

Knowledge test request pack

Author: Licensing Service

Contact: licensing@luton.gov.uk

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Licensing service operational changes

Important changes - private hire and hackney carriage driver and vehicle licences: updated on June 2023

Public counter provisions - closed

Licensing service public counter and including licensing staff public counter at Kingsway depot is closed for day to day business permanently.

The Licensing Service can be contacted on **01582 546040** between 9am and 4.30pm, Monday to Friday or by emailing licensing@luton.gov.uk.

All applications are to be processed via electronic facilities and the council's online portals should be used.

We strongly advise that you continue to maintain your licences and take the appropriate time to submit your full, completed application form(s) online prior to the expiry of your existing licence to avoid being unlicensed and unnecessary concerns during this time.

All licences, plates and badges will be posted. Please ensure that applications are submitted to allow the appropriate time for these to be processed and posted prior to licences expiring.

Private hire and hackney carriage vehicle damage appointments

Due to the current changing situation with COVID-19, we have taken the decision to not carry out routine vehicle damage or vehicle repair checks at this time until further notice.

We advise you to continue to use the online service for reporting any damage on your licensed vehicle, following the usual procedures and within the conditional timescales on your licence as usual.

It may be required that we contact you for further images/pictures of your vehicle in these circumstances to ensure we can review the full extent of the damage and or repair to your vehicle.

Apologies for the inconvenience at this time.

Private hire and hackney carriage driver(s)

In order to submit an application for private hire and hackney carriage driver's licence, you will need to meet ALL supporting documentation required, this includes a DVLA Group 2 medical standards medical certificate completed by your GP.

Knowledge test bookings

All Knowledge tests are being held in person at the Town Hall, Luton on Tuesdays (days may be changed due to service demand). These are electronic tests where you will be required to use a laptop which will be provided on the day by the Licensing Service. You will be required to present your photographic DVLA photo-card or passport where a DVLA photo-card is not held.

Driver knowledge test pack – Immigration Act 2016

Licensing Service
Town Hall
George Street
Luton
LU1 2BQ

T: 01582 54 6040

E: Licensing@luton.gov.uk

W: www.luton.gov.uk

1 July 2021

RE: Immigration Act 2016 - applications for private hire and hackney carriage driver and private hire operator licences.

Right to work in the UK check required

The UK Government has changed the law regarding private hire, hackney carriage driver's and private hire operator licences with effect from 1 December 2016. These changes will affect you if you either:

- apply for a driver's or operator's licence on or after 1 December 2016
- already hold a driver's or operator's licence and you apply for your licence on or after 1 December 2016

The legislation does not affect applications for vehicle licences.

This note explains what the changes mean, how they will affect you and what you need to do.

What do the changes mean?

The changes mean that, from 1 December 2016, the council as a licensing authority is under a new legal duty to ensure that driver and operator licences are only issued to applicants who have the right to licence in the UK.

In order to comply with this duty the council has to check that all applicants on or after 1 December 2016 have the right to work in the UK. By law this applies to everyone regardless of where they were born, how long they have lived in the UK and, if they already hold a driver or operator licence, how long they have held that licence.

How the changes will affect you

For applications received on or after 1 December 2016, you will be required to provide original and valid evidence of your right to work in the UK before your licence will be issued. Should you fail to do so, your licence will not be issued and will not be processed further. Please see below for further details as to what is required for you to evidence your right to work in the UK.

What you need to do

You will be required to provide your original valid documentation evidencing your right to work in the UK. This must be provided to the Licensing Service in order for your licence application to be determined.

Only certain forms of documentation are acceptable. For applicants who are British citizens, all they need to produce will be a British passport. For British citizens who do not have a British passport, there may be other documents that can be produced and accepted instead. Please contact the Licensing Service if further advice is required.

From 1 July 2021 we will no longer be able to accept EU passports or ID cards as valid proof of right to work, except for Irish citizens.

If you have been issued with leave to remain which is time restricted or have been issued with permanent leave by governing bodies, it was required that an application be submitted to the Home Office by 30 June 2021 for these entitlements to live and work in the UK to be transferred under the EU settlement scheme.

Further details regarding the [EU settlement scheme](#), requirements for applications and the criteria for late applications can be found on the Gov.UK website (go to www.gov.uk and search 'apply EU settlement scheme').

It may be possible, in certain circumstances, for the Licensing Service to carry out a 'right to work check' online. If so, you will be required to [provide a 'share code'](#). This share code can be obtained on the Gov.UK website (go to www.gov.uk and search 'prove right to work').

Once your documentation has been checked

If the documentation you provide demonstrates that you have a permanent right to work in the UK you **will not** be required to produce this on future applications.

In other cases, you will be required to provide your documentation when you next apply to continue your licence so that your documentation can be checked again, or this may be earlier if your right to work in the UK is limited to a shorter period.

Licensing Service

Luton Council

email:licensing@luton.gov.uk

Private hire / hackney carriage and or dual knowledge test request letter

Licensing Service
Town Hall
George Street
Luton
LU1 2BQ

T: 01582 54 6040
E: Licensing@luton.gov.uk
W: www.luton.gov.uk

Dear applicant;

Private hire / hackney carriage and or dual knowledge test request

Applicants are required to pass a knowledge test before submitting a driver's application. Private Hire and Hackney Carriage knowledge tests are carried out face to face in the Town Hall, Luton on Tuesdays (Please Note: the day may change due to service demand). These tests will be carried out on a laptop which you will be given use of on the day. The Hackney Carriage Airport tests will remain remote, on computer and take place on Thursdays (Please Note: the day may change due to service demand).

IMPORTANT TO NOTE: In order to take the **airport** knowledge test you will be required to have use of an electronic device (either computer, laptop or tablet) phones are not ideal as the screen will restrict the view. We will need to make contact with you before the test via a form of video call for you to present your photographic DVLA photo-card or passport where a DVLA photo-card is not held.

The Private Hire / Hackney carriage and or dual knowledge test include questions from the following categories: Highway Code, numeracy, driver conditions, streets, places and routes.

To book a knowledge test, please complete the Knowledge Test Request Application form and submit to the Licensing Service at licensing@luton.gov.uk, along with your driving licence held for at least 12 months (plus passport if you have the old style driving licence) and the knowledge test fee which can be found within the fee chart. Alternatively, you can complete the online form. You will be contacted by a member of the Licensing team in order for the payment to be made and to complete the booking process.

Please note that if you fail a knowledge test you are required to pay a further test fee for any additional tests. Please note, the test fee is non-refundable once the application has been submitted.

Once a knowledge test has been passed full details on the requirements in order to submit a licence application can be found on the council's website at www.luton.gov.uk/hcphapplications. In order to submit a Licence application you must be eligible to work in the United Kingdom and if requested be in a position to provide the original documentary evidence of this to the Licensing Service. If the right to work in the United Kingdom is removed, then the Luton Borough Council driver's licence and badge must be returned to the Licensing Service with immediate effect.

