

## **MANSFIELD DISTRICT COUNCIL**

### **INFORMATION AND REGULATION SHEET FOR APPLICATION OF A HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE DRIVER'S LICENCE**

**Please read these Notes BEFORE applying for a driver's licence, giving particular consideration to the Conditions of Licence.**

#### **1. PROCEDURE FOR OBTAINING A LICENCE**

##### **Knowledge Test**

Before you can submit an application form you must pass a knowledge test. You will be required to bring with you some photographic identification which will be checked before the test commences. Once you have passed this test you may submit your application. To enable your application to be processed you must bring with you the following completed forms: -

- a. Licence Application form plus the new driver fee.
- b. Disclosure & Barring Application Form filled online and three forms of ID, as outlined in the Guidance, plus the DBS fee.
- c. Create and provide a licence 'check code' to share your driving record Mansfield District Council. Please see Part 2 below for how to obtain this.
- d. Full Department of the Environment driving licence (held for at least 12 months).
- e. Two, recent colour passport standard size photographs.
- f. Certificate of Good Conduct for applicants who have lived outside the UK since the age of 10 for a period more than 6 months (on each occasion) excluding time spent in the HM forces. (Please see the guidelines within this pack).
- g. Group II medical should be booked prior to application. This must be undertaken and passed from the MDC appointed Medical Officer or a completed self-medical questionnaire (if you are exempt from requiring a Group II Medical) before issue of badge.
- h. Proof of your right to work in the UK (to satisfy the criteria of the Home Office).
- i. All new applicants will be required to attend and pass a 'Safeguarding Vulnerable Passengers' training course prior to a licence being granted.

On submission of the application a Safeguarding 'pass' certificate must be produced or a pre-booked date for attending the course.

The above documentation will be checked by the Licensing Section staff.



2. **DISCLOSURE OF RECORDS HELD BY THE DISCLOSURE AND BARRING SERVICE AND DVLA, RESPECTIVELY.**

- (a) A Disclosure & Barring Check in accordance with the provisions of Section 47 of the Road Traffic Act 1991 will be required on initial application and yearly thereafter. This will be made using the Disclosure and Barring Service and you will be responsible for any charge required by the same for this service. After the original DBS has been issued there is an option to subscribe to the DBS update service, if you would like to register for this service the applicant has 30 calendar days from the date the certificate was issued.
- (b) The Disclosure Application Form will be sent to the Disclosure & Barring Service under confidential cover.
- (c) The Disclosure & Barring Service Certificate will be sent to the applicant's home address and this needs to be brought into the Civic Centre.
- (d) An 8-digit check code from the DVLA will be required on initial application and a yearly check will be conducted by the Licensing Section thereafter. Yearly checks will require the licensed driver to provide a further 8-digit code.  
To obtain an 8-digit check code from the DVLA please go to the Gov.uk website and follow the following link <https://www.gov.uk/view-driving-licence>  
In the event of any difficulty obtaining a check code please contact the Licensing Department for advice.

DVLA CHECK CODE	
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3. **THE MEDICAL EXAMINATION IS TO BE CARRIED OUT BY THE MDC APPOINTED DOCTOR**

Licensed drivers are expected to meet the Group II Standards of Medical Fitness as applied by the DVLA to licensed lorry/bus drivers.

- (a) The applicant will be responsible for arranging, attending and funding the Group II standard medical appointment, as well as providing a copy of the passed medical form to the Licensing Authority.
- (b) The passed medical is conducted on initial application and remains in force up to the age of 45 years. Thereafter a medical examination is required every 5 years until the age of 65 when a medical examination and passed certificate is required each year thereafter.
- (c) The Licensing Authority also reserves the right to request a driver to produce a medical certificate upon request at any point during the period of the licence. The driver may be required to cover the cost of this examination.
- (c) At each interim renewal a self-medical questionnaire will require to be submitted.
- (d) **NO** Medical Certificate is required if a current LGV/PCV Licence is held.



#### 4. **IDENTIFICATION BADGE**

- (a) The Badge remains the property of the Council and on ceasing to be a Hackney Carriage/Private Hire Vehicle Driver you must return the badge to the Licensing Section at the Civic Centre.
  - (b) Loss of Badge must be reported to the Licensing Technical Support Officer immediately, telephone number 463463 (ext. 3334/3181). By appointment, a new badge may be issued for the remaining period of the current licence, you will also be required to complete an application form and bring with you a recently taken passport size photograph, your driving licence and the appropriate fee.
  - (c) Damaged Badges should be brought to the office (during Licensing Hours) together with a recently taken passport size photograph, driving licence and the replacement fee.
6. All new Drivers Licences are issued with a three-year badge. The badge is issued from the date of issue until the last date of the previous month in the third year. All renewal licences are granted for 3 years.

If you feel that you have exceptional circumstances, you may write to the Licensing Section for consideration to be given for a one year badge. The Licensing Officer or Team Leader will consider your request and notify the applicant of the decision.

