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6 June 2011

HACKNEY CARRIAGE AND PRIVATE HIRE COMPLIANCE OPERATION – 20 MAY 2011

Following a number of complaints from both the public and the trade, the Council, as Licensing Authority, recently carried out a compliance operation in relation to boundary charges made by hackney carriages and plying for hire by private hire vehicles.

Hackney Carriages

From the results of this operation, it would appear that there is little consistency in the imposition of boundary charges so as to be in accordance with the law. It is therefore felt necessary to remind all hackney carriage drivers of the requirements of the law and conditions.

All fares which start and end **within** the city boundaries must be charged on the meter according to the approved fare tariff. Failure to comply is an offence under section 58 of the Town Police Clauses Act 1847 and the maximum penalty is a fine of £1000.

For all hirings ending **outside** the city boundary, unless an agreement to pay a fixed fare is made with the passenger before the hiring commences, the fare charged must not be greater than that shown on the meter in accordance with the approved fare tariff.

When a customer states a destination to the driver, if there is any intention to make a boundary charge, the driver must explain to the customer that for destinations outside the city boundary, it will be for an agreed fare as opposed to the metered fare. If no such agreement is made, the driver is bound to charge no more than the fare shown on the meter.

It is important to ensure effective communication with the customer, as this point will continue to be monitored and tested by the Licensing Authority. Non compliance is an offence under section 66(2) of the Local Government (Miscellaneous Provisions) Act 1976 and action will be taken where offences are identified. The maximum penalty for this offence is £1000.

It was also brought to our attention that fare charts and drivers' badges were not displayed as required by law; again these are offences which will continued to be enforced.

Private Hire Vehicles

Private hire vehicles were also tested following complaints that some private hire drivers were plying for hire on the street. On this occasion all those tested were found to be compliant with the legislation and refused to take fares that were not pre-booked. You will be aware that a number of private hire drivers have previously been successfully prosecuted for plying for hire and consequent insurance offences, and these checks will continue.

Please note that anyone found to be plying for hire illegally will be committing an offence under section 45 of the Town Police Clauses Act 1847 and in most cases an offence of no insurance will also apply under section 143(a) of the Road Traffic Act 1988. The maximum penalty for these offences is £2500 and £5000 respectively.

If you require this letter or future correspondence from us in a different format (e.g. tape, Braille or disc) please do not hesitate to let us know.