CHANGES FROM 4 APRIL 2022 – IMPORTANT

From 4 April 2022 requirements for licence applicants is changing. You will be required to complete a tax check online prior to submitting a licence application. Further details regarding this requirement can be found within the driver licence application pack. A licence application cannot be submitted or accepted by the Licensing Service until you have completed the required tax check online. Please note that the Licensing Service will not be able to view your personal tax information when the necessary checks are carried out.

Please note: from 1 October 2015 the law has changed and a Private Hire / Hackney Carriage driver licence will be issued as standard for a period of three years. If you wish to apply for a lesser licence period this request must be submitted in writing at time of application. In addition following receipt of your licence application the Authority may provide a Licence for a lesser period if a specific issue is identified that requires this e.g. a medical issue.

In order to process your application the Licensing Service will require the following documents:

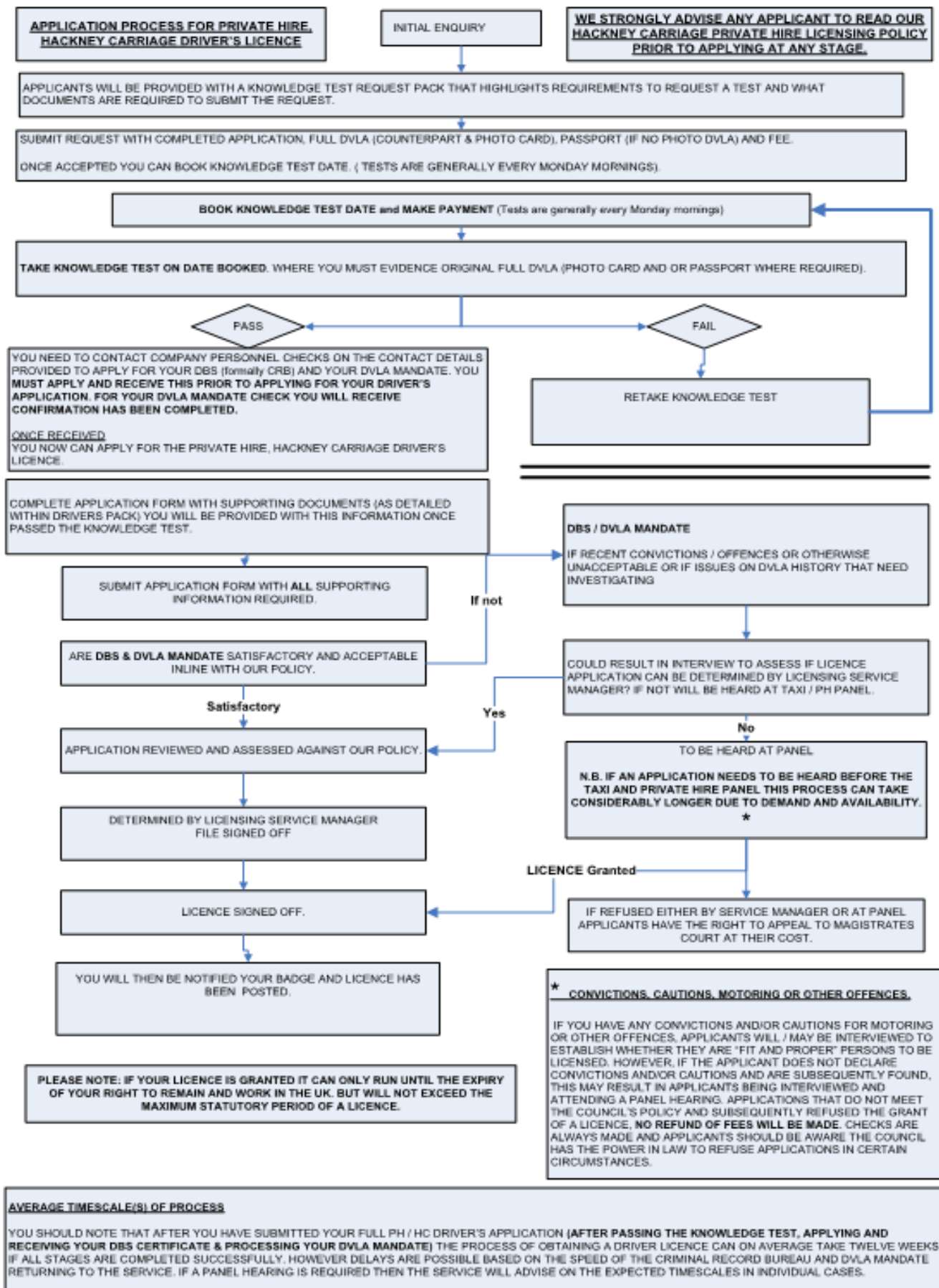
- Completed application form (enclosed)
- A medical form - to be completed by your doctor and stamped with their surgery stamp (form enclosed)
- Completed DVLA Driving Licence check
- An enhanced DBS Certificate (formerly CRB Disclosure) issued within the last 3 months
- Knowledge Test pass certificate issued by Luton Borough Council
- The **original** of your **DVLA Driving Licence in your full correct name**

Please see Private Hire and Hackney Carriage fee chart at the back of the application pack for the application fees. **FEES ARE CORRECT AT THE TIME OF PRODUCING THIS LETTER**

If you have any queries or concerns regarding this matter please do not hesitate to contact the Licensing Service on the above telephone number or email.

Yours faithfully

Licensing Service



Request to apply for a Private Hire / Hackney Carriage Driver s Knowledge Test



Licensing Service
 Town Hall,
 Luton, LU1 2BQ
 licensing@luton.gov.uk
 Tel: (01582) 546040

December 2022

Request to apply for a Private Hire / Hackney Carriage Driver s Knowledge Test.

Please tick test required

Hackney Carriage	Private Hire
ELECTRONIC	ELECTRONIC

Please complete all sections in **BLOCK CAPITALS**.

1.	Applicant Details	
(a)	Title	
(b)	Surname	
(c)	Forename(s)	
(d)	Address Postcode	
(e)	Telephone number(s)	Home: Mobile:
(f)	E-mail address ***THIS MUST BE PROVIDED IN ORDER TO TAKE THE KNOWLEDGE TEST***	
(g)	Date of birth	
(h)	Driving Licence Number Start date of Driving Licence	
(i)	Have you previously applied for a Private Hire / Hackney Carriage Knowledge Test?	Yes / No
(ii)	Have you held a Private Hire / Hackney Carriage driver badge with any local authority (including Luton Borough Council) ? If yes please provide details	Yes / No

I declare this application is true and correct. I understand that if I knowingly or recklessly make a false statement or omit any material particular, I shall be guilty of an offence. I also confirm that once I have successfully passed the driver s knowledge test I am eligible to proceed with the application process as I hold a valid existing Full UK Driving Licence for 12 continuous months or more, have read the Luton

Borough Council's Convictions Policy and have the relevant documentary evidence for the right to work in the UK.