Renewal reminder letters are sent to all drivers approximately 10 weeks prior to Licence/Badge expiry date as a matter of courtesy. However, the onus remains with the driver to ensure that his/her application and all supporting documentation is received on time.

A licence will not be granted or renewed in the absence of all necessary checks and documentation.

#### 5. **Confirmation of Tax Responsibilities**

What you need to do will depend on whether you're applying for a licence for the first time or whether you're making a subsequent application, such as renewing a licence.

**Getting a new licence:** If you are applying for a licence for the first time, you will not need to complete the tax check. However, licensing bodies will ask you to read HMRC guidance on what you need to do to be properly registered for tax in the future and you'll need to confirm you have done this.

**Renewing a licence:** From 4 April 2022, if you renew or apply for a subsequent licence under a different licensing body, you'll have to do a tax check. You'll be able to do this online through a digital service

##### **About the tax check**

You will be able to complete this tax check on GOV.UK, through your Government Gateway account. You will only need to answer a few questions to tell HMRC how you pay any tax that may be due on income you earn from your licensed trade. If you do not already have a Government Gateway account, you can sign up on GOV.UK.

The tax check should only take a few minutes. There'll be guidance on GOV.UK and anyone who needs extra support will be able to complete the tax check by phone through HMRC's customer helpline.



When you've completed the tax check, you'll get a code. You must give this code to your licensing body. The licensing body cannot proceed with your licence application or renewal until the tax check is completed and they've received the code.

Your licensing body will only receive confirmation from HMRC that you've completed the tax check, they will not have access to information about your tax affairs.

### **What you need to do**

If you've not registered to pay tax on earnings from your licensed trade, please go to GOV.UK to check if you need to register as soon as possible.

- If you're an employee, find information on PAYE at:  
[www.gov.uk/income-tax/how-you-pay-income-tax](http://www.gov.uk/income-tax/how-you-pay-income-tax)
- If you're self-employed, find information on registering for Self-Assessment at:  
[www.gov.uk/register-for-self-assessment](http://www.gov.uk/register-for-self-assessment)
- If you operate through a company, find information on Corporation Tax at:  
[www.gov.uk/corporation-tax](http://www.gov.uk/corporation-tax)

If you should have been registered to pay tax and have not been, HMRC will work with you promptly and professionally to get you back on the right track. It's your responsibility to get your tax right, but HMRC are here to help.

You can get help from HMRC if you need extra support, for example if you need information in a different format or need help filling in forms. Visit GOV.UK and search 'Get help from HMRC if you need extra support'.

For further guidance on the tax check, please visit:

**[www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022](http://www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022)**

### **PLEASE NOTE**

- (a) It is an offence to drive a Hackney Carriage/Private Hire vehicle unless and until a Licence is granted. Merely submitting an application form for the grant of a licence does not entitle you to start work.
- (b) A driver's licence will not be issued to any person who has not held a full Department of the Environment Driving Licence or an exchangeable licence as defined by the Road Traffic Act 1988 section 108, for at least one year.
- (c) A licence can be granted ONLY if all information received is correct and complies with the Council's policy.
- (d) If a licence is granted to you, it will be subject to conditions of licence, a copy of which is supplied in this pack, together with additional conditions which the Council deems necessary.
- (e) It will be your responsibility to hand a copy licence to your operator, before commencing work, if you intend to drive a private hire vehicle.
- (f) If you intend to drive a Hackney Carriage a copy licence must be handed to the vehicle proprietor prior to commencing work.
- (g) From 31<sup>st</sup> March 2001 all licensed Hackney Carriage Drivers have been under a duty to carry, free of charge, guide, hearing and certain assistance dogs – "Dogs for the Disabled", "Support Dogs" and "Canine Partners for Independence" in their taxi's.



These duties have been introduced under Section 37 of the Disability Discrimination Act, 1995.

The Statute allows for Hackney Carriage Drivers to be exempted from these duties if they have a medical condition that would be aggravated by contact with dogs.

The Licensing Authority is responsible for considering applications for exemption and to issue a certificate of exemption to those whom they consider merit a medical exemption.

If a Licence is granted to you and you wish to apply for an exemption you should contact the Licensing Administration at the Civic Centre whereupon further details will be made available to enable an application to be made.

