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## Appendices

- **Appendix A**: Hackney Carriage & Private Hire Vehicles Specification and Schedule of Conditions
- **Appendix B**: Hackney Carriage & Private Hire Vehicle Procedures
- **Appendix C**: Additional Conditions for Private Hire Limousines & Speciality Vehicles
- **Appendix D**: Driver & Operator Licences Procedures
- **Appendix E**: Guidelines Relating to the Relevance of Previous Convictions
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1. **Executive Summary**

1.1 This policy contains information about legal requirements, government guidance, Council policy, procedures and conditions relevant to hackney carriage and private hire vehicle and driver licensing.

1.2 Appendices that form part of this policy may be updated from time to time.

2. **Definitions**

Throughout this document:

- “The Council” or “The Authority” means Milton Keynes Council
- “Vehicle” or “Licensed Vehicle” means both a hackney carriage and private hire vehicle
- “Hackney carriage” means a vehicle licensed under the Town Police Clauses Act 1847 to ply for hire throughout the district controlled by the Council
- “Private hire vehicle” means a vehicle licensed under the Local Government (Miscellaneous Provisions) Act 1976 to carry passengers for hire or reward by prior booking
- “Private hire operator” means a person who makes provision for the acceptance of private hire bookings to undertake themselves or pass to others to undertake
- “The DfT” means the Department for Transport, including previous names under which that Department has been known
- “The Committee” will mean the Regulatory Committee or Regulatory Sub Committee of the Council
- “Driver” means a person with a licence issued by Milton Keynes Council to drive either a Private Hire Vehicle or a Hackney Carriage vehicle licensed by Milton Keynes Council
- The word “Taxi” has no meaning in law and is often used generically to
describe both hackney carriages and private hire vehicles

• The term “DVLA driving licence” means a full original UK driving licence issued by the Driver and Vehicle Licensing Agency

• The term ‘seatbelt’ means a three point belt which restrains the upper and lower parts of the torso including lap belt. The belt is anchored at not less than three points, and is designed for use by an adult.

3. **Background**

3.1 **Aims**

3.1.1 The aim of licensing the hackney carriage and private hire trade is primarily, to protect the public as well as to ensure that the public have reasonable access to taxi services. The trade plays an important part in local transport provision and it is important that the Council’s licensing responsibility is used to ensure that licensed vehicles in the district are safe, comfortable, properly insured and available where and when required and that drivers are fit and proper to undertake the role. This includes minimising crime and disorder and the fear of crime

3.1.2 Due regard will be given to the Transport Vision and Strategy for Milton Keynes where appropriate

4. **Introduction**

4.1 **Powers and Duties**

4.1.1 This statement of licensing policy has been produced pursuant to the powers conferred by the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, (as amended) which place duties on the Council to carry out its licensing function.

4.1.2 The aim of the licensing process is to regulate the hackney carriage and private hire trade in order to promote well-run, safe and responsible businesses that display sensitivity to the wishes and needs of the general public. This includes the licensing of drivers; vehicles and operators.
4.1.3 Vehicles may only be licensed for the carriage of no more than eight passengers due to legislative reasons. Numbers above this require a licence from the Ministry of Transport.

4.2 Policy Status

4.2.1 In exercising its discretion in carrying out regulatory functions, the Council will have regard to this policy document.

4.2.2 Notwithstanding the existence of this policy, each application or enforcement measure will be considered on its own merits. Where it is necessary for the Council to depart substantially from its policy, clear reasons will be given for so doing.

4.2.3 This policy (and associated work procedures) will provide those Council Officers who are required to administer the licensing function with appropriate guidelines. The Council recognises it may need to consider applications outside the scope of this policy.

4.2.4 This policy will take effect on December 8th 2014 and shall be kept under review and revised as appropriate and in any event not less than every four years.

4.2.5 Milton Keynes Council condemns incidents of harassment whether racist, religiously motivated, homophobic, or due to gender or disability, whether perpetrated by its own staff, agents, third parties or those businesses that it regulates. If matters are reported to the Council they will be investigated and where warranted action taken in line with our corporate / enforcement policy.

4.2.6 The Council supports the principal of a taxi forum (or panel) made up of representatives of private operators; private hire drivers; vehicle proprietors and hackney carriage drivers as well as customer groups and others as considered appropriate. The panel will meet as and when required or requested.

4.2.7 This policy does not override legal requirements detailed in primary and secondary legislation.

4.2.8 To promote consistency of standards the Council will liaise and coordinate with neighbouring and other relevant Local Authorities.
5. Vehicles - (Hackney Carriage & Private Hire)

5.1 Limitation on Numbers

5.1.1 No powers exist for licensing authorities to limit the number of private hire vehicles that they licence.

5.1.2 Quantity restrictions for hackney carriage vehicles are set out in section 16 of the Transport Act 1985. This provides that the grant of a hackney carriage licence may be refused, for the purpose of limiting the number of licensed hackney carriages “if, but only if, the local authority is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet”. In the event of a challenge to a decision to refuse a licence on these grounds, it would need to be established that the Council had been reasonably satisfied that there was no significant unmet demand. As a result if the Council were to consider that a quantity restriction on Hackney Carriages could be justified in principle, an unmet demand survey would be required to assist in assessing the limit to be imposed.

5.2 Specifications and Conditions

5.2.1 Local authorities have a wide range of discretion over the types of vehicle that they can licence as hackney carriages and private hire vehicles.

5.2.2 The Council is empowered to impose such conditions, as it considers reasonably necessary, in relation to the grant of a hackney carriage or private hire vehicle licence. Hackney carriages and private hire vehicles provide a service to the public, so it is appropriate to set criteria for the external and internal condition of the vehicle. The Council has adopted minimum standards as set out in Appendix A dependant on the type of vehicle concerned. These will apply as stated allowing for limited exceptions in exceptional circumstances.

5.3 Accessibility

5.3.1 An accessible public transport system where people with disabilities have the same opportunities to travel as other members of society is the aim of this and other council polices. It is an aim that drivers and operators should consider. The Equality Act 2010 allows for regulations to be made that set standards for wheelchair accessible taxis if these aims are not being met.

5.3.2 Under the Equality Act 2010 disability is defined as a physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect on a person’s ability to do normal daily activities. Licensed drivers and
operators have a legal duty of service not to discriminate against people who have a disability; this includes discrimination (both direct and indirectly), harassment and/or victimisation.

5.3.3 Section 36 of the Disability Discrimination Act was partially commenced by enactment of the Local Transport Act 2008 and placed certain duties on licensed drivers to provide assistance to people in wheelchairs, to carry them safely and not to charge extra for doing so. Failure to abide by these duties could lead to prosecution and a maximum fine of £1,000. There are similar requirements on drivers in relation to the treatment of disabled persons with guide and/or hearing dogs. The licensed driver may not make any additional charges for these services or ordinarily for transporting anyone with a disability. Breaches of these regulations will be considered as a disciplinary offence by the council.

5.3.4 The Council takes all complaints of discrimination seriously and will have due regard to its duty to eliminate discrimination in considering the fitness of an individual to hold a hackney carriage or private hire licence, and to take appropriate action under its disciplinary procedure where the Council considers discriminatory behaviour has occurred.

5.3.5 The Council will consider all appropriate exemptions from the Equality Act 2010 duties in accordance with the appropriate regulations.

5.3.6 The standards at Appendix A (see 1.20 of that Appendix) indicate what is required in respect of wheelchair access for those vehicles which have been adapted or constructed for this purpose. It includes a requirement that, in the case of hackney vehicles that are adapted for disabled passengers, the wheelchair cannot be loaded from the rear of the vehicle other than those with protected rights (see 1.1.2 of Appendix A).

5.4 Maximum Age of Vehicles at time of initial licensing

5.4.1 The Council has an age restriction beyond which a vehicle cannot be initially licensed (see Appendix A), but all applications for the licensing of vehicles will be treated on their individual merit. Applicants wishing to licence vehicles outside of this policy need to show sufficient reason for the Council to deviate from the policy.

5.5 Vehicle Testing

5.5.1 No vehicle may be used as a hackney carriage or private hire vehicle unless it has been given a pass certificate following a satisfactory test, and the Council has appropriately licensed it (see Appendix B). Responsibility for ensuring the vehicle is tested and licensed remains...
with the licence holder. These inspections are presently carried out by the Council. The list of checks undertaken is detailed in Appendix M

5.6 **Signage; Advertising and Livery**

5.6.1 Members of the public can often confuse private hire vehicles with hackney carriages, without realising that private hire vehicles are not available for immediate hire or able to be hailed in the street. It is therefore important that the public are able to easily distinguish each type of vehicle.

5.6.2 It is possible to prohibit private hire vehicles from displaying any identification at all apart from the Council’s licence plate or disc. Some clearer identification is however seen as best practice. This is for two reasons: firstly, to ensure a more positive statement that the vehicle cannot be hired immediately through the driver, and secondly because it is quite reasonable (and in the interests of the travelling public) for a private hire vehicle operator to be able to state on the vehicle the contact details for hiring. The Council’s requirements are detailed in Appendix A.

5.6.3 Within the Council’s area, both hackney carriages and private hire vehicles will be required to display a licence plate on the rear of the vehicle. The plates are to be different colours (blue for private hire and white for Hackney Carriage) to distinguish one type from another. This is a key feature in helping to identify vehicles that are properly licensed.

5.6.4 All hackney carriages licensed by the Council must carry an illuminated roof-mounted sign clearly indicating they are a taxi. Private hire vehicles must not carry such signs. Limited advertising giving details concerning the proprietor’s or operator’s private hire business is permitted but is strictly controlled so that confusion between private hire and hackney carriage vehicles is kept to the minimum.

5.6.5 Private hire vehicles are permitted restricted first party advertising subject to restrictions as detailed in the conditions in Appendix A.

5.6.6 Full livery third party advertising or a colour other than black is not permitted on hackney carriage vehicles in the Borough initially licensed from April 1st 2013. Those vehicles that were licensed prior to this date and permitted all over advertising / colours other than black will be permitted to continue but will not be given consent to replace with new advertising / colours (other than black). This is subject to the following requirements: Nothing shall be advertised which might cause reasonable offence to members of the public and the Council reserves the right to require that any advertisement it deems unsuitable be removed forthwith.
5.7 Exemption from displaying plates

5.7.1 The Local Government (Miscellaneous Provisions) Act 1976 requires that private hire vehicles and drivers display the relevant licence plate and drivers badge issued by the Council at all times. The same legislation also permits a Council to exempt the display of licence plates and, where that exemption applies, the requirement to wear a private hire driver’s badges does not apply but the badge and plate must be in the vehicle.

5.7.2 The open display of these identifying plates and badges is important in terms of protecting both the public and the taxi trade. However, there are occasions when the display of such identification may have the opposite effect both in terms of customer safety and commercial implications for the operating business. The operation of chauffeured, executive and limousine vehicles is such a case. Identification of the vehicle as a licensed vehicle may allow “high risk” passengers to be more readily targeted putting both them and the driver at risk. The display of the Council’s licence plates externally may also deter some customers from using the service.

5.7.3 It is not intended that all private hire vehicles should have access to this exemption, only those operating the type of service described above. To that end it is only normally considered appropriate to consider issue of exemption notices where the following requirements are met:

- The vehicle to be exempted is of a high quality both in terms of brand and condition for example Audi, Mercedes Benz, BMW, Jaguar, Rolls Royce, Bentley, Lexus but also highest specification executive type cars from other manufacturers as well
- Vehicles will display a licence issued by the Council, in the front windscreen and not be used for ‘circuit’ work.
- The vehicle must have no visible defects, dents or blemishes to the external bodywork and a high specification internal trim
- The records required as a condition of the operator licence concerned must be fully complied with
- The vehicle is only used for executive; corporate contracts or exclusively for airport runs (i.e. no circuit work).

5.8 Security & Closed Circuit Television (CCTV)

5.8.1 The DfT Best Practice Guidance recommends licensing authorities look sympathetically on the installation of security measures, such as a screen between driver and passengers or CCTV systems as a means of providing some protection for vehicle drivers. The Council endorses this.

5.8.2 The Council do not require enhanced security or CCTV measures in vehicles at this time as it is considered that they are best left to the
judgment of the owners and drivers themselves. The hackney carriage and private hire vehicle trades are, however, encouraged to build good links with the local police force, including participation in any Crime and Disorder Reduction Partnerships or equivalent.

5.8.3 If CCTV facilities are installed in a licensed vehicle, the proprietor will be responsible for ensuring the system conforms to the Data Protection Act and other relevant legislation, operates with the appropriate format, has review access by enforcement agencies only and displays the necessary informative notice for passengers.

5.9 Application Procedures

5.9.1 The Council requires that applications must be made on a specified application form in accordance with the application procedure set out in Appendix B.

5.10 Consideration of Applications

5.10.1 The Council will consider all applications on their own merits once it is satisfied that the appropriate criteria have been met and the application form and supporting documents are complete.

5.11 Grant and Renewal of Licences

5.11.1 Hackney carriage and private hire vehicle licences will be granted for 4 or 6 months dependant on the age of the vehicle (see Appendix A). However, a licence may be granted for a shorter period, should this be appropriate in the circumstances. Vehicle licenses can also be renewed up to one calendar month before expiry with no loss of licence benefit.

5.11.2 The responsibility to ensure a vehicle is licensed can fall to the proprietor; operator and/or driver.

5.11.3 The Council may only accept complete applications comprising of all the necessary information. In terms of re-licensing if an application is received late or is incomplete the vehicle may be unlicensed for a period of time during which it will be unable to be used as a licensed vehicle and in some cases once a licence has lapsed vehicles may not be eligible to be re-licensed (see Appendix A), for example if they no longer meet age criteria.

5.11.4 The licence fees payable are subject to review and any increase or reduction will be published as required by legislation.
5.11.5 In respect of Hackney Carriage vehicles, licenses are granted on the proviso that the vehicle concerned will work predominantly within the borough of Milton Keynes.

5.12 Environmental Considerations

5.12.1 The DfT Guidance suggests that licensing authorities, in discussion with those responsible for environmental health issues, may wish to consider how far their vehicle licensing policies can and should support local environmental policies that the Council may have having due regard to ensure the benefits of any policies outweigh the costs.

5.12.2 Where the Council has declared an Air Quality Management Area in any part of the Borough and air quality standards are being breached as a result of vehicle emissions, then local vehicle emission controls may be brought in as part of a plan to improve air quality standards.

5.12.3 The Council recognises that low emission vehicles such as hybrids can have a positive impact on the environment and thus these will be given special consideration if they do not fulfil standard Council criteria.

5.13 Stretched Limousines & Speciality Vehicles

5.13.1 Stretched limousines are elongated saloon cars their use generally includes all private hire work plus special occasions such as stag and hen parties and children's birthday parties. Speciality vehicles may include vintage and themed vehicles.

5.13.2 The licensing of limousines and speciality vehicles will be approached on the basis that these vehicles have a legitimate role to play in the private hire trade, meeting a public demand. Therefore, licence applications for such vehicles will not be automatically rejected (for example just because the vehicles may be left-hand drives) and each application will be considered on its merits.

5.13.3 The Vehicle and Operator Services Agency (VOSA) have an Individual Vehicle Approval (IVA) inspection regime, which verifies that a converted vehicle is built to certain safety and environmental standards. This standard will be required from all limousine and specialty vehicles that do not meet the standard vehicles standards of the Council.

5.13.4 As these vehicles may not meet the usual vehicle specification, additional documentation and inspection may be required in order that for the Council to ensure the safety and suitability of a particular prior to a licence being issued (see Appendix C). The Councils age limit requirements as detailed in Appendix A also apply.

