

# HACKNEY CARRIAGE DRIVERS LICENCE POLICY

## From 01 JANUARY 2022



Please note that the holder of a Hackney Carriage Driver's licence must observe and carry out the requirements of the Town Police Clauses Act 1847 and any byelaw thereunder, Part II of the Local Government (Miscellaneous Provisions) Act 1976, and any order or regulation made thereunder, and the requirements of any other Act of Parliament or orders, regulations or byelaws made thereunder relating to the driving of motor Hackney Carriages.

1. Before a hackney carriage driver's licence is granted or renewed the applicant must:-
  - 1.1 Complete and submit to Eastleigh Borough Council an application in the form prescribed by the Council;
  - 1.2 Satisfy Eastleigh Borough Council that:-
    - 1.2.1 he/she is a fit and proper person to hold such a licence including the right to work in the UK, adhering to relevant legislation and the council's code of conduct for drivers;
    - 1.2.2 he/she is medically fit to drive a hackney carriage. For this purpose the applicant shall, provide a medical report in the manner approved by Eastleigh Borough Council and to be no older than 3 months. Thereafter medical certificates in the approved manner shall be produced by applicants every 5 years until reaching the age of 65 years when an annual medical is required. The licensing authority may submit completed certificates to an independent practice for confirmation of meeting the required standards.
    - 1.2.3 he/she has attained the age of 19 years;
    - 1.2.4 he/she has, for at least two years prior to the date of the application, held a driver's licence (not being a provisional licence) granted to the applicant under Part VI of the Road Traffic Act 1988 authorising him to drive a motor car;
    - 1.2.5 he/she has a sound knowledge of the topography of the Eastleigh area including routes to the main airports and attractions in the South of England and understands the legislation and conditions that apply to both hackney carriages and private hire vehicles.
    - 1.2.6 Be the subject of a recent (no older than six months) licence check with the Driver and Vehicle Licensing Agency made by Eastleigh Borough Council as licensing authority.
  - 1.3 Produce annually for examination a current driving licence issued to the applicant under the Road Traffic Acts 1960-1972 (as amended) and appropriate authorisation to carry out a check with DVLA.
  - 1.4 Be the subject of 6 monthly enhanced disclosure of criminal convictions including a check on the children and adults barring lists made to Eastleigh Borough Council as licensing authority and to maintain a current subscription to the update service.
  - 1.5 Be the subject of a check with the National Anti Fraud Network database on refusals and revocations of hackney carriages and private hire licences.
- 1.6 Undergo and pass an approved basic skills assessment in oral and written English and arithmetic to the satisfaction of Eastleigh Borough Council.
- 1.7 Undergo and pass a driving skills assessment to the satisfaction of Eastleigh Borough Council.
- 1.8 With effect from 1<sup>st</sup> January 2022 all applicants for hackney carriage driver licences will have successfully completed safeguarding training approved by Eastleigh Borough Council within the 3 years preceding the application.

## ADDITIONAL INFORMATION

Please note that this information does not form part of Eastleigh Borough Council's licence policy or conditions

Drivers, proprietors and operators of licensed hackney carriages and private hire vehicles are reminded of the other statutory duties and restriction placed on them, amongst which are the following:

### Smoking

The Health Act 2006 prohibits the smoking of tobacco or any other substance by anyone in a licensed hackney carriage or private hire vehicle. The legislation applies at all times whilst the vehicle remains licensed.

The smoking of e-cigarettes/vaping in a licensed vehicle is also prohibited at any time.

Every licensed vehicle is required to carry appropriate signage under the Smoke-free (Signs) Regulations 2007. Guidance and signs are available from:

<http://www.smokefreeengland.co.uk/resources/guidance-and-signage.html>



### Assistance Dogs

The Disability Discrimination Act 1995 imposes a duty on licensed drivers and operators to convey any guide, hearing or other assistance dog in a licensed hackney carriage or private hire vehicle.

Drivers must:

- carry assistance dogs accompanying disabled people;
- do so without additional charge; and
- allow the dog to remain with the passenger

Operators must:

- accept bookings made by or on behalf of a disabled person who is accompanied by an assistance dog;
- accept bookings made by a person who will be accompanied in a PHV by such a disabled person; and
- not make an additional charge for carrying the assistance dog

If a driver has a medical condition, such as severe asthma, which is aggravated by contact with dogs, or is allergic or has an acute phobia to dogs, it may be possible for them to qualify for an exemption. Please discuss this with the licensing team in the first instance, to whom application for exemption must be made. The driver will be required to produce conclusive medical evidence in support of his application.

Please note that the law does not allow for an exemption to be granted on religious grounds. Additional information is available from:

<http://www.dft.gov.uk/transportforyou/access/taxis/>