- (h) It is an offence to knowingly make any false statement or to omit any relevant detail in giving information in connection with this application. Any person who commits such an offence will be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (i) Notwithstanding the provisions of the Rehabilitation of Offenders Act 1974 (which might otherwise affect your obligations to disclose previous convictions), the Act allows judicial authorities to consider all relevant convictions and for the purposes of assisting the Council in considering the suitability of applicants, details of ANY convictions for offences involving indecency, violence, or dishonesty, serious offences connected with the driving of a motor vehicle or any drug or alcohol related offence must be disclosed irrespective of the date of conviction.
- (j) You should be aware that the grant of a licence is subject to a Disclosure & Barring Check in accordance with the provisions of Section 47 of the Road Traffic Act 1991.
- (k) The Council has adopted guidelines which it uses in considering applications for hackney carriage and private hire vehicle driver's licences. A copy of the Statement of Policy and Guidelines for the consideration of applications for a combined Hackney Carriage/Private Hire Vehicle Drivers Licence can be obtained, on request, at the Licensing Section of Mansfield District Council.
- (l) Failure to complete this form adequately and sufficiently will inevitably lead to a delay in determination of the application.
- (m) Any false or misleading statement made in connection with this application may render you liable to criminal proceedings.
- (n) If a Hackney Carriage/Private Hire Vehicle licence application is refused, following the determination of a panel, the application fee will not be refunded. (Decision of Licensing Committee on 23<sup>rd</sup> June 2011)

**REVISED: March 2023**









**APPLICATION FOR GRANT OR RENEWAL LICENCE  
HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE DRIVER'S LICENCE**

**PLEASE NOTE:** Applications can be dealt with at the Civic Centre by appointment only -  
Contact Tel: 01623 463181

Contact Email: [Licensing@mansfield.gov.uk](mailto:Licensing@mansfield.gov.uk)

<b>FOR OFFICE USE ONLY:</b>				
New Driver Fee: <b>£311.00 (3 Years)</b>		Driver Renewal: <b>£247.00 ( 3 Years)</b>		
DBS <b>£58.50</b> (on initial application and yearly thereafter unless signed up to the update service)				
Driver's Licence (in current address) seen and checked: <b>Yes/No</b>		'Safeguarding' Certificate Rec'd: Yes or date of confirmed booking:		
BADGE LOST: £26.00		DAMAGED BADGE: Returned: £26.00		
FULL MEDICAL EXAMINATION	SELF MEDICAL QUESTIONNAIRE	DBS	LGV/ PSV	2 x PASSPORT SIZE PHOTOGRAPHS
DVLA CODE				

- 1) **BEFORE COMPLETING THIS FORM PLEASE READ ATTACHED INFORMATION SHEET**
- 2) **PLEASE COMPLETE THIS FORM IN BLACK INK, IN YOUR OWN HANDWRITING USING CAPITAL LETTERS.**

Name in full (Mr. Mrs Ms. Miss) .....

Date of birth ..... Age .....

Address.....

Post Code.....Tel No: .....Mobile No.....

Previous address (if you have not lived at the above address for two years)

If the address is not local please state the reason why you would like a licence issued by Mansfield District Council (including timescales where relevant)

E-mail address.....

National Insurance

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**Licensing to Sign**.....



[illegible]

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### Licensing to sign:

**YES/NO**

## Local Authority

HC /PH/ BOTH

**YES/NO**

### Reasons for suspension or revocation

### Reasons for suspension or revocation

FULL TIME / PART TIME (Please circle)

Employers name and address .....

[illegible][illegible]

**YES/NO**

.....

**YES/NO**



## **CONVICTIONS**

Before completing this section please read carefully the attached Notes for Applicants, and the Council's Statement of Policy and Guidelines for a combined Hackney Carriage /Private Hire Vehicle Drivers Licence which can be obtained from the Licensing Section on request or viewed on Mansfield District Council's web page at:-

**<http://www.mansfield.gov.uk/index.aspx?articleid=2540>**

Details of all convictions must be disclosed irrespective of whether they are spent under the terms of the Rehabilitation of Offenders Act 1974. Please give full details of the following: -

**N.B. FOR THE PURPOSE OF THESE GUIDELINES FORMAL CAUTIONS AND ENDORSABLE FIXED PENALTIES ARE TREATED AS THOUGH THEY WERE CONVICTIONS**

Offence Type	Date	Nature of Offence	Court/Police Station	Decision of the Courts/Police Station
<b>Motoring Offences</b>  Yes <input type="checkbox"/> No <input type="checkbox"/>				
<b>Criminal Convictions</b>  Yes <input type="checkbox"/> No <input type="checkbox"/>				
<b>Other Offences</b>  Yes <input type="checkbox"/> No <input type="checkbox"/>				
<b>Cautions / Reprimands etc.</b>  Yes <input type="checkbox"/> No <input type="checkbox"/>				
<b>Any Pending Prosecutions</b>  Yes <input type="checkbox"/> No <input type="checkbox"/>				



What area will you be predominately working in as a Hackney Carriage and Private Hire Dual Licensed Driver?

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What is the name and address of the person (i.e. Proprietor) or firm whose vehicle(s) you propose to drive?

Name of Proprietor .....NAME OF FIRM .....