Luton Borough Council is under a duty to protect the public fund it administers, and to this end, may use the information you have provided on this form within this authority for the protection and detection of fraud. It may also share this information with other bodies administering public funds solely for these purposes

Data Protection Information Privacy Notice

We take your privacy very seriously therefore we urge you to read Luton Council's privacy statements carefully because it contains important information about us and:

- **The personal information we collect about you**
- **What we do with your information, and**
- **Who your information may be shared with**

To view this, please visit our [Privacy notice webpage](#)

We strongly advise you take the time to read our hackney carriage and private hire licensing policy prior to submitting any form of application. The policy can be found within the Taxi and Private Hire Licence section at the [Luton Council website \(www.luton.gov.uk\)](http://www.luton.gov.uk).

Print Name

Date

Signed

Documents to be produced at time of request: please tick:

Fee (as per fee chart)

Full UK DVLA

(Photo card / Paper) held for 12 months or more

Passport

(Passport will be required if you do not hold a photo style DVLA)

For Office Use only:

Received: _____

SRU
Ref: _____

Knowledge Test Information

- Five categories within the test (Places, Journeys, Conditions, Numeracy and Highway Code)
- 26 questions
- 30 minutes allocated for PH and HC tests.
- Multiple choice questions and answers given in the test and applicant must select correct answer for each.

If you fail the knowledge test you are required to pay a further test fee for any additional tests. All further knowledge tests are charged at the same fee.

There is no overall mark to pass; each category must be passed in order to pass the test as follows

	HC TEST	PH TEST
Places	HC 60% (3/5)	PH 72% (5/7)
Journeys	HC 67% (4/6)	PH 50% (2/4)
Conditions	HC 80% (4/5)	PH 80% (4/5)
Numeracy	HC 80% (4/5)	PH 80% (4/5)
Highway Code	HC 80% (4/5)	PH 80% (4/5)

Luton Council

Schedule

Standard conditions for a private hire driver's licence

- 1) The Licensee shall not assign or in any way part with the benefit or the licence that is personal to him or her. Any change of name or address of the Licensee must be notified to the Licensing Manager within 7 days of the occurrence.
- 2) The Licensee shall at the request of any Authorised Officer of the Council or of any Police Constable produce for inspection this Licence either forthwith or:
 - a) in the case of a request by an Authorised Officer of the Council, at the Town Hall, Luton, or such other place as may be specified, before the expiration of the period of seven days beginning with the day following that on which the request is made.
 - b) in the case of a request by a Police Constable before the expiration of any such period and any such place as may be specified in writing for the purpose
- 3) The Licensee shall, unless specifically exempted in writing by the Council, whilst working as a Private Hire Driver wear, in such a position and manner as to be plainly and distinctly visible, a driver's badge issued in accordance with the grant or renewal of this Licence incorporating his or her photograph and badge number (the badge shall be provided by and remain the property of the Council at all times).
- 4) The Licensee shall pay a deposit to the Council (as determined by the Council) in respect of his or her Private Hire Driver's badge which shall be held on his or her behalf by the Council and shall be forfeited to the Council in the event of the loss of the badge or of damage occurring to the badge which renders it unfit for use.
- 5) Where the Council suspend, revoke or refuse to renew this Licence the Licensee shall on demand return the badge to the Council.
- 6) The Licensee 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 for hire in any Private Hire Vehicle; or
 - c) offer that vehicle for immediate hire whilst the vehicle is on a road or other public place; or
 - d) accept any offer for the immediate hire of that vehicle whilst the license of that vehicle is on a road or other public place except where such offer is first communicated to the Licensee by a Licensed Operator by telephone or by radio or such other equipment fitted to that vehicle as may be specifically approved in writing by the Council.

- e) in this Condition "Road" includes any highway and any other road to which the public has access and includes bridges over which a road passes
- 7) The Licensee shall not permit or cause or suffer to be conveyed in a Private Hire Vehicle a greater number of persons from that specified in the Licence issued in respect of that Private Hire Vehicle.
- 8) The Licensee shall not without reasonable cause, unnecessarily prolong, in distance or in time, a journey for which the Private Hire Vehicle he or she is driving has been hired.
- 9) Condition 9 is made without prejudice to the provisions of Section 25 of the Road Traffic Act 1972.
- a) If the Licensee is not the proprietor of the Private Hire Vehicle he or she is driving or is in charge of when the vehicle is involved in an accident he or she shall report or cause to be reported to the proprietor of that vehicle details of the accident in which the vehicle has been involved as soon as possible after the occurrence of the accident.
- b) The Licensee shall report to the Council as soon as practicable, but in any event within 72 hours after the occurrence of the accident, any accident in which he or she is involved whilst driving or in charge of a Private Hire Vehicle irrespective of the extent to which the vehicle is physically damaged.
- 10) The Licensee shall, if any property is accidentally left in a Private Hire Vehicle driven by him or her or by any person who may have been conveyed in the vehicle be found by or handed to him or her, carry it within 24 hours, if not sooner claimed by or on behalf of its owner, to the Luton Police Station, Buxton Road, Luton and leave it in the custody of the officer in charge of the office on his or her receiving a receipt for it.
- 11) The Licensee must inform the Council in writing within seven days of any motoring or other criminal conviction which has occurred since the grant or renewal of this Licence.
- 12) When the Licensee is driving a Private Hire Vehicle equipped with a taximeter they shall
- a) when the vehicle is not hired keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter;
- b) at the commencement of the journey when the vehicle is hired by distance bring the machinery of the taximeter into action 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) be entitled to demand and take for the hire of the vehicle by distance the rate of fare indicated in the statement displayed inside the vehicle in accordance with Condition 9 of the Council's Standard Conditions for a Private Hire Vehicle Licence, provided always that the Licensee shall not take or demand a fare greater than that shown on the face of the taximeter;