5.13.5 The Council strongly recommends that anyone wishing to licence a limousine contacts the licensing section before purchasing a vehicle to
ensure that advice can be provided as to whether the vehicle will meet the required standards, as each vehicle will be considered on its merits.

5.14 Funeral Vehicles

5.14.1 There is no requirement for a vehicle to be licensed where it is being used in connection with a funeral, or is being wholly or mainly used by a person carrying on the business of a Funeral Director for the purpose of funerals.

5.15 Wedding Vehicles

5.15.1 A vehicle does not need to be licensed while it is being used in connection with a wedding.

5.16 Courtesy Cars

5.16.1 All vehicles with 8 or less passenger seats operating for hire and reward will need to be licensed. Current case law supports the view that vehicles which are used as “courtesy cars”, i.e. for transporting customers to and from hotels, night-clubs, etc. are being provided for hire and reward in the course of business, irrespective of whether or not a charge is made for such service. They must therefore be licensed as should their operator.

6. Drivers - (Hackney Carriage & Private Hire)

6.1 General

6.1.1 The Council considers the practical criteria and qualifications for private hire and hackney carriage drivers to be the same (although there are some legislative differences). The sections below therefore apply equally to private hire and hackney carriage drivers unless otherwise specified. Any application will be considered on its own merits individually and not jointly.

6.2 Licensed Drivers Licences

6.2.1 The Council issues separate private hire drivers’ licences and hackney carriage drivers’ licences. Licences can last for no more than 3 years although a shorter term licence may be issued if considered appropriate – for example if identification or proof of residence
documents have an expiry date or whilst a renewal application submitted prior to expiry of an existing licence is being considered.

6.3 **Age and Experience**

6.3.1 The Council does not impose either a maximum or minimum age limit for drivers. However, a minimum period of post-qualification driving experience of one year is required and in all cases regular and satisfactory medical checks must be made in accordance with standards specified in Appendix D. In addition any applicant under 21 years must provide proof of having passed the Government’s Driving Standard Agency’s Taxi/Private Hire Driving Assessment Test.

6.4 **Testing**

6.4.1 Drivers will be required to pass a testing procedure as part of an initial application procedure. Details of the tests are available in Appendix D and in applications packs.

6.5 **Medical Examination**

6.5.1 The Council recognises that it is good practice for medical checks to be made on each driver as a condition for the initial grant of a licence and subsequently thereafter at appropriate time periods. The Council has adopted the relevant DVLA medical standard i.e. ‘Group 2’ as a basic requirement. This is the standard applied to the licensing of lorry and bus drivers and is considered to be best practice. A satisfactory medical examination by an appropriate person to assess an applicant’s fitness to drive a licensed vehicle is therefore required before a licence is granted and also at times to enable a driver to continue to be licensed.

6.5.2 The applicant will be responsible for paying the fee for the examination to the relevant person and on completion of the examination; the report must be submitted to the Council.

6.5.3 Existing licence holders, having presented a satisfactory medical certificate upon first being granted a licence, will be required to be re-examined at the age of 45 years and every 5 years until the age of 65 then yearly thereafter. More frequent checks may be necessary if considered necessary. Failure to provide an in date and satisfactory medical certificate may lead to suspension or ultimately revocation of a drivers licence.

6.5.4 Holders of current passenger service vehicle and/or heavy goods vehicle licences, where the holder is able to produce proof of current medical examination within Council age requirements they will not be
required to undertake a further medical examination until the Councils standard age requirements apply.

6.5.5  Licence holders must as soon as it is practicable advise the Council of any deterioration in their health that may affect their driving capabilities.

6.5.6  Where there is doubt as to the medical fitness of an applicant, the Council may require the applicant to undergo and pay for a further medical examination at an appropriate medical facility and may require written statements from the applicants GP or others.

6.5.7  Where there remains any doubt about the fitness of any applicant, the Council will review the medical evidence and make any final decision in light of the medical evidence available.

6.6  Disclosure and Barring Service – Convictions and Information

6.6.1  A criminal record check on a driver is an important safety measure and the Council requires drivers to obtain an enhanced Disclosure Barring Service (DBS) disclosure as part of the application process and for renewing drivers to repeat the application at no more than three yearly intervals. On occasion the Council may require additional DBS and criminal record checks within the standard three year cycle if it has grounds to require them. Appropriate certificates can be used if they are dated no more than three months prior to an application date but Council policy is not to accept DBS disclosures other than those made through itself as an authorised body or where they have been obtained via the on line DBS service.

6.6.2  Licensed Drivers are required to report in writing all new convictions, official cautions, and fixed penalty notices to the Council within 14 days of their notification or occurrence. This includes any motoring offences. A similar declaration is required as part of the three yearly licensing process.

6.6.3  If a person applying for an Enhanced Disclosure has not lived in the UK continuously for 20 years, then an equivalent DBS check (for example certificate of good conduct duly authenticated) will need to be completed by the Embassy or Consulate for each country in which the applicant has lived during that time that he is a fit and proper person to drive and has no criminal record.

6.6.4  As the Council is an approved body applicants can deal with the DBS process through the Council but the Council supports the on line DBS update service as an alternative system providing it complies with necessary requirements.

6.6.5  The Council may retain DBS and other relevant information on licence holders and applicants until seven years after a licence has expired or
an application refused. The Council is bound by rules of confidentiality, and will not divulge information obtained to any third parties unless detailed elsewhere in this policy.

6.7 Convictions and Cautions and additional information

6.7.1 When considering an individual's record, the Council will consider each case on its merits, but will take a particularly cautious view of any offences and information involving violence, dishonesty and sexual related matters. In addition the number of years required to have elapsed since the commission of particular kinds of offences will also be relevant when considering applications.

6.7.2 Guidance in relation to offences is given in Appendix E. In general terms, the more recent, serious and relevant to public safety the offence is, the less likely that an application will be granted.

6.7.3 The Council aim to introduce a DVLA driver endorsement check for new and renewal of driver licence applications. This is to ensure that the information submitted by the applicant is in accordance with the information held by DVLA and to highlight any concerns that may affect a decision to issue a licence. Checks may also be made at other times if considered necessary. The cost of the endorsement check will be incorporated into the licence fee.

6.8 Application Procedure

6.8.1 An application for a hackney carriage or private hire driver’s licence must be made on the specified application form. The application procedure adopted by the Council is set out in Appendix D. The Council will produce a driver’s handbook for applicants and licensed drivers to refer to covering aspects of the role.

6.8.2 Drivers are expected to ensure renewal applications are received by the Council at least two months in advance of their licence expiry date to ensure that licences can be processed and issued in time. Responsibility for ensuring renewal applications are made remains with the licence holder. In terms of re-licensing if an application is received late or is incomplete there may be insufficient time to process the application before the existing licence expires and the person concerned may therefore be unlicensed and legally unable to drive for a period of time.
6.9 Conditions of Licence

6.9.1 Hackney carriage drivers are subject to Council’s byelaws (see Appendix F). The Council is not permitted to attach conditions to a hackney carriage driver licence.

6.9.2 Private Hire drivers are subject to conditions attached at Appendix G as reasonably necessary and appropriate.

6.9.3 Holders of both a Hackney Carriage and a Private Hire Drivers licence are subject to both the byelaws and the conditions.

6.10 Code of Conduct & Dress Code

6.10.1 The Council has a Dress Code and a Code of Conduct to promote the professionalism of the drivers and to present an acceptable state of attire to visitors and residents of the Borough. The Code of Conduct for drivers and operators is found in Appendix H. The Dress Code is found in Appendix I.

6.10.2 Failure to comply with any aspect of the Code of Good Conduct or Dress Code may be addressed as part of enforcement action and as a result of breaches following advice or warnings may lead to more serious consequences including, if necessary, non-renewal, suspension or revocation of licences.

6.10.3 The Council believes that steps that serve to enhance the professional image of the hackney carriage and private hire trade, and promote the concept that drivers of licensed vehicles as vocational drivers is to be encouraged.

7. Private Hire Operators

7.1 Requirements & Obligations

7.1.1 The Council recognises the limited exemption for public service vehicle (PSV) licence holders but in general any person who operates a private hire service (who is not also a hackney carriage proprietor who permits hackney carriages to be used for private hire) must hold a private hire operator’s licence. The objective in licensing private hire operators is the safety of the public, who will be using operators’ premises; vehicles, and drivers arranged through them. This means that any individual (group or company) which advertises the services of any private hire vehicle with the services of a driver for hire and reward, or has a mobile telephone or pager which is carried within a licensed vehicle for the
purpose of taking bookings have made provision for the acceptance of bookings for hire and reward and will be required to hold a private hire operators licence.

7.1.2 A private hire vehicle may only be despatched to a customer by a private hire operator who holds an operator’s licence. Such a licence permits the operator to make provision for the invitation or acceptance of bookings for a vehicle. A private hire operator must ensure that every private hire vehicle is driven by a person who holds a private hire driver’s licence.

7.1.3 Applications for operator’s licences must be made on the prescribed form, together with the appropriate fee. Incomplete applications may be rejected. The Council will then decide whether the applicant is a fit and proper person to hold such a licence. This will include consideration of a satisfactory criminal records search on application and at least every three years thereafter.

7.1.4 Operators must be licensed in the same district as the district in which they have their operating base, and may only make use of drivers and vehicles that are also licensed in the same district for which they hold a licence subject to any legal exemption allowed for by legislation.

7.2 Conditions

7.2.1 The Council has power to impose such conditions on an operator’s licence, as it considers reasonably necessary. The standard conditions set out in Appendix J are those considered to be reasonably necessary.

7.3 Insurance

7.3.1 The Council will expect that appropriate public liability insurance has been taken out for premises that are open to the public (e.g. taxi waiting rooms).

7.4 Licence Duration

7.4.1 Private hire operators’ licences are granted for a one year period from the date of grant, subject to the power to grant a licence for a shorter period if considered appropriate or due to legislative requirements.

7.4.2 It is the responsibility of the licence holder to ensure they renew their licence. Renewal applications should be received by the Council at least a month in advance of the licence expiry date to ensure that licences can be processed and issued in time. In terms of re-licensing if an application is received late or is incomplete there may be insufficient
time to process the application before the existing licence expires and the operator concerned may be unlicensed for a period of time.

7.5 **Address from which an Operator may operate**

7.5.1 An operator’s licence will specify the address from which the operator may operate. This will be the premises where the records required are kept and where bookings are made. This means that depending on the nature of the operation there can be occasions when an operator will require more than one operator licence for different locations within the Borough.

7.5.2 The Council will not grant a licence to an operator whose premises are located outside the borough. This is to ensure that proper regulation and enforcement measures may be taken by the Council and is in no way intended to be a restraint of trade.

7.5.3 It is the responsibility of the operator to ensure that appropriate planning consent exists for the operational address to be used for that purpose.

8. **Disciplinary and Enforcement Measures**

8.1 **Enforcement**

8.1.1 The Council may take steps, upon receipt of evidence that an offence has been committed in relation to a hackney carriage, private hire or operator’s licence. A breach of a policy requirement can also lead to action. Details of the Milton Keynes Council enforcement policy is available on the Council website or is provided on request. Any action shall be proportional, reasonable, transparent and appropriately directed. Details on enforcement action taken will be shared with appropriate agencies and Council services.

8.1.2 The Council will aim to undertake targeted enforcement operations (including out of normal office hours) based on intelligence received as well as for compliance purposes.

8.1.3 The Council will investigate complaints received in respect of licensed and unlicensed vehicles; operators and drivers.

8.1.4 The Council will share information with other agencies in respect of potential illegal activities and enter into joint enforcement activities. This will include providing information and also using enforcement activity in respect of drivers and vehicles licensed by other Authorities where agreements and necessary delegations are in place.
8.2 Disciplinary Hearings

8.2.1 Disciplinary matters, except in the case of breaches of vehicle requirements, will ordinarily be referred to the Regulatory Sub-Committee or dealt with by Officers. One of the functions of the Committee is to consider the impact of transgressions of the law on the fitness of an individual to hold a hackney carriage or private hire licence, and to take appropriate action under the circumstances.

8.3 Penalty Points Scheme

8.3.1 Whilst the operation of a successful hackney carriage and private hire vehicle service is important to the economic well-being of the Borough, it is equally important that the service provided by the trade is properly regulated in order to instil confidence in the travelling public who wish to use the service.

8.3.2 The Council has a responsibility to ensure that all drivers, owners and operators of vehicles adhere to minimum standards and to apply this in a consistent and transparent manner. The standards concerned are defined by legislation, licence conditions, codes or byelaws adopted by the Council and in this policy. Together they identify what is required of the trade and help to ensure that a consistent approach is taken.

8.3.3 The Council believes that an effective means of applying conditions at a local level is through a penalty points scheme and will aim to introduce this. This acts as a first step in ensuring compliance with conditions, and serves as an “early warning” system to drivers and owners or operators who see fit to ignore their responsibilities or fail to meet the requirements of their licence. Points are accumulated on a sliding scale dependent upon the type of offence or breach of condition. These penalty points then remain "live" for a period of a year for drivers, proprietors and operators from the date they are imposed. Only points accumulated in the relevant period are taken into account. If a driver, vehicle licence holder accumulates twelve or an operator twenty four or more points within a period of a year from the date they are imposed, they would be brought before the Regulatory (sub or full) Committee, who have a range of options open to them including the issuing of warnings; suspensions or revocation.

8.3.4 It is believed that a penalty point’s scheme will assist the trade in maintaining standards. The Penalty Points System does not however compromise the Council’s ability to enforce breaches of statute or local conditions should an offence warrant such action. A copy of the penalty points system can be found in Appendix K.

8.3.5 The scheme is aimed at dealing with breaches and offences not otherwise dealt with (and generally not as serious as those set out) in Appendix E – Guidelines on Relevance of Previous Convictions.
9. Delegated Powers

9.1 Regulatory Committee

9.1.1 The Regulatory Committee of Milton Keynes Council is responsible for the management of the hackney carriage and private hire licensing regime in the Borough.

9.2 Delegated Functions

9.2.1 The Council has delegated responsibility as per the table overleaf for exercising the Council’s functions in respect of the following:

9.2.2 Accordingly it will deal with applications and disciplinary matters referred to it by Officers.

9.2.3 Officers are permitted to issue oral and written warnings, penalty points and cautions and may instigate prosecutions wherever appropriate.

9.2.4 In general terms where an applicant is aggrieved by the Council’s decision to refuse to grant a licence or by any conditions imposed on a licence the applicant has a right of appeal to the Magistrates’ or in some instances Crown Courts within 21 days of the applicant being notified of the Council’s decision.

9.2.5 Officers of the Council may also enter into joint warranting with neighbouring authorities to enable enforcement activities to take place in respect of vehicles and drivers licensed elsewhere but operating in Milton Keynes.
## Delegation of Functions

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10. Fares & Fees

10.1 Fares

10.1.1 Councils have the power to set Hackney Carriage fares for journeys within their area but not to set fares for private hire vehicles. Where the fares have been set for Hackney Carriages they shall be readily available from the Council.

10.1.2 Hackney Carriage fares are a maximum, and so in principle are open to downward negotiation between passenger and driver. There are no provisions which prevent the driver of a hackney carriage from charging less than the fare shown on the meter.

10.1.3 The driver of a hackney carriage vehicle, whether by agreement or otherwise, must not charge any fare greater than the rate prescribed by the Council for trips within the Council area.

10.1.4 The driver/operator of a private hire vehicle may make their own agreement with the hirer as to the fare for a particular journey.