Do you have the right to work in the UK?			Yes / No (Please circle)	
UK passport (or citizen of another EEA country)			Yes / No	
Passport or other travel document endorsed to show that the holder is allowed to stay in the UK and undertake paid employment			Yes / No	
Full UK Birth or Adoption Certificate			Yes / No	
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)			Yes / No	
<b>Documentary evidence relating to the right to work must be checked and retained (Licensing Section to sign). – Must not issue licence for longer than this period – check.</b>			<b>Licensing to Sign:</b>	
Have you ever resided outside the UK for a period of more than 6 months on each occasion? Excluding time spent in the HM forces. (Renewal drivers this question applies since your last licence issued)			Yes / No (Please circle)	
If yes, please detail the periods of residency spent <b>outside</b> the UK?				
<b>Date</b>		<b>Full Address</b>	<b>Country</b>	<b>Occupation</b>
<b>From</b>	<b>To</b>			

(A Certificate of Good Conduct will be required from each country stated above. Please see guidelines attached).



CONFIRMATION OF TAX RESPONSIBILITIES (For all applicants)	
<p><b>Please complete this section for all initial applications for a licence and renewal applications</b></p> <p>I confirm that I am aware of my tax responsibilities and that I have read the relevant HMRC guidance on what I need to do to be properly registered for tax in the future.</p> <p>NOTE: We are unable to issue you with a licence if you do not confirm you are aware of your responsibilities relating to tax</p>	<p>Signed.....</p> <p>Print.....</p> <p>This section needs to be signed by applicants</p>
<p><b>Please complete this section for all initial applications for a licence and renewal applications</b></p> <p>I have completed the HMRC Tax Check, and I provide the Tax Check Code to support my application.</p> <p>NOTE: this code is only valid for 120 days.</p>	<p>CODE.....</p>

### **Confirmation of Tax Responsibilities**

What you need to do will depend on whether you're applying for a licence for the first time or whether you're making a subsequent application, such as renewing a licence.

**Getting a new licence:** If you are applying for a licence for the first time, you will not need to complete the tax check. However, licensing bodies will ask you to read HMRC guidance on what you need to do to be properly registered for tax in the future and you'll need to confirm you have done this.

**Renewing a licence:** From 4 April 2022, if you renew or apply for a subsequent licence under a different licensing body, you'll have to do a tax check. You'll be able to do this online through a digital service

### **About the tax check**

You will be able to complete this tax check on GOV.UK, through your Government Gateway account. You will only need to answer a few questions to tell HMRC how you pay any tax that may be due on income you earn from your licensed trade. If you do not already have a Government Gateway account, you can sign up on GOV.UK.

The tax check should only take a few minutes. There'll be guidance on GOV.UK and anyone who needs extra support will be able to complete the tax check by phone through HMRC's customer helpline.

When you've completed the tax check, you'll get a code. You must give this code to your licensing body. The licensing body cannot proceed with your licence application or renewal until the tax check is completed and they've received the code.



Your licensing body will only receive confirmation from HMRC that you've completed the tax check, they will not have access to information about your tax affairs.

### **What you need to do**

If you've not registered to pay tax on earnings from your licensed trade, please go to GOV.UK to check if you need to register as soon as possible.

- If you're an employee, find information on PAYE at:  
[www.gov.uk/income-tax/how-you-pay-income-tax](https://www.gov.uk/income-tax/how-you-pay-income-tax)
- If you're self-employed, find information on registering for Self-Assessment at:  
[www.gov.uk/register-for-self-assessment](https://www.gov.uk/register-for-self-assessment)
- If you operate through a company, find information on Corporation Tax at:  
[www.gov.uk/corporation-tax](https://www.gov.uk/corporation-tax)

If you should have been registered to pay tax and have not been, HMRC will work with you promptly and professionally to get you back on the right track. It's your responsibility to get your tax right, but HMRC are here to help.

You can get help from HMRC if you need extra support, for example if you need information in a different format or need help filling in forms. Visit GOV.UK and search 'Get help from HMRC if you need extra support'.

For further guidance on the tax check, please visit:

**[www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022](https://www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022)**



## **Privacy Notice**

We will use the information provided by you for assessing the application. The basis under which the Council uses personal data for this purpose is Public Task.

**The information provided by you includes the following special categories of personal data ...**

- **physical or mental health**
- **genetic/biometric data**
- **criminal history**

**Information in these categories is used by the Council on the basis that such use is necessary for reasons of substantial public interest, and in accordance with the provisions of the Data Protection Act 2018.**

The information that you have provided will be kept in accordance with the Council's retention schedule which can be found at [www.mansfield.gov.uk/Privacy](http://www.mansfield.gov.uk/Privacy)

The information provided by you may also be used for the purpose of any other function carried out by the Council. Information about these functions and the legal basis on which information is used by them, your rights and the Council's Data Protection Officer (DPO) can be found on the Council's detailed privacy notice which can be found at [www.mansfield.gov.uk/Privacy](http://www.mansfield.gov.uk/Privacy) on the Council's website or requesting a copy by writing to the Data Protection Officer:

Mansfield District Council  
Chesterfield Road South  
Mansfield  
Nottinghamshire  
NG19 7BH

## **DECLARATION**

- I understand and consent to my information being used in this way.
- I consent to the Licensing Authority checking my details with the DVLA and DBS (Disclosure and Barring Service)
- I have received and read the Council's general conditions of licence subject to which this application will be considered and confirm that I will comply with the requirements set out therein.
- I understand that I may be liable to prosecution if I have knowingly or recklessly made a false statement or omitted any material particular to this application.