- d) ensure that during the time the vehicle is hired by distance the recording of the taximeter is plainly visible to any person travelling in the vehicle and is properly illuminated; and
 - e) not wilfully or negligently cause or suffer the letters or figures in the statement displayed inside the vehicle in accordance with Condition 9(ii) of the Council's Standard Conditions for a Private Hire Vehicle Licence to be concealed or rendered illegible at any time while the vehicle is hired.
- 13) The Licensee shall not tamper with or permit any person to tamper with the taximeter or the fittings thereof or seals affixed thereto with which any Private Hire Vehicle in his or her charge is equipped
- 14) Medical Conditions and Certificates
- a) The Licensee shall notify the Council within 72 hours of any medical condition that could affect the Licensee's fitness to drive a Private Hire Vehicle.
 - b) A medical certificate confirming the Licensee's fitness to drive a Private Hire Vehicle shall be produced within seven days of the request of the Council for such certificate.
 - c) If the Licensee has reached the age of 60 years he/she shall produce a medical certificate to the Council on the Renewal/Grant of his/her licence each year.
- 15) The Licensee when driving a Private Hire Vehicle so constructed as to carry luggage shall carry a reasonable quantity of luggage in the vehicle if requested to do so by any person who has hired the vehicle and shall assist in stowage or removal of that luggage from the vehicle as the case may be
- 16) The Licensee shall conduct himself or herself towards any person who has hired the Private Hire Vehicle he or she is driving and any other person conveyed in such vehicle in an orderly, seemly and courteous manner and shall take all reasonable precautions for the safety of persons conveyed in such vehicle.
- 17) If the Licensee has knowingly conveyed in a Private Hire Vehicle a dead body of any person he/she shall immediately thereafter notify the facts to the Council's Licensing Manager.
- 18) The Licensee shall ensure that he/she is employed or otherwise engaged as a Private Hire Driver by an Operator who holds a current valid Operator's Licence.
- 19) The Licensee must not attend at or near any premises in order to wait for passengers. This does not affect pre-booked passengers where there is an entry in a booking record, with a Private Hire Operator 17 licensed by the Council, prior to the journey taking place.
- 20) The Licensee must not sound their horns outside any premises where they have been sent for a fare, irrespective of the hours of the day.
- 21) The Licensee must not use a mobile phone whilst the vehicle is in motion.
- 22) The Licensee whilst working for a Private Hire Operator must carry proof of a Private Hire insurance for that vehicle and must produce on demand to an

Authorised Officer of the Council or a Police Constable an appropriate insurance certificate or cover note

- 23) The Licensee must on request provide copies of his/ her badge and licence for the Licensed Private Hire Operator, by whom they are employed and to provide further copies on renewal of their Badge and Licence
- 24) The Licensee must carry on request any assistance animal such as a guide dog. No additional charge should be made for the assistance dog.
- 25) The Council reserves the right to vary, delete or waive any of the foregoing conditions.

Hackney carriage vehicle licence standard conditions

Amended at regulation committee June 2023

1. The licensed vehicle must not be:
'London type taxi'; or
1. If the licensed vehicle is a hatch-back, estate type car or a people-carrier type minibus it must be fitted with:
 - a) With a boot cover insert or a guard-rail of a type approved by the council to separate the loading area from the passengers, and:
 - b) With either a wing mirror or door mirror on both its near and offside to afford the driver vision to the rear.
2. The licensed vehicle shall be no more than five years old from first date of registration when first accepted for a licence.
3. Euro 6 Diesel, Plug-in Hybrid Vehicles (PHEV) and Battery Electric Vehicles (BEV) licensed vehicles shall be no more than seven years old from the first date of registration when first accepted for a licence.
4. If during the currency of this licence it is intended that the appearance or design of the bodywork or engine of the licensed vehicle is to be materially altered, the written consent of the council to such an alteration must first be obtained before any such action is taken.
5. The vehicle must be mechanically tested and inspected by the council's inspector of licensed vehicle at the Central Depot, Kingsway, Luton less than one month before the commencement date of the private hire vehicle licence applied for in respect of the vehicle.
6. The proprietor of the licensed vehicle shall:
 - a) Keep it in a mechanical condition suitable for its use as a private hire vehicle at all times during the period of its licence in accordance to the national standards and local fitness conditions.
 - b) Keep the exterior of the vehicle, including the windows clean, and free from damage.
 - c) Provide adequate windows and a means of opening and closing not less than one window on each side.
 - d) Cause the seats to be properly cushioned and covered.
 - e) Cause the floor to be provided with a proper carpet, mat or other suitable covering.
 - f) Cause the fitting and furniture generally to be kept in a clean condition and well maintained;
 - g) Provide in the case of a people-carrier type minibus vehicle above, two sliding doors, one on the nearside and one of the offside, giving when open, clear and unobstructed ingress and egress to and from the vehicle.

- h) Provide an efficient fire extinguisher which shall be carried in such a position as to be readily available to use at all times;
 - i) Provide at least three doors for the use of persons conveyed in the vehicle and a separate means on ingress and egress for the driver;
 - j) Provide and maintain in the vehicle at all times when it is in use or available for hire a First Aid Kit complying with the Road Vehicles (Construction and Regulations) Act 1986, Schedule 7, Part II, Regulation 43. The first aid kit is to be carried in such a position as to be readily visible and available for immediate use in an emergency.
7. The proprietor of the licensed vehicle, if the vehicle is provided with a taximeter, shall cause it 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 to cause the word 'Hired' to appear on the face of the taximeter;
 - b) Such key, flag or other device shall be capable of being locked in such a position that machinery of the taximeter to not in action and that no fare is recorded on the face of the meter;
 - c) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity, the fare which the proprietor or the driver of the vehicle is entitled to demand take for the hire or the vehicle by distance in pursuance of the statement of fares fed by the proprietor in that behalf in accordance with Condition 11 below;
 - 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:
 - I. That all the letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letter and figures shall be suitably illuminated during and period of hiring and:
 - II. That all the letters and figures on the face thereof are not readily visible from outside the vehicle.
8. The taximeter and all the fittings thereof shall be so affixed to the vehicle with seals or other appliances that it shall not be practical for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.
9. The proprietor of the licensed vehicle shall not tamper with or permit any person to tamper with a taximeter or permit any person to taximeter with which the vehicle is provided or with the fittings thereof or with seals affixed thereto.
10. The proprietor of the licensed vehicle shall notify the council immediately if for any reason the seals affixed to the taximeter are broken.

11. If the licensed vehicle is provided with a taximeter the proprietor of the vehicle shall;

- a) Produce a statement, in a form approved by the council, or the fare rate on which the date recorded on the date recorded on the face of the taximeter is based;
- b) Cause the statement referred to in (12) (a) above to be painted or marked on the inside of the vehicle or on a plate affixed thereto in clearly distinguishable letters and figures of a size and in a position approved by the council.
- c) Renew such letters and figures as often as is necessary to keep them clearly visible;
- d) Not wilfully or negligently cause or suffer the letters or figures referred to in the statement in (12) (a) above to be concealed or rendered illegible at any times while the vehicle is hired.

12.

- a) The plate shall be a plastic plate issued by the council upon the vehicle satisfying Conditions(1) (2) and (7) and the proprietor paying the council such deposit ("the deposit") as the council determine. The plate shall state the number of this licence (the right to use this number remains with the council) and the maximum number of passengers which the council has licensed the vehicle to carry (which may be up to and including eight passengers) and must be affixed to the rear of the vehicle in a position determined by the Licensing Service unless a specific exemption from these requirements has been granted by the Licensing Service manager, prior to this application being made.
- b) A small replica plates issued by the Council shall be affixed on the inside front windscreen of the vehicle on the upper nearside to be plainly and distinctly visible from the exterior of the vehicle unless a specific exemption from these requirements has been granted by the Licensing Service Manager, prior to this application being made.