10.2 Licence Fee Structure

10.2.1 The fees payable for the grant and renewal of hackney carriage and private hire licences driver; vehicle and operator licences will be reviewed as part of a budgetary process. Fees may be varied for specialist service providers. Licence holders will be notified of any changes and the current scale of fees will be supplied to new applicants if requested at the time of application. It is not lawful for the Council to seek to make a profit from licence fees that are within its discretion. In particular, with regard to the fees charged for hackney carriage and private hire vehicle and operator licences, the legislation provides that these should be sufficient to cover the costs of inspecting the vehicles, providing hackney carriage stands, and administering the control and supervision of hackney carriages and private hire vehicles.

11. Taxi Ranks

11.1 Appointed Ranks

11.1.1 A number of ranks for hackney carriages have been designated within the Milton Keynes Council area and these will be clearly, properly and appropriately signed. Details of the location of these can be at
Appendix L and also on the taxi licensing website (www.milton-keynes.gov.uk or by calling the Taxi Licensing team on 01908 252860

11.2 Waiting on Stands

11.2.1 It is an offence for any person to cause or permit any vehicle other than a hackney carriage to wait on any stand for hackney carriages. Drivers of hackney carriages may only wait on a stand whilst plying for hire or waiting for a fare; drivers who park on a stand and leave their vehicle unattended commit an offence.
Appendix A

Hackney Carriage & Private Hire Vehicles Specification and Schedule of Conditions

1.1 Introduction

1.1.1 The following specify the minimum standard requirements for vehicles licensed for hire or reward by Milton Keynes Council. Any vehicle presented for licensing which does not comply may only be accepted after consideration of the merits of the application by the Council. The applicant will, in these circumstances, be required to submit a persuasive and substantial case for departing from the Council’s policy. To assist vehicle proprietors a list of approved vehicles is maintained which details those vehicles known to satisfy Council requirements

1.1.2 The Council recognises that certain Hackney Carriage vehicles (so called 100 plates and specified others) have historical permissions (known as Protected Rights) and that these can continue provided the vehicle licence concerned never lapses (lapse means that the vehicle was not tested before the licence expires or the licence plate was not surrendered before the licence expired)

1.1.3 The Council will issue different colour vehicle plates to differentiate between Private Hire and Hackney Carriage vehicles (blue for private hire and white for Hackney Carriage). The Council may also operate a Temporary Hire vehicle licence system where vehicle proprietors have a need for replacement vehicles when their licensed one is off the road (for example due to an accident). Any temporary hire vehicles will need to comply with the standards elsewhere within this policy and temporary hire plates will only normally be issued when a standard vehicle licence has been suspended and the Council is also in receipt of the licence (plate) concerned

1.2 Vehicle Safety Certification

1.2.1 To ensure that all vehicles licensed by Milton Keynes Council are of a recognised safety standard all licensed vehicles must be certified by the Vehicle Certification Agency (VCA) to one of the standards listed below. The vehicle must be M1 classified upper level i.e. it was built to be a passenger carrying vehicle.

1.2.2 Where a vehicle has been subject to a total loss / write off the Council may consider applications of vehicles that have been classified Category C, D or X but not A or B. Where necessary such vehicles will need accompanying proof of an adequate Vehicle Identity Check with from DVLA / VOSA / Ministry of Transport as required.
1.3 EC Whole Vehicle Type Approval

1.3.1 EC Approval of most road vehicles is based around “whole vehicle” framework Directive 92/53/EEC and this specifies the range of approximately 50 aspects of the vehicle that must be approved including testing of brakes, seats, emissions etc. This is regarded as the highest standard of safety, and 98% of all passenger cars entering service in Great Britain are type approved to meet harmonised European standards.

1.4 Individual Vehicle Authorisation

1.4.1 This approval is also for individual vehicles that do not have European Type Approval. However, as well as the visual examination carried out on the vehicle, additional documentary evidence that the vehicle complies with the Type Approval standards has to be produced. The Vehicle Inspectorate can accept an equivalent standard certificate by or on behalf of a foreign authority, or can do a comparison between two vehicles to satisfy themselves that the vehicle meets this standard. Some destructive tests are done on one vehicle and then every other vehicle of this make is given a visual inspection to check that it is of the same vehicle construction as the one that was destructively tested. From October 2003 evidence of crashworthiness has also been required.

1.5 Other Vehicle Requirements

1.5.1 When licensing hackney carriage and private hire vehicles the Council has to consider the need for safety, convenience, and comfort of passengers in vehicles that operate in rural, urban and motorway environments. The size and engine capacity have also to be considered given that all vehicles are required to carry their licensed number of passengers together with their luggage. The Council considers that a vehicle should be of manufacturers’ original specification and shall be constructed and designed: -

- For the Carriage of not less than 4 and not more than 8 passengers with the provision of a seatbelt for each passenger
- Not to be left-hand drive. Right hand drive passenger vehicles offer the driver clearer and safer vision in an overtaking manoeuvre, and also eliminate the need for a front seat passenger to alight from the vehicle into the road
- With an engine having a capacity of at least 1600 cc. including vehicles badged by the manufacturer as “1.6” models unless of an approved size below this (for example some hybrid / electric vehicles)
- To have windows to the side and rear providing natural light to passenger compartment
- Must not be a convertible
• Luggage space must be reasonable and sufficient for the maximum number of passengers being carried at that time and be physically separated from the passenger seating.

1.5.2 LPG conversions other than new vehicles must be carried out by competent persons for such conversions and the necessary proof provided if required. Sufficient space must still be available for luggage.

1.6 Compliance Testing

1.6.1 As well as holding suitable approval certificates (see Vehicle Certification above), all vehicles must be submitted for inspection and certified fit for public use, before the issue of a licence. Within the Borough of Milton Keynes, this is known as Compliance Testing and is required every 6 or 4 months for every licensed vehicle after initial testing dependent upon the age of the vehicle. It is the proprietor’s responsibility to arrange for the vehicle to be inspected and tested by the Council if necessary at such time and at such place within the Borough as the Council may by notice reasonably require. Private hire vehicles and Hackney Carriage (100 plates) that are over 6 years old require testing every 4 months; Hackney carriage vehicles (500 or 600 series) require testing every 4 months once they are 10 years old (and six monthly before that date). All other vehicles require testing every 6 months. However to allow some flexibility any vehicle can be tested up to one calendar month before the licence plate is due to expire and can then be issued a licence plate valid for 4 or 6 months from the date the existing licence is due to expire.

1.6.2 Vehicles that do not pass the compliance test will be issued with a fail certificate detailing why they have not passed. The Council will need to re assess the vehicle once the necessary works have been undertaken before a pass certificate can be given. The maximum period allowed for this to take place is normally two months. There may be a charge for a retest if more than 7 days has elapsed since the fail certificate was issued and the Council reserves the right to require a complete compliance test to be undertaken where more than 7 days have elapsed since the original test.

1.6.3 Where a vehicle has a minor issue that’s requires attention the Council may issue a licence on the condition that works are completed within a set period of time

1.7 Licence Plate

1.7.1 The proprietor must ensure that the licence plate provided and allocated to him by Milton Keynes Council is maintained in a clear and legible condition and is affixed to the rear outside of the vehicle on or
adjacent to the rear bumper or in such other position as may be approved by the Council. In addition:

- The Council must be informed should the licence plate be lost, broken or defaced
- The Proprietor shall not cause or permit the vehicle to be used or operated with the said plate so defaced that any figure or identifying feature is illegible

1.7.2 The proprietor or driver of the vehicle shall not carry or permit to be carried in the vehicle more than the maximum number of passengers specified by the licence / plate.

1.8 Licence

1.8.1 The licence must be kept in the possession of the Proprietor and be produced on request to an authorised officer of the Council, or any Police Officer. Also:

- In the event of loss of or damage to this licence the Council must be informed immediately so that a replacement can be issued
- On revocation, expiry, transfer or suspension of the licence, the licence and the plate issued in respect of the vehicle must be returned to the Council immediately following service of a notice on the Proprietor
- The licence must not be altered or defaced in any way
- The proprietor must notify the Council of any intended change in use of the specified vehicle, or any change in the particulars supplied at the time of application for the licence and of any modifications made to the vehicle, including seating arrangements

1.9 Ownership and Insurance

1.9.1 The proprietor shall ensure that the vehicle has a valid policy of insurance complying with the requirements of the Road Traffic Acts and which covers the vehicle for the Carriage of passengers for hire or reward. The Certificate of Insurance must be produced upon request by an authorised officer of the Council, or by a Police Officer.

1.10 Age

1.10.1 Vehicles will not normally be accepted for initial licensing, after seven years from the date of their first registration (in respect of private hire vehicles or saloon hackney carriages) or four years for wheel chair accessible hackney carriages. The Council has no upper age limit for vehicles provided they remain continually licensed including where vehicles are being relicensed as a private hire or Hackney Carriage vehicle and the original license does not lapse (lapse means that the
vehicle is not tested before the licence expires or the licence plate was
not surrendered before the licence expires).

1.10.2 To allow some flexibility where proprietors cannot re-licence a vehicle
before a licence expires, plates (and therefore licences) may be
surrendered before they expire for re-licensing at a later date. The
maximum period that a surrendered plate can be held for re licensing is
normally 6 months from the date of the plate expiry.

1.11 Doors

1.11.1 In the interest of safety each vehicle should have a minimum 4 doors,
which are capable of being opened from the inside. The rear
passenger compartment must have an openable door on either side of
the vehicle unless they have been licensed under protected rights (for
example rear loading wheel chair accessible hackney carriage).

1.12 Seating

1.12.1 The passenger carrying capacity of a vehicle will be at the discretion of
the Council
• The rear seat of the vehicle must be a minimum of 1.22 metres long to
accommodate three people
• Any seat must have a minimum width of 405 millimetres (16 inches per
person)
• All seats must be fitted with fully operational seat belts
• The number of passenger seats must remain as stated on the vehicle
licence
• There must be no alteration to the seating configuration without
notifying the Council
• All seats must be forward or rear facing unless otherwise agreed
• All vehicles must be able to seat a minimum of 4 passengers in
comfort
• There must be a minimum ‘leg room’ distance of 178 mm in front of a
seat and a minimum height of 864 mm between any passenger seat
and the roof.
• The seat covering must be clean and in a good state of repair
• The depth and width of the foot well must be sufficient to accommodate
adult passengers in safety and comfort

1.12.2 Multipurpose vehicles (MPV’s) or people carriers offer a number of
seat configurations often to match the owner’s needs. In the interests
of the safety of the passengers it is necessary to examine these
seating arrangements to ensure that in the event of a collision or fire
there is unobstructed egress from the vehicle.
1.13 Maintenance, Appearance and Condition of the Vehicle

1.13.1 The vehicle and its fittings must, when being presented for inspection and at all times during when it is licensed and available for hire:
- Be safe
- Be tidy
- Be clean
- Comply with all relevant statutory requirements applicable to the class of vehicle to which it belongs including, but without prejudice to the Motor Vehicle (Construction and Use) Regulations which currently apply
- The vehicle must be maintained throughout the term of the vehicle licence to a high standard of appearance to the complete satisfaction of the Council

1.14 Tyre Safety

1.14.1 For all Hackney Carriage and Private Hire vehicles, the depth of tyre tread on all vehicles and condition of any tyre must meet the VOSA required standard except that the minimum tread across the central three quarters width must be 2mm. This is because of the high mileage that licensed vehicles do. In addition any damage to the tyre or part of the tread not meeting the required standard (for example cuts and bulges) will result in a test failure including foreign bodies in a tyre such as screws; nails etc. The use of second hand tyres is not recommended

1.14.2 All vehicles must carry a suitable spare wheel where they have been designed to carry one unless exemptions below can apply. Space saver types are only acceptable if provided with the vehicle at time of manufacture. Due to limits on speed and distance imposed by the manufacturers on space saver tyres, passengers must not be carried when using a space saver wheel other than to complete a hire already commenced before the space saver needed to be fitted, and provided it is safe to do so. Where the vehicle has not been designed to carry a spare wheel an appropriate inflation device must be in the vehicle unless appropriate run flat tyres are fitted all round.

1.15 Exterior Appearance

1.15.1 All paintwork will be professionally finished and the vehicle free from dents and damage to either bodywork or fittings. Bare metal, primer paint, visible rust and perforations will not be permitted.
1.16 Interior Appearance

1.16.1 The interior of the vehicle should always be in a clean and tidy state and fit for purpose.
- Carpets, upholstery and cloth trim are to be clean and undamaged.
  Good quality seat covers and carpet mats may be used, provided that each is a matching set, of a colour co-ordinating with the vehicle and kept in good condition
- All plastic fascia, door linings, roof linings and trim are to be kept free from marks, stains and damage
- All doors, locks and windows are to be in full working order and in good condition
- All interior lights and fascia illumination are to be in full working order and in good condition
- All windows are to be kept free of dirt, grime and marks
- Boot space/luggage areas are to be kept clean and vehicle equipment properly stowed

1.16.2 If in the opinion of the Council, a vehicle is in such a condition internally or externally as to render its use by the public as undesirable, the Council shall notify the proprietor thereof whereupon the proprietor shall not use or cause or permit the use of the vehicle until the Council has re-inspected the vehicle and confirms that it is of a standard suitable for public use.

1.17 Interior Markings

1.17.1 The proprietor shall cause to have the licence inside the vehicle in such a position so as to be visible at all times to persons conveyed, showing the number of the licence and the number of passengers prescribed in the licence.

1.17.2 Any other signs shall not contain anything of a religious or political nature or contain any matter likely to cause offence. An exception will be a small discreetly placed, symbolic item that is reflective of a personal belief that will keep a driver safe. This should not be directly in the line of sight of any passenger and must not present a risk to the safety of a passenger (for example by being inadequately fixed).

1.17.3 The drivers badge must also be worn in such a position and manner as to be plainly and distinctly visible.

1.18 Fire Extinguisher & First Aid Kit

1.18.1 It is recommended that all vehicles carry an appropriate first aid kit and a 0.75kg dry powder fire extinguisher, both of which must be in a serviceable condition and within any expiry or recommended expiry date. Details of the minimum contents required for the first aid kit are detailed on the Taxi licensing website or can be provided on request
1.19 Accidents and Vehicle Damage

1.19.1 In the event of a vehicle being involved in an accident, the Proprietor must inform the Council as soon as reasonably practicable and, in any case within 72 hours of any accident causing damage materially affecting the safety, performance or appearance of the vehicle.

1.19.2 If any damage to the vehicle is such that an authorised officer considers it still to be in a fit condition to continue in service until such time as a permanent repair is undertaken these must be undertaken within a period stated.

1.19.3 If any damage is considered by an authorised officer to be extensive enough to affect the safety or general appearance of the vehicle it must be immediately withdrawn from service and the plate removed. The vehicle must be repaired to the satisfaction of the officer before the plate is re-affixed and the vehicle returned to service.

1.19.4 If the licensed vehicle cannot be used then it may be possible to obtain a Hire plate to cover an appropriate replacement vehicle. Please contact the Licensing team for details.

1.20 Disability Access

1.20.1 Wheelchair accessible vehicles must be adapted or designed to carry at least one wheelchair passenger whilst they remain seated in the wheelchair.

1.20.2 There must be sufficient space between the front of the rear seat and any partition for an occupied wheelchair to turn. There must be sufficient space for a wheelchair to travel facing forward or rearward. There must be a separate means of securing the chair and the wheelchair occupant. There must be serviceable wheelchair ramps carried in the vehicle and be of a size and comfort to accommodate a user in a standard wheelchair and at least one carer and to have sufficient luggage space.

1.20.3 No extra payment may be made for carrying a wheelchair.

1.20.4 Where a vehicle is utilised for the carriage of passengers in a wheelchair, the following conditions shall apply:

- Loading of the wheelchair is from the side unless an exemption has been given for rear loading
- Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus
- Wheelchair internal anchorage must be of the manufacturer’s design and construction and secured in such a position as not to obstruct any emergency exit
- A suitable restraint must be available for the occupant of a wheelchair
- Access ramps or lifts to the vehicle must be securely fixed prior to use, and be able to support the wheelchair, occupant and helper
• Ramps and lifts must be securely stored in the vehicle before it may move.