SIGNED .....

DATE .....







## MANSFIELD DISTRICT COUNCIL

### HACKNEY CARRIAGE DRIVERS LICENCE CONDITIONS/REGULATIONS

#### THESE CONDITIONS:

'AUTHORISED OFFICER' means any Officer of the Council authorised in writing for the purpose of these Conditions.

'THE COUNCIL' means the Mansfield District Council.

THE DRIVER of a Hackney Carriage should not assign or in any way part with the benefit of the Licence. It is personal to him.

#### 1. THE LICENSEE

- (a) IF THE TAXIMETER is fitted with a flag or other device bearing the words 'FOR HIRE': -
  - (i) when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible.
  - (ii) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the flag or other device so that the words are not conveniently legible and keep the machinery of the taximeter in action until the termination of the hiring.
- (b) IF THE TAXIMETER is not fitted with a flag or other device bearing the words 'FOR HIRE': -
  - (i) when standing or plying for hire keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate a sign which shall bear the words 'FOR HIRE' in plain letters at least one and a half inches in height and be capable of being operated so that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire;
  - (ii) as soon as the carriage is hired whether by distance or by time, operate the said sign so that the words 'FOR HIRE' are not conveniently legible by persons outside the carriage.
  - (iii) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the key or other device fitted for the purpose 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 Traffic Act, 1972, and also at any other time at the request of the hirer.



2. 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 seals affixed thereto.

3. Shall, when plying for hire in any street not actually hired: -

- (a) proceed with reasonable speed to one of the stands fixed by the Conditions in that behalf.
- (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorized to occupy it, proceed to another stand.
- (c) on arrival at a stand not already occupied by the full number of carriages authorized to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face the same direction.
- (d) 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.

4. IMPORTUNING

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.

5. TRAINING

You may wish to undertake an NVQ Level 2 in Road Passenger Transport which will supplement your knowledge on the Hackney Carriage and Private Hire Profession and gain you a nationally recognized qualification. Those who have undertaken the NVQ have found it very informative and believed that it enhanced both their knowledge of the legislation around Hackney Carriage and Private Hire work and their customer care skills. If you would like more information on this, please contact the licensing section.

6. ACCIDENT AND DAMAGE REPORTS

Must report details of all accidents to the proprietor within 72 hours of the incident.

7. BEHAVIOUR

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.

8. SMOKING

Shall always refrain from smoking whilst in a licensed vehicle and ensure that no passengers smoke inside the vehicle (In line with The Health Act 2006).

9. HAND-HELD MOBILE TELEPHONES

Shall, whilst driving a licensed vehicle, refrain totally from the use of a hand-held mobile telephone. This also includes if the vehicle is stationary, but the engine is still running.

10. DRESS/SMARTNESS



Will always ensure that a smart standard of dress and cleanliness is maintained which is acceptable to the general public. The seasonal wearing of knee length skirts or shorts as appropriate will be allowed and drivers are permitted to wear either a short-sleeved shirt, short sleeved T-shirt or short sleeved blouse. Vests and flip-flops will not be allowed, and no obscene or offensive words or prints to be displayed on any item of clothing.

11. PROMPTNESS

Who has agreed or has 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.

12. PROLONGING OF JOURNEY

When hired to drive any particular destination shall, subject to any directions given by the hirer, without reasonable cause unnecessarily prolong the journey, in distance or in time.

13. NUMBER OF PASSENGERS

Shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified in the license issued in respect of that Hackney Carriage Vehicle.

The carrying of pets shall be at the driver's discretion unless it is an assistance dog whereby you will be legally required to it carry unless you have a medical exemption approved by the Council

14. IDENTITY BADGE

The driver shall, when standing or plying for hire, and when hired, wear or clearly display a badge of a nature approved by the Council in such position and manner as to be plainly visible.

15. ASSISTANCE

The driver of a hackney carriage shall, when requested by any person hiring or seeking to hire the carriage: -

- (a) convey a reasonable quantity of hand 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 a person.

However, if a driver has a medical complaint that would prevent them from providing certain assistance, they are able to apply for a exemption (Equality Act 2010 – Section 165 and 166 – Duties to assist passengers in wheelchairs and exemption from the duties).

16. TABLE OF FARES

The driver of a Hackney Carriage bearing a statement of fares in accordance with this Condition shall not willfully 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. LOST PROPERTY

The driver of a Hackney Carriage shall if any property accidentally left therein by any persons who may have been conveyed in the carriage be found by or handed to him take the same within twenty-four hours, if not sooner claimed by or on behalf of its owner, to the Police Station, Great Central Road, Mansfield, Nottinghamshire.

