**

No Bull Bars shall be attached to or carried on the outside of the vehicle.

## **9. Taximeters**

No private hire vehicle shall be fitted with a taximeter that has not been tested, approved and sealed by the Council.

Should any change be made to the rate of fares to be calculated by the taximeter, then, the taximeter shall not be used to calculate those fares until such time as the meter has been tested, approved and sealed by the Council,

There shall be displayed in the vehicle in a form approved by the Council, a table of fares to be calculated by the taximeter;

The taximeter shall be positioned in the vehicle so that the face of the taximeter shall not be visible from outside but shall be clearly visible to the passengers carried in the vehicle at all times.

Should any approved taximeter fitted to a licensed private hire vehicle become defective or have any seal broken, it shall not be used for the purpose of calculating fares until such time as it has been repaired, re-tested and sealed by the Council.

#### **10. Radio**

No device which can scan radio transmissions shall be installed in, carried on or used in the vehicle. (This shall not apply to a radio used for receiving details of bookings provided to the vehicle by the private hire vehicle operator who provides bookings for the vehicle)

#### **11. Trailers**

No trailer of any description shall be attached to this vehicle when it is being used for the carriage of passengers under this licence unless in accordance with a written authorisation issued by the Council.

**WARNING!** - If you fail without reasonable excuse to comply with these conditions, that may amount to reasonable cause for the Council to suspend, revoke or refuse to renew this licence subject to each case being considered on its merits.