

# HACKNEY CARRIAGE DRIVERS LICENCE POLICY

From 26<sup>th</sup> August 2009

as amended 2<sup>nd</sup> June 2010



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 Southampton City Council an application in the form prescribed by the Council;
  - 1.2 Satisfy Southampton City Council that:-
    - 1.2.1 he/she is a fit and proper person to hold such a licence;
    - 1.2.2 he/she is medically fit to drive a hackney carriage. For this purpose the applicant shall, produce a recent medical certificate to that effect. Thereafter medical certificates shall be produced by applicants on reaching the age of 55 years - 60 - 62 - 64 - 65 and annually from 65 years of age onwards.
    - 1.2.3 he/she has attained the age of 21 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 City of Southampton.
  - 1.3 Produce for examination a current driving licence issued to the applicant under the Road Traffic Acts 1960-1988.
  - 1.4 Be the subject of a recent (no older than six months) enhanced disclosure of criminal convictions made to Southampton City Council as licensing authority
  - 1.5 Be the subject of a recent (no older than six months) licence check with the Driver and Vehicle Licensing Agency made by Southampton City Council as licensing authority
  - 1.6 Undergo and pass a basic skills assessment to the satisfaction of Southampton City Council
  - 1.7 Undergo and pass a driving skills assessment to the satisfaction of Southampton City Council.
  - 1.8 New hackney carriage driver's licences shall only be granted for a period of six months, and shall only be renewed on expiry if the licence holder has obtained the BTech qualification for transporting passengers by taxi and private hire vehicle.
  - 1.9 All holders of existing hackney carriage driver's licences shall obtain the BTech qualification for transporting passengers by taxi and private hire vehicle before the expiry of the third year from the first grant of their licence. For the avoidance of doubt, this requirement will not apply to those holders of hackney carriage driver's licences who had held their licence for a continuous period of three years as at 26<sup>th</sup> August 2009 or to an applicant for a hackney carriage driver's licence who, at the date of grant of that licence, holds a Southampton private hire driver's licence.

## ADDITIONAL INFORMATION

Please note that this information does not form part of Southampton City 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, thus smoking remains prohibited when the vehicle is not hired or not for hire.



Every licensed vehicle is required to carry appropriate signage under the Smokefree (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/>