18. PASSENGER EMERGENCY

If a passenger appears to become seriously ill (severe chest pain, shortness of breath) nonresponsive, or loses consciousness, the driver must safely park the vehicle, stay with the passenger and ring 999 for assistance.

19. DUAL LICENCE

All drivers are issued with a dual licensed driver's badge which enables them to drive both a Hackney Carriage and a Private Hire Vehicle. However, if the vehicle is wheelchair accessible the driver must ensure that they correctly load, unload and secure the wheelchair and its user.

20. NOTICE

A notice must be provided as follows: -

"All vehicles and drivers are licensed by Mansfield District Council. Should you wish to compliment or make a complaint, it is necessary, in case of a vehicle to note the Licence Number, which can be obtained from the licence plate situated on the rear of the vehicle. A driver's details can be obtained from his/her I.D. badge worn by the driver. Contact can be made with the Licensing Team at the Civic Centre via the telephone or personal visit or in writing to the Head of Regulatory Services."

Such notice to be prominently displayed in licensed vehicles in such a position that it could be easily seen by passengers.

21. CHANGE IN GIVEN PARTICULARS

During the period of the licence any change in particulars whatsoever, set out by you in your application must be submitted to the Licensing Section immediately. This will include any change of address, any traffic offences (i.e. speeding fines) and any criminal investigations.

22. PENALTIES

The Local Government (Miscellaneous Provisions) Act 1976 provides that any person who acts in contravention of the provision of Part II of the Act shall be guilty of an offence and may be liable on summary conviction to a fine not exceeding £1,000.

In addition, such action may lead to the suspension or revocation of an existing licence or the failure to renew such a licence.

N.B. Your attention is drawn to the various provision contained in the 1976 Act which you are advised to obtain and read carefully.







## **MANSFIELD DISTRICT COUNCIL**

### **PRIVATE HIRE VEHICLE DRIVERS LICENCE CONDITIONS/REGULATIONS**

#### **THESE CONDITIONS:**

'**AUTHORISED OFFICER**' means any Officer of the Council authorised in writing for the purpose of these Conditions.

'**THE COUNCIL**' means the Mansfield District Council.

'**WIRELESS TELEGRAPHY**' has the meaning assigned to it in Section 19 of the Wireless Telegraphy Act 1949.

#### **THE LICENSEE:**

1. Shall not assign or in any way part with the benefit of the Licence. It is personal to the Licensee.
2. Shall not while driving or in charge of a private hire vehicle:
  - (a) tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle, or
  - (b) cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried in any private vehicle, or
  - (c) offer that vehicle for immediate hire while the Licensee or that vehicle is on a road or other public place, or
  - (d) accept an offer for the immediate hire of that vehicle while the Licensee or that vehicle is on a road or other public place except where such offer is first communicated to the Licensee by telephone or by apparatus or wireless telegraphy fitted to that vehicle without the Licensee in any way procuring the offer.

#### **IN THIS CONDITION:**

"Road" means any highway and any other road to which the public has access and includes bridges over which a road passes.

#### **3. PERMITTED NUMBER OF PASSENGERS**

Shall not cause or suffer or permit to be conveyed in a private hire vehicle a greater number of persons than the number of persons specified in the Licence issued in respect of that private hire vehicle. The carrying of pets shall be at the driver's discretion.

The carrying of pets shall be at the driver's discretion unless it is an assistance dog whereby you will be legally required to it carry unless you have a medical exemption approved by the Council.

#### **4. TRAINING**

You may wish to undertake an NVQ Level 2 in Road Passenger Transport which will supplement your knowledge on the Hackney Carriage and Private Hire Profession and gain you a nationally recognized qualification. Those who have undertaken the NVQ have found it very informative and believed that it enhanced both their knowledge of the legislation around Hackney Carriage and Private Hire work and their customer care skills. If you would like more information on this, please contact the licensing section.



5. IDENTITY BADGE

Shall when driving a private hire vehicle, wear, or display, in a conspicuous position so as to be plainly and distinctly visible, the driver's badge issued to the Licensee by the Council.

6. ACCIDENT AND DAMAGE REPORTS

Must report details of all accidents to the proprietor within 72 hours of the incident.

7. PROMPTNESS

Who shall have agreed and shall have 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.

8. ASSISTANCE

Shall, when requested by any person hiring or seek to hire the vehicle.

- (a) carry a reasonable quantity of hand luggage.
- (b) afford reasonable assistance in loading and unloading.
- (c) afford reasonable assistance in removing it to and from the entrance of any house or station or place at which he may take up or set down such person.

However, if a driver has a medical complaint that would prevent them from providing certain assistance, they are able to apply for an exemption (Equality Act 2010 – Section 165 and 166 – Duties to assist passengers in wheelchairs and exemption from the duties).

9. LOST PROPERTY

Shall, if any property accidentally left therein by any persons who may have been conveyed in the vehicle be found by him, take the same within twenty-four hours, if not sooner claimed by or on behalf of its owner, to the Police Station, Great Central Road, Mansfield Notts.