1.20.5 Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (S.I. 1998/2307). Any such equipment must be maintained in good working order and be available for use at all times.

1.21 Luggage in Estate Cars

1.21.1 Estate cars cause a safety concern when stacking luggage in the vehicle causing a potential danger to passengers in the event of harsh braking or an accident. Luggage cannot therefore be stacked above the height of the rear seats unless the vehicle is designed, or fitted with suitable luggage restraints or covers to prevent luggage from entering the passenger compartment.

1.22 Roof racks and roof mounted luggage boxes

1.22.1 These are not permitted under the terms of the vehicle licence.

1.23 Trailers

1.23.1 Trailers are not allowed under the terms of the vehicle licence.

1.24 Taximeters

1.24.1 If a taxi meter fitted to the vehicle is repaired, adjusted or for any reason if the seal is broken, or if any change is made to the type of tyre fitted to the vehicle or alterations made to the vehicles transmission gearing ratio the proprietor shall not cause or permit the vehicle to be used for hire until the taximeter has been satisfactorily tested or approved by the Council. The Council supports the use of calendar controlled meters

1.25 Mobile Telephones

1.25.1 Mobile telephones may only be used with a hands-free kit (although compliance with road traffic laws still apply at any time)
1.26 Smoking

1.26.1 Under the Health Act 2006 and the Smoke-free (Signs) Regulations 2012, all hackney carriage and private hire vehicles are required by law to be smoke free and are also required to display at least one prescribed no smoking sign. The signage must be displayed in a prominent position within the vehicle.

1.26.2 Hackney carriage and private hire vehicles are required to be smoke free at all times, whether they are being used for work or for private use.

1.26.3 The Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007 set out the persons who have legal duties to cause any person who is smoking in a smoke free vehicle to stop smoking, namely:
  • The driver
  • Any person with management responsibilities for the vehicle
  • Any person in a vehicle who is responsible for order or safety in it

1.27 Tinted Glass

1.27.1 No stickers are to be placed on any vehicle window unless they are required by relevant legislation or licensing conditions.

1.27.2 In the interests of safety and reassurance of passengers, heavy tinted glass or mirrored glass that restricts all view into the passenger compartment is not generally accepted on licensed vehicles. All vehicles must be maintained with all side and rear windows allowing a minimum of 70% light to be transmitted through them and 75% through the windscreen (or in line with national Regulations whichever is the lesser standard). Limousines and plate exempt vehicles may be exempted from this requirement on application as are all vehicles licensed before adoption of this policy providing they are kept continually licensed and alterations to windows are not made.

1.28 Seeing and hearing (guide) dogs

1.28.1 No driver may refuse to carry a seeing, hearing or assistance (guide) dog that is in the charge of a fare paying passenger, and no charge shall be made for the carriage of such a dog whilst in the company of a disabled person or any person training such a dog. The dog must be allowed to travel in the same compartment as the passenger. Any driver with a medical reason for not complying with this condition must obtain a medical certificate from a registered medical practitioner to exempt him/her from this condition. The Council may then issue an exemption certificate to be displayed in the vehicle whilst that person is driving that vehicle. These are normally valid for no more than 5 years.
1.29 Advertising

1.29.1 Advertising on a vehicle is only permitted if it has been approved by Milton Keynes Council.

1.30 Criminal Cautions and Convictions

1.30.1 The proprietor of the vehicle must immediately (where possible) and in any other case within 14 days, disclose to the Council in writing the details of any criminal cautions or convictions (including any motoring offences and fixed penalties), Anti-Social Behaviour Orders, County Court Judgments, High Court Judgements and Fixed Penalty Notices imposed upon him or her, (or in the case of a company or partnership, on any of the directors or partners), during the period of the vehicle licence being in place.

1.31 Change of Address

1.31.1 The proprietor must inform the Council of any change of address or ownership in writing prior to the change where possible, but not more than 14 days after in any event for private hire and 7 days for Hackney Carriages

1.32 Dual Plating

1.32.1 No vehicle will be granted a licence if it is licensed by another authority. (This is because of the problems of meeting the different standards that apply in different areas and the enforcement of those conditions in cases of non-compliance)

1.33 Mechanical Breakdown

1.33.1 If any vehicle becomes unfit to complete a hiring during a hiring:
   a) The driver shall be entitled to demand the fare for the distance already travelled as shown on the meter.
   b) The driver shall secure alternative transport without delay to complete the journey if the hirer so wishes. If the original vehicle is repaired and completes the hiring the driver shall be entitled to the full fare with the exception of any time that the hirer waited for the repair to be executed.

1.34 Record of Licenses

1.34.1 The proprietor of the vehicle shall supply the operator / driver of the vehicle, where applicable, with such details relating to the vehicle
licence such as insurance and MOT / Pass Test Certificate as required by the operator.

1.35 Fares

135.1 The driver shall if requested by the hirer of the vehicle provide him/her with a written receipt for the fare paid.

1.36 Safety Screen Fitted between Driver and Passengers

136.1 A screen may be installed in the licensed vehicle subject to the satisfaction of the Council

1.37 Complaints

137.1 Any vehicle against which a complaint is made must be presented to an authorised officer within one working day of the request being made either for inspection, testing and if necessary for the driver to answer any complaint.

1.38 Inspection

138.1 The vehicle may be called in for inspection at any time by an authorised officer to ensure compliance. Failure to attend and show any documentation as requested may lead to suspension or revocation of licence or other penalties.

1.39 Vehicle Checks

139.1 Any vehicle can be inspected for infringements of legislation, bye laws or conditions by an authorised officer at any time to ensure its fitness to be used in the interest of public safety.

1.40 Conditions Relevant to Hackney Carriage Vehicles Only

140.1 A hackney carriage vehicle can only be driven by a person licensed to drive that particular type of vehicle, that driver’s licence having been issued by the Council, although driver’s can hold a second licence to drive a private hire vehicle as well.

140.2 No hackney carriage shall be used in the district under a contract or purported contract for private hire except at a rate of fares or charges not greater than that fixed by the Council in relation to hackney carriages, and when any hackney carriage is so used the fare or
charges shall be calculated from the point in the borough at which the hirer commences his journey.

1.40.3 Hackney carriages must be wheelchair accessible and side loading unless exempt from this condition.

1.40.4 All Hackney Carriages must be painted black in colour all over (as per DVLA V5 form log book or replacement) and listed as category M1 under EU classifications unless exempted as below.

1.40.5 Vehicles continually licensed prior to April 1st 2013 and kept continually licensed thereafter can be any specified manufacturers colour and all over advertising may be allowed subject to prior approval from the Licensing department.

1.40.6 Hackney carriage vehicles will not be given consent by Taxi Licensing to have all over advertising from April 1st 2013. Those vehicles that presently have all over advertising will be permitted, but will not be given consent to replace with new advertising or allowed to transfer existing advertising to a new vehicle.

1.40.7 Notwithstanding the above nothing shall be advertised which might cause reasonable offence to members of the public and the Council reserves the right to require that any advertisement it deems unsuitable be removed forthwith.

1.40.8 Hackney carriages shall be fitted with an approved roof sign which:

- Indicates that they are a taxi
- Which will be illuminated when the vehicle is plying for hire, such illumination to be extinguished when the taximeter operates
- Unless integral to the bodywork of the vehicle, is positioned in the centre of the roof with a minimum width of 760mm (30 inches).

1.40.9 The proprietor of a hackney carriage shall ensure the vehicle is fitted with a taximeter approved by the Council, and that meter shall be maintained in a sound working condition at all times. The taximeter shall be set for up to the current maximum tariff agreed by the Council and no unauthorised adjustment of the meter shall be made. The proprietor shall ensure the "For Hire" sign or other illuminated sign is extinguished when the fare commences, and the taximeter brought into operation.

1.40.10 In the case of all hackney vehicles that are built or adapted for disabled passengers, the design of the vehicle must ensure that any wheelchair is loaded from the side rather than the rear of the vehicle except for those vehicles previously exempt.

1.40.11 The number of vehicles stationed at any rank must not exceed the number for which the rank is appointed at any time. Signage may be used to indicate the maximum number.
1.40.12 A hackney carriage proprietor shall ensure that a copy of the current fare table supplied by the Council is on display inside the hackney carriage at all times and that table is not concealed from view or rendered illegible when the vehicle is for hire.

1.40.13 (a) The proprietor may cause to be displayed an advertisement on each front door panel of the vehicle subject to the Council having the right in the case of each advertisement to order its removal if in the opinion of the Council such advertisement is considered unsuitable.
(b) There may also be displayed on each front door panel of wheelchair accessible vehicles an approved wheelchair logo not exceeding 154mmx154mm (6 inches x 6 inches approx.).
(c) Where the vehicle to which this licence relates is of a FX4 type the proprietor may cause to be displayed an advertisement on the back of each rear fold-down seat in the vehicle, subject to the prior approval of the Council to the advertisement.

1.40.14 The vehicle concerned will work predominantly within the borough of Milton Keynes

Additional Vehicle Licence Conditions for Hackney Carriage Type HC100 (wheel chair accessible type) – protected rights apply

1.41.1 The vehicle must be built for the transportation of Wheelchair passengers and comply with Milton Keynes Council approved specification.

1.41.2 Ingress and egress must be from the nearside and/or rear.

1.41.3 The Licence may only be changed to a vehicle which is constructed or adapted for use by the disabled in wheelchairs.

Additional Vehicle Licence Conditions for Hackney Carriage Type HC100 (non wheel chair accessible type) – protected rights apply

1.42.1 No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices shall be displayed on, in or from the vehicle, except as may be required by any statutory provision (including byelaws) or required or permitted by other licence
conditions. This condition shall not apply to any indication on a taxi meter fitted to the vehicle or to a sign which:

(a) is displayed in, on or from the vehicle while it is stationary;
(b) contains no words or numbers other than the name and address of an operator of the vehicle or the name under which the business is carried out and its address and, in either case, the name of a passenger or passengers to be carried in the vehicle; and
(c) is displayed in pursuance of a prior arrangement made for the carriage of a passenger or passengers named in the sign.

The vehicle licence identification plate is to be securely fitted to the rear exterior either screwed or affixed to an approved type bracket. Any variations are to be approved by an authorised officer of the Council. It is to be maintained at all times whereby it can be easily read.

**Additional Vehicle Licence Conditions for HC 500 / 600 Vehicles**

1.43.1 The vehicle must be built for the transportation of Wheelchair passengers and have European Whole Vehicle Type Approval from the Vehicle Certification Agency.

1.43.2 That no vehicle older than four years of age can initially be accepted for licensing.

1.43.3 That as a minimum, ingress and egress should be from the nearside.

1.43.4 All rear loading wheelchair vehicles are excluded on the grounds of safety unless they fall under protected rights status

1.43.5 The Licence may only be transferred to a vehicle which is constructed or adapted for use by the disabled in wheelchairs.

**Conditions Relevant to Private Hire Vehicles Only**

144.1. No vehicle will be accepted for licensing as a private hire vehicle if its appearance in the opinion of the council is likely to create confusion in the minds of the travelling public that it may be a hackney carriage
144.2. A private hire vehicle can only be driven by a person licensed to drive that particular type of vehicle, and that driver’s licence having been issued by Milton Keynes Council.

144.3. Private hire vehicles are not permitted to display any type of roof sign.

144.4 Private hire vehicles are only permitted to display on the outside or inside of the vehicle the following:
   • Vehicle licence plate
   • Operators signage (as detailed below in 1.44.5)
   • Any other item required to be displayed by law

144.5 Unless determined as plate exempt all Private hire vehicles are must display sign on the metal surface of each front door. The sign must include the following words “ADVANCE BOOKING ONLY” or “PRIVATE HIRE ADVANCE BOOKING ONLY” but can also include the proprietor’s company name, logo, website, email address and/or telephone number. Any such signs shall be non-reflective and nothing shall be advertised which might reasonably cause offence to members of the public.

144.6 Private hire vehicles are not permitted to display on the outside or inside of the vehicle in such a manner to be conspicuous from the outside any other signs, telephone numbers or other advertising material e.g. business cards on the dashboard.

144.7 Private hire vehicles licensed before the adoption of this policy with advertising that does not comply with the above may be permitted to continue as long as the vehicle concerned remains continually licensed; the advertisements do not change and the relevant conditions above are complied with.

1.44.8 If ownership of the vehicle changes, the owner’s address changes, or if there are any changes in the particulars endorsed on this licence, notice must be given in writing to the Council within 14 days.
Appendix B

Hackney Carriage & Private Hire Vehicle Licensing Procedures

1 Applications for new or renewed vehicle licence

1.1 The applicant will complete, in full, the necessary application form as follows accompanied by:
   • The Vehicle Registration Document issued by DVLA or proof of ownership - This must show the vehicle as belonging to the applicant either wholly or jointly with any other person(s) hereinafter described as proprietor(s)
   • a current and appropriate vehicle insurance certificate or cover note, covering ‘hire and reward’ and to include the carriage of the number of wheelchairs for which the vehicle is adapted if necessary;
   • The fee, which will be determined annually and publicised separately
   • A pass (compliance) certificate no less than 14 days for the vehicle (except those vehicles with a delivery mileage of less than 500 miles on the odometer)
   • A valid MOT certificate or proof via DVLA of a current MOT (required one or three years from registration dependant on vehicle); proof of appropriate road vehicle tax must also be in place
   • In the case of a change of vehicle, that the expiring or surrendered vehicle plate is provided

1.2 If the documentation is complete, copies will normally be taken of all original documents and retained with the originals returned to the applicant.

1.3 If a vehicle fails the inspection test and in the opinion of the examiner fails to meet the standards required by the Road Vehicles (Construction and Use) Regulations 1986, then the plate will be removed by the testing centre, or any authorised officer, until such time as the vehicle passes the test. Until the plate is returned the vehicle may not be used as a licensed vehicle.

1.4 Any vehicle called for inspection which fails to attend may have its licence suspended immediately and the licence may subsequently be revoked.

1.5 Subject to all conditions being met the licence and plate will be granted after payment of the appropriate fee. The plate and licence is valid until the expiry date stated unless it is suspended or revoked. Vehicle licences are valid for 6 or 4 months depending on the age of the vehicle. The vehicle cannot be used as a licensed vehicle until the
plate is attached to the vehicle (unless a plate exemption has been granted).

1.6 The Council has the power to suspend or revoke a licence if the vehicle is unfit or if there is non-compliance with the Local Government (Miscellaneous Provisions) Act 1976 by the operator; the proprietor, or the driver, or for any other reasonable cause. In the case of revocation the plate must be returned to the Council.

1.7 No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force without prior approval.

1.8 Applications for renewals should be received by the Council at least 14 days before the expiry of the vehicle licence in order that the licence can be processed and issued before the expiry of the current licence.

2 Application to transfer ownership of a Hackney Carriage/Private Hire Vehicle Licence

2.1 Section 49 of the Local Government (Miscellaneous Provisions) Act 1976 provides that the proprietor of a licensed vehicle has the right to transfer ownership of that vehicle to another person.

2.2 Appropriate notice of the transfer must be given to the Council within 14 days. In practice, such vehicles are generally in use for hire or reward immediately transfer of ownership has been arranged. Also it will be necessary for proprietors to change vehicles on occasions for a variety of reasons.