13. No part of the plate and replica plate shall not be obscured by any means

14. a) Notwithstanding Section 58 of the Local Government (Miscellaneous Provisions) Act 1976 the Proprietor of the licensed vehicle shall remove forthwith the plate, replica plate and disc referred to in Condition (13):

- I. When the vehicle ceases to be a licensed vehicle; or
- II. When the licence is revoked or suspended by the council including suspension and revocation under Section 60 and 68 of the above act. If the plate, replica plate or disc are not removed in accordance with the above, they may be removed by an authorised officer of the council or a police constable.
- III. In the event of the plate being defaced or damaged to the extent that it is illegible and therefore unfit for display, or lost or stolen, the deposit shall be forfeited and the Proprietor of the licensed vehicle shall pay to

the council a further sum to be held as a deposit for the issue of a replacement plate

- IV. If in the event of either the plate, replica plate or disc referred to in Conditions (13) (a) and (13) (b) above being removed by an authorised officer of the council or a police constable or defaced or damaged to the extent that they are illegible and therefore unfit for display the proprietor of the licensed vehicle shall purchase the necessary replacements from the council at a price determined by the council.
- V. The proprietor of the licensed vehicle shall notify the council immediately if for any reason the plate, replica plate or disc referred to in Condition(13) are not being displayed or they are not fit for display on the licensed vehicle.

15. The licensed vehicle must not display any sign which consists of or includes the word 'taxi', 'taxi-cab' or 'cab', whether in the singular or plural, or 'hire', or any word of a similar meaning or appearance to any of those words whether alone or as part of another word, or any sign, notice, mark, illumination or other feature which may suggest that the vehicle is a taxi as defined in Subsection 3 of Section 64 of the Transport Act 1980.

16. Subject to Condition (16) above, no advertisement sign or light may be placed inside or outside the vehicle which is not required by law or by Condition (13) of these conditions to be displayed or fitted except the licensed vehicle must carry on the outside of the two front doors of the vehicle a sign to the size of 560mm by 210mm and be black lettering on a yellow background.

- a) To include the wording in descending order **advance bookings only** (letters must be 30mm in height), the **name, number or logo** of the operator of that vehicle, **to validate insurance** (letters must be minimum height of 30mm), & wording **Luton Council**. The use of the Luton Council's crest or logo is not permitted. This provision is standard unless a specific exemption from these requirements has been granted by the Licensing Service manager to the specified operator;
- b) The licensed vehicle may carry a panel not exceeding 10 inches by six inches in size inside the vehicle for the display of an advertisement provided that such panel is not illuminated and is not readily visible from the outside of the vehicle.
- c) There shall be no other form of advertising or markings, both inside and outside the vehicle except as specified in Condition (17) (a) and (b) above.

- 1. There shall not be included in any sign or advertisement referred to in this Condition the words 'cab', 'taxi', 'taxi-cab' or 'for hire' or any other word or combination of letters which when pronounced would sound similar to such words or a form of wording which is in any way such as to suggest that the licensed vehicle is presently available to take up passengers wishing to hire it or it would be so available if not already hired.

17. The proprietor of the licensed vehicle shall ensure that the vehicle is insured for the carriage passengers for hire or reward at all times.
18. The ownership of the licensed vehicle may be transferred to another person in compliance with statutory requirements, the council's requirements with regard to the licensing of a private hire vehicle and these conditions.
19. The proprietor of the licensed vehicle shall maintain the vehicle at all times, including when it is in use, or available for hire and submit that vehicle to a safety check when required, on demand of an authorised officer of the council or a police officer.
20. The proprietor of the licensed vehicle shall not permit of cause or suffer to be conveyed in the vehicle a greater number of persons than that specified in the licence.
21. The proprietor of the licensed vehicle which has sustained damage in any accident (or by any other means) shall without prejudice to provisions and obligations under Section 25 of the Road Traffic Act 1972 and Section 50 of the Local Government (Miscellaneous Provisions) Act 1976:
 - a) Notify the council in writing of such damage as soon as reasonably practicable, and in any case within 72 hours of the occurrence thereof; and
 - b) Shall produce the vehicle at such place for inspection as may be notified by the council.
22. The proprietor of the licensed vehicle shall ensure that the vehicle is at all times driven for a person who holds a valid private hire operator's licence and must on request provide proof of that vehicle being licensed through this council to that operator.
23. The proprietor of the licensed vehicle shall ensure that the vehicle is at all times driven by a person who holds a valid private hire driver's licence and request that, the person provide up to date proof of his/her private hire insurance by way of a cover note/policy for the licensed private hire vehicle; a copy of which must be given to the private hire operator and must be presented on demand to an authorised officer of the council or police officer.
24. Drivers must not sound their vehicle horns outside of any premises at which they collecting a fare, irrespective of the hour of the day.
25. The driver of the vehicle shall carry on request any assistance animal such as a guide dog.
26. The council reserve the right to vary, delete or waive any of the foregoing conditions.

Private hire vehicle licence standard conditions
Amended at regulation committee 17 December 2012.

1. The licensed vehicle must not be:
London type taxi; or
2. If the licensed vehicle is a hatch-back, estate type car or a people-carrier type minibus it must be fitted with:
 - a) With a boot cover insert or a guard-rail of a type approved by the Council to separate the loading area from the passengers, and:
 - b) With either a wing mirror or door mirror on both its near and offside to afford the driver vision to the rear.
3. The licensed vehicle shall be no more than 5 years old from first date of registration when first accepted for a licence.
4. If during the currency of this licence it is intended that the appearance or design of the bodywork or engine of the licensed vehicle is to be materially altered, the written consent of the Council to such an alteration must first be obtained before any such action is taken.
5. The vehicle must be mechanically tested and inspected by the Council's Inspector of licensed vehicle at the Central Depot, Kingsway, Luton less than one month before the commencement date of the Private Hire vehicle licence applied for in respect of the vehicle.
6. The Proprietor of the licensed vehicle shall:
 - a) Keep it in a mechanical condition suitable for its use as a Private Hire vehicle at all times during the period of its licence in accordance to the National Standards and local fitness conditions;
 - b) Keep the exterior of the vehicle, including the windows clean, and free from damage.
 - c) Provide adequate windows and a means of opening and closing not less than one window on each side;
 - d) Cause the seats to be properly cushioned and covered;
 - e) Cause the floor to be provided with a proper carpet, mat or other suitable covering
 - f) Cause the fitting and furniture generally to be kept in a clean condition and well maintained;
 - g) Provide in the case of a people-carrier type minibus vehicle above, two sliding doors, one on the nearside and one of the offside, giving when open, clear and unobstructed ingress and egress to and from the vehicle.
 - h) Provide an efficient fire extinguisher which shall be carried in such a position as to be readily available to use at all times;
 - i) Provide at least three doors for the use of persons conveyed in the vehicle and a separate means on ingress and egress for the driver;
 - j) Provide and maintain in the vehicle at all times when it is use or available for hire a First Aid Kit complying with the Road Vehicles (Construction and Regulations) Act

1986, Schedule 7, Part II, Regulation 43. The First Aid Kit is to be carried in such a position as to readily visible and available for immediate use in an emergency.