10. LICENSEE BEHAVIOUR:

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. SMOKING

Shall refrain from smoking at all times whilst in a licensed vehicle and ensure that no passengers smoke inside the vehicle (In line with The Health Act 2006).

12. HAND-HELD MOBILE TELEPHONES



Shall, whilst driving a licensed vehicle, refrain totally from the use of a hand-held mobile telephone. This also includes if the vehicle is stationary, but the engine is still running.

13. DRESS/SMARTNESS

Will ensure that at all times a smart standard of dress and cleanliness is maintained which is acceptable to the general public. The seasonal wearing of knee length skirts or shorts as appropriate will be allowed and drivers must wear either a short-sleeved shirt, short sleeved T-shirt or short sleeved blouse. Vests and flip-flops will not be allowed, and no obscene or offensive words or prints to be displayed on any item of clothing.

14. PASSENGER EMERGENCY

If a passenger appears to become seriously ill (severe chest pain, shortness of breath) nonresponsive, or loses consciousness, the driver must safely park the vehicle, stay with the passenger and ring 999 for assistance.

15. DUAL LICENCE

May at the discretion of the Council be permitted to drive a licensed hackney carriage.

16. NOTICES

(a) A notice must be provided as follows: -

“All vehicles and drivers are licensed by Mansfield District Council. Should you wish to compliment or make a complaint, it is necessary, in case of a vehicle to note the Licence Number, which can be obtained from the licence plate situated on the rear of the vehicle. A driver's details can be obtained from his/her I.D. badge worn by the driver. Contact can be made with the Licensing Team at the Civic Centre via the telephone or personal visit or in writing to the Head of Regulatory Services.”

Such notice to be prominently displayed in licensed vehicles in such a position that it could be easily seen by passengers.

Sub-Sections (2) to (5) of Section 233 of the Local Government Act 1972 shall have effect and are incorporated in these Conditions in relation to any notices required or authorised by these Conditions to be given or served on the Licensee by or on behalf of the Council, or by an Authorised Officer.

17. CHANGE IN GIVEN PARTICULARS

During the period of the licence any change in particulars whatsoever, set out by you in your application must be submitted to the Licensing Section immediately. This will include any change of address, any traffic offences (i.e. speeding fines) and any criminal investigations.

18. PENALTIES

The Local Government (Miscellaneous Provisions) Act, 1976, provides that any person who acts in contravention of the provisions of Part II of the Act shall be guilty of an offence and may be liable on summary conviction to a fine not exceeding £1,000. In



addition, such action may lead to the suspension or revocation of an existing licence or the failure to renew such a licence.

N.B. Your attention is drawn to the various provisions contained in the 1976 Act which you are advised to obtain and read carefully.



**REGULATIONS AND GUIDANCE NOTES FOR HACKNEY CARRIAGE AND PRIVATE  
HIRE VEHICLE DRIVERS  
IN RESPECT OF LAWFUL BOOKINGS AND ILLEGAL PLYING FOR HIRE**

**LAWFUL BOOKINGS**

- HACKNEY CARRIAGES**
- (1) When situated on an appointed rank (when on a rank, it is an offence to refuse a fare without reasonable excuse).
  - (2) When proceeding at a reasonable speed to one of the appointed ranks. Being hailed by a prospective hirer (touting or importuning a fare is however an offence).
  - (3) When pre-booked.

- PRIVATE HIRE VEHICLES**
- (1) Only when pre-booked (By such methods as personal call, telephone call or some direct method of communication with the licensed operator's base) and entered in the operator's records before the commencement of the journey.

**ILLEGAL PLYING FOR HIRE**

The Council will consider taking enforcement action in respect of illegal plying for hire in the following circumstances: -

- HACKNEY CARRIAGES**
- (1) When a Hackney Carriage is parked other than on an appointed rank.
  - (2) The driver either in person or through agents, calling out or otherwise inviting any person to hire such carriage.

- PRIVATE HIRE VEHICLES**
- (1) Inviting potential customers to hire the vehicle for an immediate booking.
  - (2) Accepting an offer for an immediate booking from a potential customer.

The above is not intended to be an exhaustive description of illegal plying for hire and the Council reserves the right to take enforcement action in other circumstances where it deems fit.

Any vehicle that has been pre-booked should attend promptly at the time and place and should not wait more than five minutes after the appointed time before moving off. Private hire vehicles should not rank up on a street or road with the drivers in attendance.

The above notes are not a comprehensive review of the law in respect of these matters and are merely issued for guidance. Should you require any clarification please contact the Environmental Health Department at the Civic Centre, Chesterfield Road South, Mansfield. Telephone Number: Mansfield (01623) 463388.