2.3 In these instances it will be necessary to obtain a new licence with updated details of the new owner/vehicle. The applicant will complete, in full, the necessary application form accompanied by:

- The Vehicle Registration Document issued by DVLA or proof of ownership (which must show the vehicle as belonging to the applicant either wholly or jointly with any other person(s) hereinafter described as proprietor(s))
- Evidence that the vehicle is insured for third party risks to cover “hire and reward”. This will be by way of a cover note or certificate of insurance
- The fee. Fees will be determined annually and publicised separately
- The compliance certificate and MOT for the vehicle if required and proof of road tax if required

2.4 The successful completion of this procedure will be indicated by the issue of an appropriate hackney carriage/private hire vehicle licence together with the licence plate for the vehicle, which must not be used as a licensed vehicle until attached to the vehicle.
3 Change of vehicle

3.1 Subject to meeting the required vehicle specification; application requirements; and test compliance the Council may issue a pro rata licence plate where an existing one is surrendered and a new vehicle submitted in replacement by the same licence holder (i.e. where a change of vehicle takes place)
Appendix C

Additional Conditions for Private Hire Limousines & Speciality Vehicles

These conditions are in addition to the private hire vehicle conditions and specifications in Appendix A and application procedures in Appendix B

1 Types of Vehicles

1.1 The vehicle must have one of the following:
(i) A UK Single Vehicle Approval Certificate
(ii) A European Whole Vehicle Approval Certificate
(iii) UK Low Volume Type Approval Certificate

1.2 If the vehicle has a UK Single Vehicle Approval Certificate, the Council will expect that the vehicle will have been modified in accordance with a program approved by the original vehicle manufacturer and have appropriate documentary proof. The licensee must produce a copy of the IVA certificate at time of licensing.

2 Vehicle and Safety Equipment

2.1 Stretched limousines and speciality vehicles shall comply with the existing conditions of the licence applicable to all licensed private hire vehicles in so far as they are not superseded by these additional conditions. The private hire licence fee shall be the same.

2.2 The proprietor of a vehicle shall:
• Ensure that the vehicle and all its fittings and equipment are at all times kept in a fit, serviceable, efficient, safe and clean condition and all relevant statutory requirements (including those contained in the Motor Vehicles (Construction & Use) Regulations) are fully complied with. Should the vehicle fail to comply with any legal requirement then the vehicle should be removed from service until the reasons for non-compliance are rectified
• Ensure that loose luggage is not carried within the passenger compartment of the vehicle
• Ensure that any CCTV cameras installed in the vehicle have received prior written approval of the Council
• Display a Council approved sign, in a position clearly visible to passengers, warning customers that camera surveillance equipment may be in operation
• Ensure the vehicle is fitted with tyres that meet both the size and weight specification
2.3 Vehicles may be granted an exemption from the requirement under the conditions of licence for private hire vehicles to be right hand drive.

2.4 Vehicles with sideways facing seating may be considered for private hire licensing.

2.5 The passenger compartment of the vehicle may be fitted with darkened or blackened glass if approved by the Council.

2.6 The driver’s compartment, including the front passenger seat must not be fitted with darkened or blackened glass.

3 Use of Vehicle

3.1 The proprietor of the vehicle shall:

• Ensure that the vehicle is at all times only driven by a person who holds a current private hire vehicle driver's licence issued by Milton Keynes Council

• Not permit to be conveyed in the vehicle more than the number of persons for whom the vehicle is licensed, regardless of the age or size of the passengers

• Ensure that in any advertisement publicising their business, the maximum number of passengers permitted in vehicles is accurate

• Not convey any passengers in the front compartment of the limousine

• Not supply any alcohol or relevant entertainment in the vehicle unless there is in force an appropriate authorisation under the Licensing Act 2003 permitting the sale; supply or provision of the same if required

• If the occupants are below the age of 18, there should be no alcohol in the vehicle for consumption or otherwise

• Any glassware in the vehicle must be made of either shatterproof glass or plastic

• The driver shall not play or permit the performance of any media that, given its age classification or content, is unsuitable for the age of the passengers in the vehicle

• When directed by the Council, display and maintain any notices in conspicuous position

4 Vehicle Identification

4.1 The vehicle will not be required to display the rear, external private hire vehicle licence plates which must normally be displayed by licensed private hire vehicles. The proprietor of the vehicle will be issued, by the Council, a paper licence and the exemption certificate which identifies the vehicle as a private hire vehicle on which will be displayed the registration number of the vehicle and the number of passengers permitted to be carried. The proprietor shall ensure that:

• This licence and the exemption certificate will be carried at all times
within the vehicle

• No private hire vehicle licence or exemption certificate shall be parted with, lent or used on any other vehicle and the loss or damage of the vehicle identification shall be reported to the Council as soon as the proprietor is aware of the loss.
• In the event of ceasing to use the vehicle for private hire (special event) purposes the proprietor shall surrender the vehicle identification and licence to the Council within 14 days

5 Signs, Notices, Etc.

5.1 No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle, other than those specifically approved by the Council.

6 Insurance and Compliance Test Certificates

6.1 The vehicle must not be used to carry passengers for hire and reward unless there is in force for the vehicle:
• A satisfactory compliance certificate
• A policy of insurance covering the use of the vehicle for hire and reward and any nominated driver, named thereon, is the holder of a Milton Keynes Council private hire driver’s licence

6.3 These documents shall be produced to an authorised officer of the Council or Police Officer at such time and place as may be required. The proprietor shall deposit a valid and current copy of the certificate of compliance test certificate and certificate of insurance or cover note with the operator before the vehicle is used to accept bookings provided by the operator.

6.4 If the insurance cover on the vehicle is cancelled, expires or fails to cover the use to which the vehicle is being put, the Licence Officer shall be informed immediately and the vehicle shall not be used until appropriate cover is obtained.
Appendix D

Driver & Operator Licence Procedures

Any information disclosed will be kept in strict confidence and will only be taken into account in relation to the application and will be retained no longer than necessary. It is an offence for any person knowingly or recklessly to make a false statement or to omit any material particular in giving information required by the application for a licence, punishable by up to seven years imprisonment upon conviction.

1. Application for New Licence to drive a Licensed Vehicle

1.1 The applicant will complete in full the application for a licence to drive hackney carriage/private hire vehicle. This application form must be completed in full and signed as a Statutory Declaration. Any omissions, whether knowingly or recklessly made are an offence under the Local Government (Miscellaneous Provisions) Act 1976 and could jeopardise an application.

1.2 The applicant must also produce a number of other relevant documents and pass certain assessments in order to satisfy the Council that they are fit and proper to be issued a licence. These are detailed below:

1. A licence fee must be paid before any application can be granted. Fees will be determined annually and published separately
2. Possession of a full UK Drivers licence (but see 1.3 below also)
3. A medical certificate indicating they are physically fit and able to fulfil the role to DVLA Vocational Group 2 Standards. A medical needs to be passed initially at the time of application and then again at ages 45, 50, 55, 60, 65 and annually thereafter, or at any other time as reasonably required by the Council (for example in respect of an ongoing; developing or arising medical condition that is a potential concern)
4. A DVLA Data Subject Check form that permits the Council to confirm the individual's driving history
5. A completed application form for an Enhanced Disclosure regarding criminal record (unless obtainable via the on line DBS service / existing MKC approval
6. In the event that the applicant has not resided within the UK for the last twenty years, an equivalent DBS check (for example a Certificate of Good Conduct) from the relevant embassy or consulates for each country in which they have resided
7. Appropriate documentation to confirm identity and address (such as a utility bill) dated within the last three months
8. An ability to effectively communicate in English to a reasonable conversation level.
9. An adequate knowledge of the law and local criteria relating to taxis and taxi licensing including where necessary knowledge of the local area

10. The Council will aim to require that all new Hackney Carriage or dual licensed applicants must show that they have received and passed formal competency training of customer care and assisting disabled passengers including the correct fixing of wheelchairs.

11. An adequate passport size photograph for each driver application made

12. Unless exceptional circumstances exist a valid Passport or travel document or EU National Identity Card (where the applicant is British and cannot provide any of the above a copy birth certificate will normally be required.

13. Where the applicant is a non EU / EEA resident proof that they are entitled to work in the UK as a taxi driver. If not provided for by a passport or travel document an appropriate resident’s permit (this may include visas) and or work permit valid for self-employment in the UK may be suitable.

14. National Insurance number

15. If not provided for in the above a suitable photographic form of identification

1.2.1 Subject to the applicant achieving a satisfactory standard to the above requirements then an appropriate licence will be granted and I.D. badges issued.

1.2.2 Any application process not completed within twelve months will normally be considered as refused or withdrawn and a new application will need to be submitted. This is because the Council considers one year is sufficient for an applicant to complete the process in most circumstances.

1.2.3 Where applications are withdrawn there is no automatic refund entitlement of fees paid and if refunds are given either part of otherwise then the authority may charge an administration fee in so doing.

Driving Licence Requirement

1.3 The applicant will be required to produce an original, full current driving licence, both parts where this type of licence is held, for the correct group as required for driving a hackney carriage or private hire vehicle as issued by the DVLA. A full licence must have been held for at least twelve months (EC or UK) and not been suspended during that time and where necessary proof of this will be required. EC licences must be converted to a UK DVLA licence before an application can be accepted. ‘Automatic only’ licences are acceptable subject to the applicant being able to fulfil the role of a taxi driver in its wider meaning
1.4 The Council will aim to undertake a DVLA licence endorsement check on application

**Effective Communication**

1.5 A number of questions will be asked of applicants to assess their ability to converse in spoken English, if this is not thought to be of an acceptable standard then the applicant may be required to undertake an English for Speakers of Other Languages (ESOL) course and return when their ability has improved. Depending upon circumstances some free courses may be available and details will be provided by the Licensing Officer.

**Knowledge of Taxi Law / Local Criteria**

1.6 The applicant will be required to attend an induction process on local and general requirements and to also pass a test to demonstrate they understand the law and local policies in relation to taxis. This will include knowledge of villages, major routes and places of interest and note within the borough of Milton Keynes (including schools, public houses etc.) as well as the Highway Code (including traffic signage) and the law / conditions relating to taxis, as well as relevant general knowledge issues.

1.7 Anyone failing the test will be invited to retake it at a later date (at least 21 days must have lapsed). Should the second attempt result in failure a period of 21 days must elapse before the third and final attempt is made. If unsuccessful on the third attempt the application will be considered to be a failure as it is unlikely that the applicant has the appropriate skills and attributes to become a licensed driver with this Council. A fresh application can be made but a period of 12 months is required before another attempt can be made to enable the applicant to develop the necessary skills unless there are exceptional circumstances to the contrary. If a driver is not able to satisfactorily complete the test due to difficulties with spoken English they may be required to take language instruction as a pre-requisite to re-sitting these tests.

1.8 Where a driver allows a licence to lapse or it is surrendered or revoked then on re-application the applicant will normally have to successfully complete the test again if a period of more than 24 months has elapsed.

**Convictions and Enhanced Disclosure**

1.9 A criminal record or isolated convictions / cautions for breach of licensing conditions or other local authority offences should not prevent a person from proceeding with an application but offences will be
considered when determining if an applicant should be granted a licence. This consideration may include consultation with, and consideration of, evidence from the Police and any other relevant agency where there are relevant convictions. Details of Council guidelines can be found in Appendix E.

1.10 The Disclosure and Barring Service form will normally be completed as part of the application process. A disclosure is required for licensed drivers every three years. A return of disclosure is sent to the applicant and this then needs to be presented to the Licensing Office where a copy may be made with the certificate holder's consent. Production of an appropriate DBS certificate from another arm of the Council or from the online DBS update service may obviate this process.

2 Application for Renewal / Re-licence to Drive Hackney Carriage / Private Hire Vehicle

2.1 Drivers should be aware that the Council can refuse a renewal application if it considers the fit and proper test has not been satisfied. For example
   a) Where the driver has been convicted, since the grant of the licence, of a relevant offence(s) (see Appendix E)
   b) Where the driver has been convicted of an offence under the legislation
   c) Any other reasons to do so, including a breach of licence condition or / and policy requirements

2.2 Applications for renewal (re-licensing) should be made two months prior to expiry date with all documentation required submitted at that time to enable any checks of official records to be made prior to the issue of a new licence. Drivers will be required to comply with the relevant conditions for an initial application at the time of renewal and in some cases before that time in order to remain licensed (for example where a medical certificate is due before a licence expires). In cases where a medical condition of the applicant needs to be referred to the Council's Medical Consultant, a licence will not normally be renewed until a satisfactory report is received from the Council's Medical Consultant.

2.3 The applicant will complete in full, the application for licence to drive hackney carriage/private hire vehicle form, duly signed as a Statutory Declaration accompanied by the necessary documents for a new application if required.
3 Application for grant or renewal of Private Hire Vehicle Operator’s Licence

3.1 The applicant will complete the application for private hire vehicle operator’s licence form, which will be submitted and accompanied by the following:–

• For individual or partnership applications a subject access search (ACRO SAR1) dated within 3 months of the date of application will be provided unless the applicant wishes to submit an enhanced criminal record check instead. Where the applicant is an existing license holder with the Council a current (within 3 years) enhanced DBS / criminal record check can be considered adequate subject to consideration of any convictions obtained in the intervening period. Applicants must also declare any bankruptcy; or disqualification of directorship; or prosecutions against previous trading activities.

• For company applications a declaration of bankruptcy; disqualification of directorship together with any prosecutions or cautions against the trading name; previous trading names or against any director shall be declared

• For renewal applications providing there have been no convictions since the previous application the check can be up to 3 years old.

• The licence application fee. Fees will be determined annually and published separately.

• An adequate criminal record as above check will need to be provided at least every three years. Operator licences will be valid for one year unless legislation determines otherwise and the Council will aim to process all complete applications where there are no convictions within 28 days.

4 Applications – General Guidance

4.1 If the application form contains any details to suggest that any relevant convictions or cautions have been imposed on the applicant since the licence was last issued or renewed, Officers will discuss the matter with the applicant. At that time it will be decided whether the application is likely to be successful in the light of the Council’s Policy of the Relevance of Convictions detailed in Appendix E. The criminal records check may be allowed before any further consideration of the application.
4.2 An Enhanced Disclosure of criminal convictions in respect of each licensed driver of a hackney carriage or private hire vehicle is required on initial licence application and upon renewal (three yearly unless otherwise deemed necessary).

4.3 The Council may require another disclosure at any time if a further check is considered necessary.

4.4 When the disclosure check has been returned, the application will be considered in the light of the information provided. The information received will be used to ascertain whether the information given on the original application form was correctly and truthfully provided. It is therefore necessary to ensure that details of ALL convictions and cautions are provided at the initial stage. A serious view will be taken of any application that seeks to conceal any caution or conviction in order to obtain a licence. This is a criminal offence and, as such, is likely to lead, not only to consideration of the applicant as not being a “fit and proper person”, but criminal proceedings. Any information relating to criminal background will be kept only for as long as it is necessary for assessment purposes.

4.5 In the event that there are no relevant convictions; cautions or relevant history the applicant will be considered to be a “fit and proper person” and the matter will be determined by the issue of the driver’s/operator’s licence subject to all other requirements being met.

4.6 Applications considered by the Council will result in either the determination of the applicant as a “fit and proper person”, indicated by the issue of a licence, or the application being refused. In these circumstances, the applicant has the right of appeal to the Magistrates Court, such appeal to be lodged within 21 days of the decision being notified.
Appendix E

Guidelines Relating to the Relevance of Previous Convictions

GUIDELINES RELATING TO THE RELEVANCE OF CONVICTIONS FOR USE IN DETERMINING THE GRANT, REFUSAL, SUSPENSION OR REVOCATION OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS’ AND OPERATOR LICENCES

1 General Policy

1.1 Each case will be decided on its own merits.

1.2 The overriding consideration is the safety of the public. The Council has a duty to ensure so far as possible that those licensed to drive hackney carriage / private hire vehicles; and private hire operators are fit and proper persons. In addition vehicle proprietors must be suitable. An aspect of this is the extent to which previous convictions, including but not limited to convictions of dishonesty, sexual offences, traffic offences, violence and drugs, indicate that a person is not a ‘fit and proper’ person and would not take advantage of passengers or abuse or assault them.