7. The Proprietor of the licensed vehicle, if the vehicle is provided with a taximeter, shall cause it 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 to cause the word Hired to appear on the face of the taximeter;
 - b) Such key, flag or other device shall be capable of being locked in such a position that machinery of the taximeter to not in action and that no fare is recorded on the face of the meter;
 - c) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity, the fare which the Proprietor or the driver of the vehicle is entitled to demand take for the hire or the vehicle by distance in pursuance of the statement of fares fed by the Proprietor in that behalf in accordance with Condition 11 below;
 - 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:
 - I. That all the letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letter and figures shall be suitably illuminated during and period of hiring and:
 - II. That all the letters and figures on the face thereof are not readily visible from outside the vehicle.
8. The Taximeter and all the fittings thereof shall be so affixed to the vehicle with seals or other appliances that it shall not be practical for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.
9. The Proprietor of the licensed vehicle shall not tamper with or permit any person to tamper with a taximeter or permit any person to taximeter with which the vehicle is provided or with the fittings thereof or with seals affixed thereto.
10. The Proprietor of the licensed vehicle shall notify the Council immediately if for any reason the seals affixed to the taximeter are broken.
11. If the licensed vehicle is provided with a taximeter the Proprietor of the vehicle shall;
 - a) Produce a statement, in a form approved by the Council, or the fare rate on which the date recorded on the date recorded on the face of the taximeter is based;
 - b) Cause the statement referred to in (11) (a) above to be painted or marked on the inside of the vehicle or on a plate affixed thereto in clearly distinguishable letters and figures of a size and in a position approved by the Council.
 - c) Renew such letters and figures as often as is necessary to keep them clearly visible;

- d) Not wilfully or negligently cause or suffer the letters or figures referred to in the statement in
(11) (a) above to be concealed or rendered illegible at any times while the vehicle is hired.
12. a) The plate shall be a plastic plate issued by the Council upon the vehicle satisfying conditions (1) (2) and (6) and the Proprietor paying the Council such deposit (the deposit) as the Council determine. The plate shall state the number of this licence (the right to use this number remains with the Council) and the maximum number of passengers which the Council has licensed the vehicle to carry (which may be up to and including 8 passengers) and must be affixed to the rear of the vehicle in a position determined by the Licensing Service unless a specific exemption from these requirements has been granted by the Licensing Service Manager, prior to this application being made.
- c) A small replica plates issued by the Council shall be affixed on the inside front windscreen of the vehicle on the upper nearside to be plainly and distinctly visible from the exterior of the vehicle unless a specific exemption from these requirements has been granted by the Licensing Service Manager, prior to this application being made.
13. No part of the plate and replica plate shall not be obscured by any means
14. a) Notwithstanding Section 58 of the Local Government (Miscellaneous Provisions) Act 1976 the Proprietor of the licensed vehicle shall remove forthwith the plate, replica plate and disc referred to in Condition (12):
- I. When the vehicle ceases to be a licensed vehicle; or
 - II. When the licence is revoked or suspended by the Council including suspension and revocation under Section 60 and 68 of the above act. If the plate, replica plate or disc are not removed in accordance with the above, they may be removed by an Authorised Officer of the Council or a Police Constable.
 - III. In the event of the plate being defaced or damaged to the extent that it is illegible and therefore unfit for display, or lost or stolen, the deposit shall be forfeited and the Proprietor of the licensed vehicle shall pay to the Council a further sum to be held as a deposit for the issue of a replacement plate
 - IV. If in the event of either the plate, replica plate or disc referred to in Conditions (12) (a) and (12) (b) above being removed by an Authorised Officer of the Council or a Police Constable or defaced or damaged to the extent that they are illegible and therefore unfit for display the Proprietor of the licensed vehicle shall purchase the necessary replacements from the Council at a price determined by the Council.
 - V. The Proprietor of the licensed vehicle shall notify the Council immediately if for any reason the plate, replica plate or disc referred to in Condition(12) are not being displayed or they are not fit for display on the licensed vehicle.

15. The licensed vehicle must not display on or above the roof of the vehicle any sign which consists of or includes the word taxi , taxi-cab or cab , whether in the singular or plural, or hire , or any word of a similar meaning or appearance to any of those words whether alone or as part of another word, or any sign, notice, mark, illumination or other feature which may suggest that the vehicle is a taxi as defined in Subsection 3 of Section 64 of the Transport Act 1980.
- a) The licensed vehicle must be fitted with a roof sign which shall be of a design approved in writing by Luton Borough Council and shall comply with the following specification as set out in Sub-Paragraphs i to iv;
- I. The dimensions of the roof sign shall be a minimum of 600mm in length and a maximum of 620mm in length. The depth of the sign shall be a minimum of 140mm and a maximum of 160mm. The minimum height of the sign shall be 160mm and the maximum height of 180mm.
- II. The roof sign shall comprise of a yellow background to the front, top and sides with black lettering only. The rear of the sign shall be black in colour showing red lettering only;
- III. Front elevation
- b) The front elevation of the sign shall include in descending order the Operators name and telephone number and the words ADVANCE BOOKINGS ONLY The Operators name and telephone number must be in letter sand number respectively, the height and width of each letter or number must not exceed 40mm; followed by the wordings ADVANCE BOOKINGS ONLY which must be in letters no less than 17mm in height and width.
- c) The word PLATE and three / four figure plate number must be displayed on the left and the right side of the front elevation of the rood sign. The word PLATE must be in letters not less than 17mm in height and three figure plate number must be in letters not less than 28mm in height and width.
- IV. Rear Elevation
- a) The rear elevation of the roof sign shall include in descending order the words PRIVATE HIRE VEHICLE on letters not less than 28mm in height and width followed by the words LICENSED BY LUTON BOROUGH COUNCIL TO CARRY X PASSENGERS. The letters must be a minimum of 17mm both in height and width. X must be substituted by the specified number of person to be carried as stated in the Private Hire Vehicle Licence. The word PLATE must be displayed on the right side of the roof sign when viewed not less than 30mm in height and width;
- b) The registration number displayed on the vehicle must be displayed at the rear of the roof sign and be preceded by REG NO and must be in letters and numbers not less than 20mm not greater than 25mm in height and width.
- c) Nothing other than words and figures specified in these conditions shall appear or be displayed on the roof sign.
- d) The roof sign to be illuminated when the vehicles headlights are activated.
- e) The letters and figures displayed on the roof sign must be maintained in legible condition at all times.