## **CONSIDERATION OF APPLICATIONS FOR A COMBINED HACKNEY CARRIAGE / PRIVATE HIRE VEHICLE DRIVER'S LICENCE**

1. When submitting an application for the grant or renewal of a combined Hackney Carriage/Private Hire Vehicle Licence, applicants are required to declare any convictions they may have. For the purpose of these guidelines, simple and conditional cautions, reprimands, warnings, endorsable fixed penalties, and any other offences shall be treated as though they were convictions.
2. In the case of convictions or fixed penalties for offences concerning the driving or keeping of a motor vehicle, relevant details are required for the five-year period preceding the date of the application. In the case of a criminal offence, details are required in respect of ANY offence.
3. The Council recognises that employment plays an important part in preventing ex-offenders from sliding back into crime. Therefore, although our criminal record criteria will be robust and rigorous, we will also pay due attention to the principles of rehabilitation, so there are no unnecessary barriers for the employment of ex-offenders.
4. However, applicants need to be aware that as a consequence of the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002, applicants for a licence are excluded from the provisions of the Rehabilitation of Offenders Act 1974 in relation to spent convictions.
5. We will in all cases verify an applicant's identity and require a criminal record check to be undertaken. Where the check reveals that the applicant has a record of convictions or cautions and warnings, we will consider these carefully on the basis of:
  - 
  - The nature and seriousness of offence
  - When the offence was committed
  - The age of the applicant when the offence was committed
  - Any other factors which might be relevant

We reserve the right to seek intelligence from all 'approved sources' such as the Police, Social Services Alcohol and Drug Rehabilitation Units, Child Protection Agency, G.P. etc.

6. We will consider convictions based upon this District Council's Statement of Policy and Guidelines for the Consideration of Applicants for a Combined Hackney Carriage / Private Hire Vehicle Drivers Licence. A copy of the policy can be obtained from the Licensing Section or viewed on Mansfield District Council's web site at:- **<http://www.mansfield.gov.uk/index.aspx?articleid=2540>**
7. Whilst a licence is in force, we shall receive updates of new convictions and cautions for licence holders. This will allow us to decide whether action needs to be taken on the continuation of the licence.
8. Any applicant refused a driver's licence on the ground of previous criminal convictions will be informed in writing and given the opportunity to have that decision referred to a Licensing Panel. If the applicant is refused a licence by the Licensing Panel on the grounds that he/she is not a fit and proper person to hold such licence he/she will be informed in writing and advised of his/her right of appeal to a Magistrates' Court. Such appeal must be made within 21 days of being notified of the Council's decision.



## **GUIDELINES RELATING TO CRIMINAL CHECKS FOR PEOPLE WHO HAVE SPENT TIME OUTSIDE OF THE UK**

1. Where an applicant/driver has been absent from the UK, a Criminal Record Bureau (DBS) check would not be sufficient evidence of his/her criminal record. This is because it is possible to have a clean UK criminal record but have committed a serious criminal offence outside of the UK, which the DBS is unaware of.
2. All applicants/drivers (including those renewing a licence) must complete as part of the application form a questionnaire in order to ascertain what time, if any, the applicant has spent resident outside of the UK since the age of 10. Under S.57 Local Government (Miscellaneous Provisions) Act 1976 it is an offence to knowingly or recklessly make a false statement or to omit information required by the Council.
3. Applicants/drivers who have been resident in any other country or countries for 6 months or more will be required to provide a Certificate of Good Conduct from each country (unless previously seen by this Authority). For these purposes, a "Certificate of Good Conduct" means an extract from the judicial record or equivalent document issued by a competent judicial or administrative authority in the relevant country testifying to good conduct or to any criminal convictions recorded against the individual.
4. The Head of Environmental Health may wish to approach the relevant Embassy or appropriate Body directly to verify the documents provided. The applicant/driver will be advised of any costs to be incurred, and these costs must be met by the applicant/driver.
5. Where necessary documents must be translated into English or another language by a translator approved by the Head of Environmental Health. The cost of obtaining an appropriate translation must be met by the applicant/driver.
6. All applicants/drivers who have been resident in the UK will be required to obtain an enhanced CRB check for the period of time they have been resident in the UK.
7. Applicants/drivers who are unable to provide the necessary CRB check or Certificates of Good Conduct to the satisfaction of the Head of Environmental Health, may be unable to satisfy the licensing authority that they are a fit and proper person to hold a driver's licence and the application may be refused or any existing licence may be suspended.
8. The absence of a "Certificate of Good Conduct" will not necessarily affect the status of an existing licence or prevent an application being considered, but the failure to provide such information without good reasons will be taken into account when making a decision.
9. Where an applicant/driver is unable to produce a "Certificate of Good Conduct", he or she will need to explain why, and to produce references and any other appropriate documents from individuals or bodies who can vouch for his or her time in the relevant country in relation to their conduct and/or any criminal conviction to satisfy the licensing authority that they are a fit and proper person.
10. If the documentation produced does not satisfy the Licensing Authority, then the application will be refused or any existing licence suspended.



11. Any person aggrieved by the decision has the right of appeal to a Magistrates' Court. Such appeal must be made within 21 days of being notified of the Council's decision.