1.3 Simply remaining free from convictions will not generally be regarded as sufficient evidence that a person is a ‘fit and proper’ person to hold a licence. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. However, the overriding consideration should be the protection of the public. The following examples afford a general guide on the actions to be taken where convictions are admitted or discovered.

1.4 A person with a conviction need not be permanently barred from obtaining a licence but should be expected to remain free of conviction for 3 to 5 years, according to the circumstances, before an application is entertained. Some discretion may be appropriate if the offence is isolated (for example minor traffic offences) and there are mitigating circumstances. However the overriding consideration should be the protection of the public and for specific offences 5 years would still be considered too soon. In addition the Council will expect to refuse any application where the individual is listed on a DBS barring list for working with children or adults.

1.5 The following examples afford a general guide on the action to be taken where convictions are admitted.

1.6 The Council will also take into account the number of convictions irrespective of category; the number of counts on a conviction; the
sentencing Court concerned; and the sentence imposed. Reference to Magistrates / Crown Court guidelines may be considered.

1.7 In respect any license holder obtaining convictions; the Council may refuse to renew, or suspend or revoke a licence or (in the case of drivers) require a medical examination to be undertaken.

1.8.1 **Alcohol Related Offences**

1.8.2 **With motor vehicle:**

The Council will take a serious view of an applicant convicted for driving or attempting to drive a vehicle with levels of alcohol in blood, breath or urine in excess of the permitted limit. A single conviction for any alcohol-related driving offence will normally preclude an application from being granted for a period of five years from the restoration of the DVLA driving licence.

1.8.3 More than one conviction for any alcohol-related driving offence represents an unacceptable risk to the public and an application will normally be refused.

1.8.4 If there is any suggestion that the applicant suffers clinical alcohol dependence, the Council may require a special medical examination to be undertaken. If the applicant is found to be suffering from clinical alcohol dependence, an application will not be considered until a period of at least five years has elapsed after completion of treatment of the condition. The cost of any medical examination must be paid for by the applicant/driver.

1.8.5 The Council will take a serious view of a licensed driver convicted of driving or attempting to drive a vehicle with levels of alcohol in excess of the permitted limit as this will raise serious doubts about the person’s fitness to hold a licence. In such cases, the Council may refuse to renew, suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least five years free from convictions of this type has elapsed.

1.8.6 **Without motor vehicle:**

1.8.7 An isolated incident will not necessarily prevent an applicant being granted a licence. However, a number of convictions for alcohol-related offences may indicate a medical problem. In such cases, the Council may require a medical examination to be undertaken. The cost of any medical examination must be paid for by the applicant/driver.
1.9  **Drugs**

1.9.1 The Council will take a serious view of convictions for drug related offences irrespective of the applicant type.

1.9.2 An application will normally be refused where there is a conviction related to the supply of drugs less than five years before the date of application. After five years consideration will be given if an applicant can provide evidence that they can be considered a ‘fit and proper’ person.

1.9.3 An application where there a conviction for possession of drugs will normally be refused if it is less than three years before the date of application. Convictions between three and five years will require serious consideration before a decision is made regarding their suitability.

1.9.4 Notwithstanding the above applications will normally be refused where an applicant has more than one conviction relating to either possession or supply of drugs whatever the time periods concerned.

1.10  **Sexual and indecency offences**

1.10.1 Hackney carriage and private hire drivers frequently carry unaccompanied and/or vulnerable passengers. The Council will therefore take a serious view of any convictions for a sexual offence. A licence will not normally be granted if an applicant has more than one conviction for a sexual offence.

1.10.2 Unless there are exceptional circumstances, an application will be refused where the applicant has a conviction for any sexual offence such as:
  • Rape
  • Assault by penetration
  • Offences involving children or vulnerable adults
  • Or any similar offences (including attempted or conspiracy to commit offences) which replace the above

1.10.3 In the case of a license holder convicted of any of the above offences, unless there are exceptional circumstances, the Council will immediately revoke the licence.

1.10.4 Unless there are exceptional circumstances a licence will not be granted where the applicant has a conviction for an offence or similar offence which replace the offences below
  • Sexual assault
  • Indecent assault
  • Possession of indecent photographs, child pornography etc.
  • Exploitation of prostitution
• Trafficking for sexual exploitation
• Indecent exposure
• Soliciting (kerb crawling)
• Or any similar offences (including attempted or conspiracy to commit offences) which replace the above

1.10.5 In the case of a licensed driver convicted of any of the above offences, the Council may suspend or revoke the licence.

1.10.6 Notwithstanding the above applications will be refused where the applicant is on the Sex Offenders Register.

1.11 Violence

1.11.1 The Council will take a serious view of any applicant convicted of an offence involving violence. A licence will not normally be granted if an applicant has more than one conviction in the last 10 years for an offence of a violent nature.

1.11.2 Notwithstanding the above unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as:
  • Murder
  • Manslaughter
  • Manslaughter or culpable homicide while driving
  • Arson with intent to endanger life
  • Terrorism offences
  • Or any similar offences (including attempted or conspiracy to commit offences) which replace the above

1.11.3 In the case of a license holder convicted of any of the above offences, unless there are exceptional circumstances, the Council will immediately revoke the licence.

1.11.4 Unless there are exceptional circumstances a licence will not be granted where the applicant has a conviction for an offence or similar offence(s) that replace the offences below and the conviction is less than 10 years prior to the date of application:
  • Malicious wounding or grievous bodily harm which is racially aggravated
  • Actual bodily harm which is racially aggravated
  • Grievous bodily harm with intent
  • Robbery
  • Possession of firearm
  • Riot
  • Assault on Police
  • Racially aggravated offences
  • Violent disorder
  • Resisting arrest
• Or any similar offences (including attempted or conspiracy to commit offences), which replace the above

1.11.5 In the case of a licensed driver convicted of any of the above offences, the Council may suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least 10 years free from convictions of this type has elapsed.

1.11.6 Unless there are exceptional circumstances a licence will not be granted where the applicant has a conviction for an offence or similar offence(s), which replace the offences below and the conviction, is less than 5 years prior to the date of application:
• Assault occasioning actual bodily harm
• Common assault
• Affray
• Criminal damage
• Harassment
• Battery or any similar offences (including attempted or conspiracy to commit offences), which replace the above

1.11.7 In the case of a licensed driver convicted of any of the above offences, the Council may suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least 5 years free from convictions of this type has elapsed.

1.11.8 Unless there are exceptional circumstances a licence will not be granted where the applicant has a conviction for an offence or similar offence(s), which replace the offences below and the conviction, is less than 3 years prior to the date of application:
• S.5 Public Order Act 1986 offence (harassment, alarm or distress)
• S.4 Public Order Act 1986 offence (fear of provocation of violence)
• S4A Public Order Act 1986 offence (intentional harassment, alarm or distress)
• Possession of a weapon
• Obstruction
• Minor criminal damage
• Or any similar offences (including attempted or conspiracy to commit offences), which replace the above

1.11.9 In the case of a licensed driver convicted of any of the above offences, the Council may suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least 3 years free from convictions of this type has elapsed.

1.12 Dishonesty

1.12.1 It is essential for the public to have trust in licensed individuals and companies. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers;
operators and proprietors. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare etc. For this reason, the Council will take a serious view of any offences involving dishonesty. The Council will not consider an application until a period of at least three years free from convictions has elapsed. More than one conviction for this type of offence within the last five years will raise serious doubts about the applicant’s fitness to hold a licence. In such cases, the Council may reject the application.

1.12.2 In the case of a licence holder convicted of an offence involving dishonesty, the Council may refuse to renew, suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least three years free from convictions of this type has elapsed.

1.12.3 Offences of Dishonesty include:
- Theft
- Burglary
- Fraud including benefit fraud
- Handling or receiving stolen goods
- Forgery
- Conspiracy to defraud
- Obtaining money or property by deception
- Other deception
- Any similar offences of dishonesty where the conviction is less than three years prior to the date of application

1.13 Driving Endorsements

1.13.1 Convictions for minor traffic offences (see Table 1) will not prevent a person from being considered for a licence. If a new applicant has six unspent penalty points on their driving licence for such offences then the application may be granted subject to a strong written warning. If an applicant has more than six unspent penalty points on their licence then the application will normally be refused and no further application will be considered until only 6 unspent endorsements remain.

1.13.2 In respect of convictions for major traffic offences (see Table 2) where the applicant has unspent endorsements or has been disqualified from driving then the application will normally be refused until at least five years after the most recent such convictions.

1.13.2 In the case of a licensed driver accumulating nine or more unspent endorsement points the Council may refuse to renew, or suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least 12 months free from convictions of this type has elapsed and the individual concerned has less than nine unspent points.
1.13.3 Notwithstanding the above a record of endorsements (spent or otherwise) may also be a relevant consideration when determining applications.

1.14 **Offences by licensed drivers, proprietors or operators**

1.14.1 Any conviction which results from an offence committed by any person whilst working as a hackney carriage or private hire driver, proprietor or operator (especially the offence of illegally plying for hire) is regarded as extremely serious and may lead to a licence being suspended or revoked or an application to renew the licence being refused.

1.14.2 More than one conviction for the above would normally lead to the licence being revoked. This includes any offences against the Town Police Clauses Act 1847, The Local Government (Miscellaneous Provisions) Act 1976 or any breach of the conditions or byelaws made under the relevant legislation.

1.14.3 Convictions of any description committed by licence holders (including drivers; operators and proprietors) during the duration of their licence must be declared to the licensing section in writing within 14 days of the conviction being imposed (7 days for Hackney Proprietors).

1.15 **Cautions and Endorsable Fixed Penalties**

1.15.1 For the purpose of these guidelines cautions; endorsements and fixed penalties can be treated as though they were convictions.

1.16 **ASBOs and Injunctions**

1.16.1 An ASBO during its current term or within three years of its final date does not prevent any person from proceeding with an application, but it will be considered, taking into account all the circumstances, and nature of the behaviour, when determining if an applicant should be granted a licence.

1.16.2 Any Court injunction and/or order relating to anti-social behaviour especially those for harassment or violence (including domestic violence) does not prevent any applicant from proceeding with an application, but will be considered when determining if an applicant should be granted a licence, taking into consideration the nature and severity of the behaviour and all relevant circumstances.
Table 1: Minor traffic offences

<table>
<thead>
<tr>
<th>Code Offence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CU10</strong> Using vehicle with defective brakes</td>
</tr>
<tr>
<td><strong>CU20</strong> Causing or likely to cause danger by reason of use or unsuitable vehicle or using a vehicle with parts or accessories (excluding</td>
</tr>
<tr>
<td>brakes, steering or tyres) in a dangerous condition</td>
</tr>
<tr>
<td><strong>CU30</strong> Using a vehicle with defective tyres</td>
</tr>
<tr>
<td><strong>CU40</strong> Using a vehicle with defective steering</td>
</tr>
<tr>
<td><strong>CU50</strong> Causing or likely to cause danger by reason of load or passengers</td>
</tr>
<tr>
<td><strong>SP10</strong> Exceeding goods vehicle speed limit</td>
</tr>
<tr>
<td><strong>SP20</strong> Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)</td>
</tr>
<tr>
<td><strong>SP30</strong> Exceeding statutory speed limit on a public road</td>
</tr>
<tr>
<td><strong>SP40</strong> Exceeding passenger vehicle speed limit</td>
</tr>
<tr>
<td><strong>SP50</strong> Exceeding speed limit on a motorway</td>
</tr>
<tr>
<td><strong>SP60</strong> Exceeding speed limit offence</td>
</tr>
<tr>
<td><strong>MS10</strong> Leaving a vehicle in a dangerous position</td>
</tr>
<tr>
<td><strong>MS20</strong> Unlawful pillion riding</td>
</tr>
<tr>
<td><strong>MS30</strong> Play street offences</td>
</tr>
<tr>
<td><strong>MS40</strong> Driving with uncorrected defective eyesight or refusing to submit to a test</td>
</tr>
<tr>
<td><strong>MS70</strong> Driving with uncorrected defective eyesight</td>
</tr>
<tr>
<td><strong>MS80</strong> Refusing to submit to an eyesight test</td>
</tr>
<tr>
<td><strong>MS90</strong> Failure to give information as to identity of driver, etc.</td>
</tr>
<tr>
<td><strong>MW10</strong> Contravention of special road regulations (excluding speed limit)</td>
</tr>
<tr>
<td><strong>PC10</strong> Undefined contravention of pedestrian crossing regulations</td>
</tr>
<tr>
<td><strong>PC20</strong> Contravention of pedestrian crossing regulations with moving vehicle</td>
</tr>
<tr>
<td><strong>PC30</strong> Contravention of pedestrian crossing regulations with stationary vehicle</td>
</tr>
<tr>
<td><strong>TS10</strong> Failing to comply with traffic light signals</td>
</tr>
<tr>
<td><strong>TS20</strong> Failing to comply with double white lines</td>
</tr>
<tr>
<td><strong>TS30</strong> Failing to comply with a ‘stop’ sign</td>
</tr>
<tr>
<td><strong>TS40</strong> Failing to comply with direction of a constable or traffic warden</td>
</tr>
<tr>
<td><strong>TS50</strong> Failing to comply with traffic sign (excluding “stop” sign, traffic lights or double white lines)</td>
</tr>
<tr>
<td><strong>TS60</strong> Failing to comply with school crossing patrol sign</td>
</tr>
<tr>
<td><strong>TS70</strong> Undefined failure to comply with a traffic direction sign</td>
</tr>
</tbody>
</table>

**NOTE:** Includes aiding, abetting, counselling or procuring any of the offences as coded above. Causing or permitting any of the offences as coded above. Inciting any of the offences as coded above.
### Table 2: Major traffic offences

<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
</tr>
</thead>
<tbody>
<tr>
<td>AC10</td>
<td>Failing to stop after an accident</td>
</tr>
<tr>
<td>AC20</td>
<td>Failing to give particulars or to report an accident within 24 hours</td>
</tr>
<tr>
<td>AC30</td>
<td>Undefined accident offences</td>
</tr>
<tr>
<td>BA10</td>
<td>Driving while disqualified by order of the court</td>
</tr>
<tr>
<td>BA30</td>
<td>Attempting to drive while disqualified by order of the court</td>
</tr>
<tr>
<td>CD10</td>
<td>Driving without due care and attention</td>
</tr>
<tr>
<td>CD20</td>
<td>Driving without reasonable consideration for other road users</td>
</tr>
<tr>
<td>CD30</td>
<td>Driving without due care and attention or without reasonable consideration for other road users</td>
</tr>
<tr>
<td>CD40</td>
<td>Causing death through careless driving when unfit through drink</td>
</tr>
<tr>
<td>CD50</td>
<td>Causing death through careless driving when unfit through drugs</td>
</tr>
<tr>
<td>CD60</td>
<td>Causing death through careless driving with alcohol above limit</td>
</tr>
<tr>
<td>CD70</td>
<td>Causing death by careless driving then failing to supply a specimen for analysis</td>
</tr>
<tr>
<td>CD71</td>
<td>Causing death by careless driving then failing to supply a specimen for drug analysis</td>
</tr>
<tr>
<td>DD40</td>
<td>Dangerous driving</td>
</tr>
<tr>
<td>DD60</td>
<td>Manslaughter or culpable homicide while driving a vehicle</td>
</tr>
<tr>
<td>DD80</td>
<td>Causing death by dangerous driving</td>
</tr>
<tr>
<td>DR10</td>
<td>Driving or attempting to drive with alcohol level above limit</td>
</tr>
<tr>
<td>DR20</td>
<td>Driving or attempting to drive while unfit through drink</td>
</tr>
<tr>
<td>DR30</td>
<td>Driving or attempting to drive then failing to supply a specimen for analysis</td>
</tr>
<tr>
<td>DR31</td>
<td>Driving or attempting to drive then failing to supply a specimen for drug analysis</td>
</tr>
<tr>
<td>DR40</td>
<td>In charge of a vehicle while alcohol levels above limit (three years)</td>
</tr>
<tr>
<td>DR50</td>
<td>In charge of a vehicle while unfit through drink (three years)</td>
</tr>
<tr>
<td></td>
<td>Conviction for driving whilst using mobile phone (three years)</td>
</tr>
<tr>
<td>DR60</td>
<td>Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive</td>
</tr>
<tr>
<td>DR61</td>
<td>Failure to supply drug specimen for analysis in circumstances driving or to drive</td>
</tr>
<tr>
<td>DR70</td>
<td>Failing to provide specimen for breath test</td>
</tr>
<tr>
<td>DR80</td>
<td>Driving or attempting to drive when unfit through drugs</td>
</tr>
<tr>
<td>DR90</td>
<td>In charge of a vehicle when unfit through drugs</td>
</tr>
<tr>
<td>IN10</td>
<td>Using a vehicle uninsured against third-party risks</td>
</tr>
<tr>
<td>LC20</td>
<td>Driving otherwise than in accordance with a licence</td>
</tr>
<tr>
<td>LC30</td>
<td>Driving after making a false declaration about fitness when applying for a licence</td>
</tr>
<tr>
<td>LC40</td>
<td>Driving a vehicle having failed to notify a disability</td>
</tr>
<tr>
<td>LC50</td>
<td>Driving after a licence has been revoked or refused on medical grounds</td>
</tr>
<tr>
<td>MS50</td>
<td>Motor racing on the highway</td>
</tr>
<tr>
<td>MS60</td>
<td>Offences not covered by other codes</td>
</tr>
<tr>
<td>UT50</td>
<td>Aggravated taking of a vehicle</td>
</tr>
</tbody>
</table>
Appendix F
Hackney Carriage Byelaws

The following byelaws were confirmed for Milton Keynes Borough Council effective 26th March 1975 are considered relevant to this policy.