- f) The roof sign must be displayed on the roof of the vehicle at all times whilst the vehicle licensed by Luton Borough Council as a Private Hire vehicle. If the Private Hire vehicle licence is suspended or revoked for any reason, the Licensee shall remove the roof sign forthwith.
16. Subject to Condition (15) above, no advertisement sign or light may be placed inside or outside the vehicle which is not required by Law or by Condition (12) of these conditions to be displayed or fitted except the licensed vehicle must carry on the outside of the two front doors of the vehicle a sign to the size of 560mm by 210mm and be Black Lettering on a Yellow Background.
- a) To include the wording in descending order ADVANCE BOOKINGS ONLY (letters must be 30mm in height), the NAME, NUMBER or LOGO of the Operator of that vehicle, TO VALIDATE INSURANCE (letters must be minimum height of 30mm), & wording LUTON BOROUGH COUNCIL. The use of the Luton Borough Councils crest or Logo is not permitted. This provision is standard unless a specific exemption from these requirements has been granted by the Licensing Service Manager to the specified operator;
- b) The licensed vehicle may carry a panel not exceeding 10 inches by 6 inches in size inside the vehicle for the display of an advertisement provided that such panel is not illuminated and is not readily visible from the outside of the vehicle.
- c) There shall be no other form of advertising or markings, both inside and outside the vehicle except as specified in Condition (16) (a) and (b) above.

There shall not be included in any sign or advertisement referred to in this Condition the words cab, taxi, taxi-cab or for hire or any other word or combination of letters which when pronounced would sound similar to such words or a form of wording which is in any way such as to suggest that the licensed vehicle is presently available to take up passengers wishing to hire it or it would be so available if not already hired.

17. The Proprietor of the licensed vehicle shall ensure that the vehicle is insured for the carriage passengers for hire or reward at all times.
18. The ownership of the licensed vehicle may be transferred to another person in compliance with statutory requirements, the Council s requirements with regard to the licensing of a Private Hire vehicle and these Conditions.
19. The Proprietor of the licensed vehicle shall maintain the vehicle at all times, including when it is in use, or available for hire and submit that vehicle to a safety check when required, on demand of an Authorised Officer of the Council or a Police Officer.
20. The Proprietor of the licensed vehicle shall not permit of cause or suffer to be conveyed in the vehicle a greater number of persons than that specified in the licence.

21. The Proprietor of the licensed vehicle which has sustained damage in any accident (or by any other means) shall without prejudice to provisions and obligations under Section 25 of the Road Traffic Act 1972 and Section 50 of the Local Government (Miscellaneous Provisions) Act 1976:
- a) Notify the Council in writing of such damage as soon as reasonably practicable, and in any case within 72 hours of the occurrence thereof; and
 - b) Shall produce the vehicle at such place for inspection as may be notified by the Council.
22. The Proprietor of the licensed vehicle shall ensure that the vehicle is at all times driven for a person who holds a valid Private Hire Operator s Licence and must on request provide proof of that vehicle being licensed through this Council to that Operator.
23. The Proprietor of the licensed vehicle shall ensure that the vehicle is at all times driven by a person who holds a valid Private Hire driver s licence and request that, the person provide up to date proof of his/her Private Hire insurance by way of a cover note/policy for the licensed Private Hire Vehicle; a copy of which must be given to the Private Hire Operator and must be presented on demand to an Authorised Officer of the Council or Police Officer.
24. Drivers must not sound their vehicle horns outside of any premises at which they collecting a fare, irrespective of the hour of the day.
25. The driver of the vehicle shall carry on request any assistance animal such as a guide dog.
26. The Council reserve the right to vary, delete or waive any of the foregoing conditions.

Licensed vehicles fitness conditions

Amended Regulation Committee 23 February 2011

1. **Lighting Equipment.** The vehicle lights must work in accordance with the requirements of the MOT/ Certificate of Compliance. Note: Coloured side lights, headlights or number plate bulbs will not be accepted.
2. **Steering and Suspension.** The vehicle's steering and suspension must meet the requirements of the MOT Test. Note: Any steering or suspension component which would constitute an MOT test pass advice is more likely to fail taking into consideration the additional stresses and demands placed on a Private Hire Vehicle.
3. **Brakes.** The vehicle's braking system must meet the requirements of the MOT Test. Note: Any braking component which would constitute an MOT Test pass and advice is more likely to fail taking into consideration the additional stresses and demands placed on a Private Hire Vehicle.
4. **Tyres.** All tyres, including the spare where fitted, to have a minimum of 3mm depth of tread over the whole tread area. Only correctly insulated tyres will be accepted. The boot/luggage area is to be clean and free from tools or other loose equipment. See condition for dual fuelled vehicles.
5. **Seatbelts.** All forward or rear facing seats must have a suitable seatbelt fitted.

General. The vehicle is expected to meet the minimum requirements to enable it to pass an MOT Test. In addition it is required to have:

- x A clean exterior and interior, including the boot.
- x A suitable fire extinguisher and First Aid Kit to be carried in date and sealed and permanently marked with the appropriate vehicle plate number.
- x The roof sign is to have correct, complete and legible data in accordance with the Private Hire Vehicle Licence Conditions. x The vehicle lighting switch is operated in accordance with the vehicle's head lights; x No recording/CCTV shall be fitted without prior approval and consent of the Council.
- x Radio equipment must be securely fixed in the vehicle.

6. **Body-corrosion-paintwork.** The exterior of the vehicle is to be in a clean and well maintained condition to include the following:-
7. **Rust** - Any vehicle presented should be free from any significant areas of visible rusting. Although minor blemishes should not constitute a failure, the following general criteria should be followed:-
 - Any vehicle with a visible rust patch of more than 10cm² will be failed.
8. **Dents** - Any vehicle with damage of more than one dent of 5cm in any one panel length or diameter on a clearly visible panel may be suspended. Any vehicle, which has an accumulation of dents to adversely affect the appearance of a vehicle, may be suspended.