Made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by the Council of the Borough of Milton Keynes with respect to Hackney Carriages in the Borough of Milton Keynes.

1. Throughout these byelaws 'the council' means the Council or Borough of Milton Keynes and 'the District' means the Borough of Milton Keynes.

2. (a) The proprietor of a Hackney Carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage or on plates affixed thereto.

   *Nb to comply with the requirement the Council expects the appropriate plate to be affixed*

   (b) A proprietor or driver of a Hackney Carriage shall:
   
   (i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
   
   (ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

3. The proprietor of a Hackney Carriage shall:

   (a) provide sufficient means by which any person in the carriage may communicate with the driver;
   
   (b) cause the roof covering to be kept water-tight;
   
   (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
   
   (d) cause the seats to be properly cushioned or covered;
   
   (e) cause the floor to be provided with a proper carpet, mat or other suitable floor covering;
   
   (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
   
   (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
   
   (h) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.

4. The proprietor of a Hackney Carriage shall cause any taximeter with which the carriage is provided to be so constructed, attached and maintained as to comply with the following requirements, that is to say:
(a) the taximeter shall be fitted with a key, flag or other device the
turning of which will bring the machinery of the taximeter into action
and cause the word “HIRED” to appear on the taximeter;
(b) such key, flag or other device shall be capable of being locked in
such a position that the machinery of the taximeter is not in action
and that no fare is recorded on the face of the taximeter;
(c) when the machinery of the taximeter is in action, there shall be
recorded on the face of the taximeter in clearly legible figures a fare
not exceeding the rate or fare which the proprietor or driver is
entitled to demand and take for the hire of the carriage by distance
in pursuance of the byelaw in that behalf;
(d) the word “FARE” shall be printed on the face of the taximeter in
plain letters so as clearly to apply to the fare recorded thereon;
(e) the taximeter shall be so placed that all letters and figures on the
face thereof are at all times plainly visible to any person being
conveyed in the carriage and for that purpose the letters and figures
shall be capable of being suitably illuminated during any period of
hiring;
(f) the taximeter and all the fittings thereof shall be so affixed to the
carriage with seals or other appliances that it shall not be
practicable for any person to tamper with them except by breaking,
damaging or permanently displacing the seals or other appliances.

5. The driver of a Hackney Carriage provided with a taximeter shall:

(a) when standing or plying for hire keep the key, flag or other device
fitted in pursuance of the byelaw in that behalf locked in the position
in which no fare is recorded on the face of the taximeter;
(b) as soon as the carriage is hired by distance and before beginning the
journey bring the machinery of the taximeter into action by moving the
said key, flag or other device so that the word “HIRED” is legible on
the face of the taximeter and keep the machinery of the taximeter in
action until the termination of the hiring;
(c) cause the dial of the taximeter to be kept properly illuminated
throughout any part of a hiring which is during the hours of darkness
as defined for the purposes of the Road Transport Lighting Act 1957
and also at any time at the request or the hirer.

6. A proprietor or driver of a Hackney Carriage shall not tamper with or
permit any person to tamper with any taximeter with which the carriage is
provided with the fittings thereof or with the Council seal affixed thereto
except with the express approval of the Council.

7. The driver of a Hackney Carriage shall, when plying for hire in any street
and not actually hired:

(a) on arriving at a stand not already occupied by the full number of
carriages authorised to occupy it station the carriage immediately
behind the carriage or carriages on the stand and so as to face the
same direction;
(b) from time to time when any other carriage immediately in front is
driven off or moved forward cause his carriage to be moved forward
so as to fill the place previously occupied by the carriage driven off or
moved forward.

8. A proprietor of a Hackney Carriage, when standing or plying for hire,
shall not, by calling out or otherwise, importune any person to hire such
carriage and shall not make use of the services of any other person for
the purpose.

9. The driver of a Hackney Carriage shall behave in a civil and orderly
manner and shall take all reasonable precautions to ensure the safety of
persons conveyed in or entering or alighting from the vehicle.

10. The proprietor or driver of a Hackney Carriage who has agreed or had
been hired to be in attendance with the carriage at an appointed time
and place, shall unless delayed or prevented by some sufficient cause,
punctually attend with such carriage at such appointed time and place.

11. The driver of a Hackney Carriage when hired to drive to any particular
destination shall, subject to any directions given by the hirer, proceed to
that destination by the shortest available route.

12. A proprietor or driver of a Hackney Carriage shall not convey or permit to
be conveyed in such carriage any greater number of persons than the
number of persons specified on the plate affixed to the outside of the
carriage.

13. If a badge had been provided by the Council and delivered to the driver
of a Hackney Carriage, he shall, when standing or plying for hire and
when hired, wear that badge in such position and manner as to be plainly
visible.

14. The driver of a Hackney Carriage so constructed as to carry luggage
shall, when requested by any person hiring or seeking to hire the
carriage:
(a) convey a reasonable quantity of luggage;
(b) afford reasonable assistance in loading and unloading;
(c) afford reasonable assistance in removing it to or from the entrance of
any building, station or place at which he may take up or set down
such person.

15. The proprietor or driver of a Hackney Carriage shall be entitled to
demand and take for the hire of the carriage the rate of fare prescribed
by the Council table, the rate of fare being calculated by distance unless
the hirer expresses at the commencement of the hiring his desire to
engage by time. Provided always that where a Hackney Carriage
furnished with a taximeter shall be hired, the proprietor or driver thereof
shall not be entitled to demand and take a fare greater than that
recorded on the face of the taximeter, save for any extra charges authorised by the Council table which it may not be possible to record on the face of the taximeter.

**NB** The table of fares originally contained in these byelaws has been superseded by resolutions of the Council passed in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

**NB** The rate of fare by distance includes a time calculation when the vehicle is stationary as part of the hiring.

16. (a) The proprietor of a Hackney Carriage shall cause a statement of the fares fixed by the byelaw in that behalf to be exhibited inside the carriage in clearly distinguishable letters and figures.

**NB** The fares fixed by byelaw includes a time calculation when the vehicle is stationary as part of the hiring.

(b) The proprietor of a Hackney Carriage shall, where such carriage is hired by time, cause a statement of any tariff operated by him otherwise than for a hiring by distance in accordance with the byelaw in that behalf to be exhibited inside the carriage in clearly legible words and figures.

(c) The proprietor or driver of a Hackney Carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

17. The proprietor or driver of a Hackney Carriage shall, immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the carriage for any property which may have been accidentally left therein.

18. The proprietor or driver of a Hackney Carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found or handed to him:

(a) carry it as soon as possible and in any event within forty eight hours, if not sooner claimed by or on behalf of its owner to a Police Station in the district and leave it in the custody of the officer in charge of the office on his giving a receipt for it;

(b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever be the greater) but not more than five pounds.

19. Every person who shall offence against any of these byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds and in the case of a continuing offence to a further fine not exceeding five
pounds for each day during which the offence continues after conviction therefore.
Appendix G

Private Hire Drivers Licence Conditions


1. The licence is not transferable and shall subsist for the benefit of the licensee only.

2. This licence must be produced on demand to any police officer or a duly authorised officer of the Council. The must be returned to relevant office of the Council on its revocation or discontinuance or for renewal.

3. The Licensee must inform the Council, in writing, within 14 days of any change of address.

4. The licensee shall at all times when acting in accordance with this licence wear in such a position as to be plainly and distinctly visible the badge issued to him/her by the Council pursuant to Section 54(1) of the Local Government (Miscellaneous Provisions) Act 1976.

5. The licensee shall at all times when acting in accordance with this licence keep and maintain a record of journeys undertaken by him and such record shall:

(a) be kept in the vehicle being used by the licensee as a private hire vehicle;
(b) be maintained in the form of a bound book or suitable electronic storage medium to the satisfaction of the Council. On no account may a loose-leaf form of record be used or any page removed from the book.
(c) contain the following particulars in relation to each journey so undertaken, such particulars to be entered consecutively in the record before the commencement of the journey to which they relate and any alteration or deletion shall be made so as not to obliterate the original entry;
   (i) date and time of receipt of instructions;
   (ii) date and time of commencement of journey;
   (iii) name of hirer;
   (iv) place of commencement of journey
   (v) place of termination of journey
(d) be produced for inspection on demand by an authorised officer of the Council or a constable;
(e) be kept by the driver for a period of not less than six months from the date of the journey to which the record relates.
Conduct of Drivers

6 The driver shall not accept any person as a passenger in a private hire vehicle unless the passenger or someone on his behalf previously pre-booked the journey through the business premises of the proprietor/operator.

7 When picking up or setting down passengers, the driver shall not cause his/her vehicle to remain stationary for a longer period of time than is reasonably necessary to enable him to carry out those operations.

8 The driver shall not by calling out or otherwise, entice any person to hire their vehicle and shall not make use of the services of any other person for that purpose.

9 The driver who has agreed or has been hired to be in attendance with the vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such vehicle at such appointed time and place.

10 The driver of a private hire vehicle shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.

11 The driver of a private hire vehicle, so constructed as to carry luggage, shall, when required by any person hiring or seeking to hire the vehicle:
   ☐ Convey a reasonable quantity or weight of luggage
   ☐ Afford reasonable assistance in loading and unloading
   ☐ Afford reasonable assistance in removing it to or from the entrance of any house, station or place at which he may take up or set down such person

12 The driver shall, when hired to drive to any particular destination, subject to any directions given by the hirer, proceed to that destination by the shortest available route.

13 Whilst acting as a private hire driver in a private hire vehicle the driver shall comply with the dress code (see Appendix I) and code of conduct (see Appendix H)

14 The driver shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left therein.

15 The driver of a private hire vehicle shall, if any property accidentally left therein by any person who may have been conveyed in the vehicle has been found by or handed to him, attempt to return it to the rightful owner or carry it within 24 hours, if not sooner, to the nearest Police Station and leave it in the custody of the person in charge and obtain a receipt for it.
Miscellaneous

16 In the event of loss or damage to this licence the Council must be informed immediately so that a replacement licence can be issued.

17 The licence must not be defaced or altered in any way.

18 The driver must produce his DVLA driving licence to the Council within seven days of a written request for production being made.

19 The driver shall not carry more than the maximum number of passengers for which the vehicle is licensed.

20 The driver must notify the council within 14 days of any of the following:
   a) The driver’s conviction for any criminal or road traffic offence (including fixed penalty offences)
   b) Any grant of bail to the driver (conditional or unconditional) by any court or police station
   c) Any court cases pending against the driver
   d) Whether the driver has been cautioned or received an official warning from the police

21 The driver shall disclose to the Council in writing, within five days, details of any serious illness or injury (for example, head injury, heart attack, stroke, broken limbs, diabetes, etc.) sustained and may be required to undergo an additional medical examination or produce written confirmation from his/her own medical practitioner or hospital consultant as to his/her continued fitness.

22 Each driver must carry, in a licensed private hire vehicle, a guide, hearing or other assistance dog belonging to a passenger, free of charge unless the driver has a proven medical condition that would preclude such action. Licensed drivers have a responsibility to ensure that the proprietor they drive for is aware of such condition when they are first employed. The dog must be allowed to remain with the passenger.

23 Where reference is made to produce documents or report matters to the Council these should be sent/reported to the relevant office of the Council.

24 This licence is granted subject to the provisions of the Act of Parliament mentioned above, which must be observed by the licence holder at all times.

The licence does not authorise the person named to drive a vehicle plying for hire as a hackney carriage and any person aggrieved by any conditions attached to a drivers licence may appeal to the Magistrates Court within 21 days from the date on which notification is given.
Appendix H

Code of Conduct for Licensed Drivers / Operators

The aim of licensing the hackney carriage and private hire vehicle trade is, primarily, to protect the public as well as to ensure that the public have reasonable access to these services, because of the part they play in local transport provision. Licence holders shall promote the professionalism of the hackney carriage and private hire trade by:

a) Complying with this Code of Conduct
b) Complying with all the conditions of their licence, byelaws and the Council’s Taxi Licensing Policy
c) Behaving in a civil, orderly and responsible manner at all times, including being polite, helpful and fair to passengers and whilst waiting for hire on a rank
d) Paying attention to personal hygiene and dress so as to present a professional image to the public. (See Dress Code)
e) Not eating or drinking in the vehicle in the presence of customers
f) Keep their vehicles clean and suitable for Hire at all times
g) Respecting authorised Officers during the normal course of their duties
h) Maintain their vehicles in a safe and satisfactory condition at all times
i) Not consume alcohol immediately before or at any time whilst driving or being in charge of a hackney carriage or private hire vehicle
j) Not drive while having misused legal or taken illegal drugs
k) Comply with legislation regarding the length of working hours
l) Drive with care and due consideration for other road users and pedestrians
m) Not use a hand held mobile phone whilst driving
n) Obey all Traffic Regulation Orders and directions at all times
o) Take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle
p) Not smoke in the vehicle at any time
q) Attend punctually when undertaking pre-booked hires
r) Assist, where necessary, passengers into and out of vehicles. (Unless granted exemption by the Council under the Equality Act 2010)
s) Provide passengers reasonable assistance with luggage
t) Not sound the horn or other audible warning instrument on the vehicle, other than in accordance with the Highway Code, and not between the hours of 11pm- 7.30am to attract the attention of passengers
u) Keep the volume of music media players, VHF radios and/or other audio/visual devices to a minimum and to not cause disturbance to residents at lay up or pick up points
v) Switch off the engine if required to wait
w) Take whatever additional action is necessary to avoid disturbance to residents in the locality
x) In respect of Hackney Carriages, rank in an orderly manner and proceed along the rank in order and promptly close up spaces so that other carriages can join the rank
y) Take whatever additional action is necessary to avoid disturbance to
residents of the neighbourhood, which might arise from the conduct of their business
Appendix I

Dress Code

1.1 Milton Keynes Council is committed to encouraging the professional image of the taxi trade and it considers that drivers should conform to a minimum standard of dress, as set out below, in order to:

- Raise and maintain the profile of the licensed trade
- Promote confidence amongst members of public to ensure passengers feel comfortable when using licensed vehicles
- Promote public reassurance by ensuring that licensed drivers are satisfactorily presented

1.2 Acceptable Standards of Dress:

- Shirts, blouses, T-shirts, or sweat tops should cover the shoulders and be of sufficient length to enable them to be tucked into trousers or shorts
- Shirts or blouses can be worn with a tie or open-necked
- Trousers may be either full length or shorts if tailored
- Smart jeans type trousers are permitted

1.3 Unacceptable standards of dress within this Code:

- Bare chests
- Unclean or damaged clothing or footwear
- Clothing with offensive words, logos or graphics
- Beach type footwear (e.g. Flip flops and mules)
- Hooded garments (‘hoodies or face coverings’) worn with hood up whilst driving
APPENDIX J

Private Hire Operator’s Licence Conditions


1. This licence is not transferable and shall subsist for the benefit of the licensee only. Upon the licensee ceasing to trade or carry on the business of private hire vehicle operator or on its revocation or discontinuance or for renewal this licence must be returned to the relevant office of the Council.

2. This licence is granted subject to the provisions of the Act of Parliament mentioned above, which must be observed by the licence holder at all times.

3. The operator shall keep a permanent record of every booking of a private hire vehicle invited and accepted by him, whether direct from the hirer or by undertaking the bookings at the request of another operator. The records shall be made available for inspection by the Council's Licensing Officer upon request. The record entries must be made before the commencement of each journey and shall include:

   • The time and date of the booking
   • The time; date and location of pickup point
   • Details of the destination
   • The name and contact details of the hirer
   • The registration number of the vehicle and driver allocated for the journey

4. All records kept by the operator pursuant to Condition 3 and 6 above shall be preserved for a period of not less than twelve months following the date of the relevant entry.

5. The operator shall keep written or electronic records of the particulars of all private hire vehicles operated by him and shall include a copy of the licensed driver’s private hire licence, details of the proprietors, registration number and drivers of such vehicles together with any radio call sign used. Records of complaints received about drivers shall be maintained for no less than three years.

6. The Licensee shall maintain a dangerous Incident log Book recording all data on violence, threat or abuse shown to employees and drivers operating on their circuit. The information contained in this book shall be passed to Milton Keynes Council if requested without delay. The logbook shall contain the name of the person entering the complaint, together with the date the complaint is entered into the book. The name of the employee/driver who was involved in the incident; the date, time and location of the incident with a description thereof. If the matter has been reported to Thames Valley police, the unique reference number and or crime complaint number allocated will also need to be recorded. The information must be contained in such a way that it is easily accessible by
any authorised officer of the Council or to any Police Officer at any reasonable time.

7. This licence authorises the holder to operate private hire vehicles/drivers that are licensed only by Milton Keynes Council from the premises referred to in that behalf in the application for this licence. Any change in the operating address or the address of the licensee (if different) must be reported in writing to the Council within fourteen days thereof.

8. The operator shall ensure that at all times the vehicle including its seating, flooring and fittings are kept in a clean and tidy condition and if in the reasonable opinion of the Council's Licensing Officer a lack of cleanliness and/or tidiness is such as to render its use by the public undesirable he shall notify the proprietor thereof whereupon the proprietor shall not use or cause or permit the use of the vehicle as a private hire vehicle until such time as the Licensing Officer has re-inspected the vehicle and confirmed it is clean and tidy.

9. The operator shall ensure that the licence plate issued and allocated by the Council is affixed to the outside of the carriage, on or adjacent to the rear bumper, or in such other position as may be approved by the Licensing Officer.

10. The operator shall ensure maintenance of such licence plate in a clean and legible condition and shall inform the Council immediately should it be lost or broken or become defaced.
   • The operator may display on the outside or inside of the vehicle the following: Private hire car sign (which may be issued by the Council) on the windscreen
   • Vehicle Licence plate
   • Any other thing required to be displayed by law

11. The operator may display restricted first party advertising subject to the following restrictions:
   • The advertising material shall be restricted to the metal surface of the drivers and front passengers' doors. If advertising material is to be displayed, it must include the words “Advance Booking Only” or “Private Hire Advance Booking Only”. It can include the proprietor’s company name, logo, website, email address or telephone number
   • The advertising material shall be non-reflective
   • Nothing shall be advertised which might reasonably cause offence to members of the public

12. The operator shall not display on the outside or inside of the vehicle in such a manner to be conspicuous from the outside any other signs, telephone numbers or other advertising material.
13 The operator shall not accept any person as a passenger in a private hire vehicle unless the passenger or someone on his behalf previously requested the hiring by telephone, letter, email, text or personal call to the office or business premises of the proprietor.

14 The operator shall not by calling out or otherwise, entice any person to hire such a vehicle and shall not make use of the services of any other person for that purpose.

15 The operator shall comply with the Code of Conduct.

16 The operator shall notify the Council forthwith of any intended change in use of a licensed vehicle, or of any relevant change of particulars supplied at the time of application for this licence.

17 This licence must be kept in the possession of the operator and must not be passed to any unauthorised person. It must be produced when requested by any authorised officer of the Council or any police officer.

18 In the event of loss or damage to this licence the Taxi Licensing Section must be informed immediately so that a replacement licence can be issued a charge for replacement may apply.

19 This licence must not be altered or defaced in any way.

20 Since 2001 private hire vehicles must carry guide, hearing or other assistance dogs belonging to passengers, free of charge, unless a driver has a proven medical condition that would preclude such action. Licensed drivers have a responsibility to ensure that the proprietor they drive for is aware of such condition when they are first employed. The dog must be allowed to remain with the passenger.

22 All pre-booked private hire vehicles shall provide an SMS confirmation service confirming registration number, make and colour of the vehicle if required to do so by the Local Authority.

23 Where the operator is providing school transport they shall keep a record of those escorts accompanying bookings.
Appendix K

Penalty Points System

1.1 The penalty points system outlined below identifies a number of breaches of conditions, byelaws and/or statutory provisions. It then indicates the number of points to be invoked should the breach be proven. The implementation of points will take place following investigation of offences or receipt of formal proceedings including elsewhere by another agency e.g. the police.

1.2 Penalty points will only be imposed where the licensee agrees the breach or offence has taken place. Where the licensee does not agree that the breach or offence has taken place the licensee may be referred to an alternative enforcement action such as referral to Committee or prosecution.

2 The details of how the scheme operates

2.1 Penalty points will be applied by authorised officers of the Council upon completion of investigation of relevant breaches of the Council's conditions and requirements and / or relevant statutory provisions for vehicles; drivers and operators.

2.2 When issued penalty points will be confirmed in writing to the licence holder either at the time of the offence or subsequently.

2.3 The number of penalty points issued will be in accordance with the tariff reproduced below.

2.4 The Council retains the discretion to issue penalty points to drivers, driver / proprietors and operators for a single contravention if the circumstances warrant it i.e. the breach is one where it is considered joint responsibility is held.

2.5 The imposition of penalty points against a driver who is an employee will not necessarily result in additional imposition of points to their employer or operator.

2.6 Penalty points issued under this scheme will have a “life” of twelve months, and then will be deemed spent. The system is based upon a rolling twelve month period.

2.7 There are no fines associated with the system, and the licensee may continue to work. However, the licensee will be asked to attend a Regulatory Sub-Committee hearing if more than a certain number of points are imposed on an individual licence in any one 12 month period. The thresholds are as follows:
Penalty Points Tariff
Hackney Carriage Driver 12 Points
Hackney Carriage Proprietor 12 Points
Private Hire Driver 12 Points
Private Hire Proprietor 12 Points
Private Hire Operator 24 Points

3 On appearing before the Regulatory Sub-Committee the following guidelines will be considered

3.1 On the accumulation of 12 or more penalty points in a 12-month period a driver or a vehicle proprietor will be subject to a recommendation to suspend his/her licence for a period of 1 month.

3.2 On the accumulation of 24 or more penalty points in a 12 month period an Operator will be subject to a recommendation to suspend his/her licence for a period of 1 month.

3.3 Drivers, proprietors, or operators who accumulate the necessary total of points in a rolling year on a second or subsequent occasion, will be asked to reappear before the Committee. The Committee will take into account previous cautions, suspensions or prosecutions when considering Officer’s recommendation for a longer period of suspension, or revocation of the relevant licence.

3.4 The above recommendations would not fetter the discretion of the Committee who can decide to take no further action, to suspend the licence for any period, or to revoke a licence.

3.5 If convicted or suspended all penalty points in relation to the prosecution / suspension will be removed from the total accrued for that year by drivers, vehicle proprietors, and operators.

3.6 Any driver or vehicle proprietor or operator subject to suspension or revocation has the right of appeal to the Magistrates’ Court against the suspension or revocation. All suspensions will therefore be subject to a 21-day appeals period prior to implementation to allow for the formal appeals process.

4 Penalty Point Tariff

Abbreviations: PH = Private Hire, HC = Hackney Carriage

4.1 Matters identified with an asterisk (*) are direct contraventions of the Local Government (Miscellaneous Provisions) Act 1976 or other statutory requirements.
4.2 Matters identified with “C” are breaches of conditions imposed on the licence. Matters identified with “B” are breaches of the Byelaws. Some offences marked (HC) apply only to hackney carriages.

4.3 The numbers indicate the number of points usually allocated to the issue arising and points can be applied to driver; proprietor or operator as appropriate to the matter concerned subject to any due diligence.

**General Breaches**

1. False declaration on application/renewal of licence* 4 or 6
2. Obstruction of authorised officer * 3
3. Failure to behave in a civil and orderly manner to customers. C/B 3
4. PH Driver failing to notify any motoring, criminal conviction, pending court case, or caution within 14 days C 3
5. Failure to display badge in such position as to be plainly visible B/*4
6. Failure by HC Proprietor, PH driver or Operator to notify the Council of change of address within 7 days */C 2
7. Smoking and/or failing to prevent smoking in licensed vehicle Health Act 3 if FPN served; 6 if not
8. Failure to display required no smoking Signs Health Act 3
9. Fail to comply with the Code of Conduct C 3

**Vehicle Licence Related Issues**

10. Failure to return vehicle licence plate at request of authorised officer following expiry, revocation or suspension of licence. * 2
11. Interfering with a taximeter * 4
12. Failure to display vehicle licence plate in authorised manner C 3
13. Proprietor of HC or PH Operator failing to report accident damage to vehicle within 72 hours. * 2
14. Failure to produce insurance documents at request of authorised officer * 4
15. Using unlicensed vehicle or using a vehicle without insurance. *C 6 - 12
16. Carrying more passengers than permitted by vehicle licence. *B 4
17. Refusal to carry passengers without reasonable excuse. * 4
18. Unauthorised advertising on vehicle. C 3
19. Failure to notify transfer of vehicle licence interest within 14 days. * 3
20. Failure to convey or assist with carrying luggage. B/C 2
21. Failure to deliver lost property to police B/C 2
22. Failure to display tariff card in the vehicle (HC) B/C 3
23. Defective taxi meter (HC) B 3
24. Vehicle not clean, well maintained or comfortable C 2 -3
25. Unattended HC Vehicle on a rank. (HC) * 2
26. Failure to present vehicle for mechanical inspection. * 3
27. HC or PHV unfit for use as a Hackney Carriage or Private Hire vehicle * 4
28. Use of vehicle without a current compliance certificate *9
29. Plying for hire in a private hire vehicle * 6 - 12
30. Overcharging (HC) * 4
31. HC Proprietor employing an unlicensed driver (HC) *6 -12
32. Using a vehicle subject to a suspension order issued by an authorised Officer, or by the police. * 12
33. Driver not holding a HC and/or PH drivers licence. * 6-12
34. Unnecessarily prolonging a journey * 4
35. Driver failing to notify the Council of serious injury or illness C 4
36. Failure to comply with requirement to undertake works to vehicle within set period of time 3 or 6
37. Failure to keep proper records* 4
38. Operating a PH Vehicle when the driver is not licensed *6
39. Operating a vehicle as a PH Vehicle when the vehicle is not licensed as a PH Vehicle * 6 - 12
40. Failure to provide records when requested within a 7 day period 3

Other Matters

41. Relevant Convictions of a driver; operator or proprietor: 9 or 12 points
42. Failure to take assistance dog: 9 points
43. Failure to comply with dress code: 2 points
44. Verified Complaints of motoring / parking contraventions 1 -3 points
45. Motoring contraventions or vehicle safety defects observed by authorised officers’ 2-6 points
46. Defective Lights (more than 1) 2 points
47. Use of Prohibited vehicle 9 points
48. Failure to display door signs when legally required to do so 2 points
49. Failure to display interior plate 2 points
50. Disrespectful conduct, due to someone’s age, ethnicity, gender or transgender, religion, sexual orientation or disability 3-6 points
Appendix L

List of Hackney Carriage Ranks within Borough of Milton Keynes

Station Square, Central Milton Keynes

Midsummer Boulevard (Jury’s Inn) Central Milton Keynes

Midsummer Boulevard (outside the Point) Central Milton Keynes

City Square (o/s M&S), Saxon Gate, Central Milton Keynes

Avebury Boulevard, Central Milton Keynes
  - Xscape building – outside KFC and also informally at Aspers Casino (private ranks)

Theatre District, Lower 12th Street, Central Milton Keynes

Bletchley Station, Bletchley

Queensway, Bletchley

Coach Way, Brook Furlong
Appendix M

List of matters on a vehicle compliance test

**Interior Checks**
- Seats and Seat belts, seat security
- Warning Lamps
- Switches (position lamp, headlamp)
- Driver controls Inc. Indicator, hazard switches
- View to front, wipes & washer
- Brake pedal, servo operation
- Handbrake, steering wheel & column
- Doors, mirrors, horn
- Electric Windows / low tint / no mirrored glass

**Exterior Checks**
- Front/rear registration plate (class V N/A)
- Front lamps, including indicators
- Headlamps and headlamp aim
- Mirrors, front & rear shock absorbers
- Rear lights, rear fogs, number plate lamps
- Number plate, stop lamps
- Fuel tank cap
- Indicators, hazards
- Doors; bonnet & boot lid
- Wiper blades
- General condition of vehicle / no stickers

**Under Bonnet**
- Vehicle structure
- Braking systems
- Exhaust systems
- Fuel system
- Steering and suspension
- Power steering components

**Under Vehicle Inspection**
- Steering Inc. power steering
- Drive shaft (if applicable)
- Suspension, shock absorbers
- Front and rear wheel bearings
- Wheel and tyres
Brake system and Mechanical components
Exhaust system
Fuel tank and fuel system
General vehicle condition

Emissions

Braking system performance

Licensing Conditions
Vehicle appearance condition interior/exterior
No Smoking sign (1)
Taxi Roof sign illuminated (Hackney Carriage)
Taxi Meter (Hackney Carriage only)
**Taxi Enforcement**

Civic Offices  
1 Saxon Gate East  
Central Milton Keynes  
MK9 3EF

**T:** 01908 253599  
**E:** taxienforcement@milton-keynes.gov.uk

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**Taxi Licencing**

Synergy Park  
Chesney Wold  
Bleak Hall  
Milton Keynes  
MK6 1LY

**T:** 01908 252860  
**E:** taxi.licensing@milton-keynes.gov.uk