9. **Scratches** - Any vehicle with unrepaired scratches down to bare metal or primer on three or more panels of 5cm in length or a single scratch of more than 20cm in length may be suspended. Any vehicle, which has an accumulation of dents to adversely affect the appearance of a vehicle, may be suspended.
10. **Paintwork** - All panels on all vehicles shall be painted in the manufacturer's colour without significant runs or blemishes. Panels with unmatched colours or primer may be suspended.
11. **Accident damaged vehicles.** Vehicles, which have sustained major accident damage, will not be accepted for plating until a satisfactory steering geometry and alignment report is produced. This will be in the form of a written or printed report from an approved VBRA vehicle repairer.
12. **Windows.** All windows, which are designed to open and close, must operate correctly. No dark 'privacy' tinted windows will be accepted, only lightly tinted manufactured safety glass. After market kits will not be acceptable.
13. **Dual Fuel or LPG.** A vehicle powered by LPG or other approved alternative fuel that has a tank or container which is fitted where the spare wheel is normally accommodated, must have the spare wheel properly secured in the boot. (if carried).
14. **Cleaning for mechanical inspection.** Under bonnet or under body areas, which may be subject to oil or road dirt, contamination must be steam cleaned before presenting the vehicle for testing. Significant oil leaks or unreasonable amounts of contamination will result in that vehicle failing its test.
15. **Luggage.** Luggage should be secure and prevented from becoming dislodged in an accident in such a manner as may cause injury. This should be physically separated from the passenger compartment by means of a sliding cover or dog guard type of barrier. High back seats may be suitable on some vehicle types.
16. **Mirrors.** Mirrors must be fitted to the offside, nearside and interior rear view. These will be to the original manufacturer's specification and must be secure, complete and offer a correct, unimpaired view to the driver.
17. **Seats.** Seats must be correctly secured and properly cushioned and covered. All seats including the driver's must be matching, free from cuts, tears or cigarette burns except of a very minor nature. Any repairs must have been carried out in a professional and neat manner. Loose, dirty, damaged or badly fitted seat covers will not be accepted. All seats must be properly fixed to the vehicle and be forward or, in the case of the first row behind the driver, rear facing. Side facing seats are not acceptable. Minibus type vehicles or conversions must meet the prescribed vehicle inspectorate seatbelt installation minimum standard.
18. **Emergency exits.** Vehicles of the MPV or minibus type must have more than one exit from the rear passenger compartment. These exits must be clearly marked with "EMERGENCY EXIT" and the opening instruction e.g. "PULL TO OPEN". All exits must open from both the inside and outside of the vehicle and be free from obstruction. Note: Vehicles currently licensed, which cannot or do not comply, must carry a glass smash hammer, fixed visible to the passengers.

19. **Access to the passenger compartment.** At every access door into the passenger compartment the step area must have an automatic illumination when the door is opened, a minimum depth of 6in with a slip resistant surface and be capable of supporting the weight of an adult. Handrails should be fitted where appropriate. The access door must allow passenger access and egress to the vehicle from the nearside.
20. **Floors and passageways.** All floors and passageways between seats shall be free of steps and tripping hazards. Floor coverings must be complete, properly secured and in good condition.
21. **Interior lighting.** The passenger compartment shall have sufficient interior lighting to illuminate the whole of that area. All interior lights fitted as per the manufacturers standard equipment must illuminate. These lights shall be switchable from the driving or passenger compartments.
22. **Vehicle configurations.** Two door saloon vehicles, 3 door hatchback and convertible vehicles will not be accepted for licensing.
23. **Advertising.** No advertising may be carried or displayed with the exception of a company name or logo on the front doors (outer panels) unless approved by the Licensing Service Manager.
24. **Temporary suspension of plate.** If any vehicle fails either the annual or six monthly inspections, on any item, which renders the vehicle dangerous to drive, the plates will be removed and a notice of suspension issued by the testing station until the defect(s) has been rectified. In the case of a vehicle that vehicle fails its compliance test on any item other than those listed as "classed as minor" and that vehicle will be de-plated and the licence suspended. Vehicles, which are not tested within five working days of the original six monthly test date, will have their Licence suspended.
25. **Refusal to test.** The testing station or any Department for Transport approved vehicle inspector may refuse to test any vehicle, which in their opinion is unsafe or dangerous. Vehicles over five years old or seven years for euro 6 diesel, plug-in hybrid electric vehicle PHEV or battery electric vehicle BEV vehicle whose licence has been allowed to expire will not be able to re-license as a licensed Vehicle..
26. **Deferred notice of suspension.** If during a test defects are found, e.g. bodywork condition, which are not of a serious nature but require rectification a deferred notice of suspension may be issued with the date of re-inspection given. The vehicle will only be re-inspected on the item(s) listed.
27. **Dual plating.** Vehicles, which are currently licensed by another local authority, will not be accepted for licensing in Luton. Vehicles found to be licensed by another local authority at the time of the vehicle test will be failed.

General conditions for alternative vehicles to be licensed as hackney carriages

Luton Council minute 534/96

Amended regulation committee 23 February 2011

Conditions

1.0 Seating capacity

The vehicle shall have a minimum seating capacity of three adults and at least one wheelchair bound passenger and a maximum of eight adults and at least one wheelchair bound passenger subject to the following:

- 1.1 All passenger seats and the space/spaces provided for the wheelchair shall be to the rear of the security screen detailed in Condition 7.0.
- 1.2 Only rearward and foreword facing passenger seats shall be allowed.
- 1.3 All passenger seats and the devices used to secure them to the vehicle shall comply to the relevant M2 standards contained in European Directive 76/115 EEF (as amended by Directive 90/629 EEC).
- 1.4 All passenger seats shall be permanently fixed to the vehicle. Demountable seats that are removed for the purpose of providing space for wheelchair passengers shall not be allowed. Fold away seats shall be permitted providing they remain attached to the vehicle and comply with the requirements of Condition 1.3.

2.0 Seat belts

- 2.1 All passenger seats shall be provided, where possible with a lap and diagonal three point seat belt and where not possible a two point lap seat belt appropriate to the type and position of the seat as laid down in European Directive 76/115 EEC (as amended by 90/629 EEC) and Regulation 46 and 47 of 'The Road Vehicle (Construction and Use) Regulations 1986' whether or not those Directives or Regulations apply to that particular seat or the vehicle.
- 2.2 The wheelchair bound passenger/passengers shall be provided, where possible with a three point seat belt and where not possible a two point lap seat belt appropriate to the position of the wheelchair as laid down in European Directive 76/115EEC (as amended by 90/629 EEC) and Regulation 46 and 47 of 'The Road Vehicle (Construction and Use) Regulation 1986' whether or not those Directives or Regulations apply to that particular seat or the vehicle.

- 2.3 All seat belts fitted shall comply with Regulation 47 of 'The Road Vehicle (Construction and Use) Regulations 1986' and bear the designated mark required by that regulation whether or not those regulations apply to that seat belt or the vehicle.
- 2.4 All seat belts shall be fitted to the vehicle with the number of anchorage points appropriate to the type of seat belt. All anchorage points shall comply with M2 standards laid down in European Directive 76/115 EEC (as amended by 90/629 EEC) or EEC Regulation 14 whether or not those instruments apply to that particular anchorage or the vehicle.

3.0 Wheelchair restraint

- 3.1 A system for the effective anchoring of wheelchairs shall be provided within the vehicle in all spaces designated as wheelchair spaces in accordance with Condition 4.0. The system and the devices used to secure it to the vehicle shall comply with M2 standards laid down in European Directive 76/115 EEC (as amended by 90/629 EEC) whether or not those Directives apply to those devices or the vehicle.

4.0 Wheelchair space

- 4.1 The vehicle shall have a designated wheelchair space sufficient to accommodate at least one wheelchair bound passenger. The space/spaces shall be immediately adjacent to the vehicle door fitted with the wheelchair access equipment (see Condition 5.2) so as to allow the wheelchair bound passenger to ingress the vehicle and use the anchoring equipment with the minimum of manoeuvring.

5.0 Wheelchair access equipment

- 5.1 The vehicle shall be fitted with either of the following forms of wheelchair access equipment.
- 5.1.1 A purpose designed wheelchair lift constructed and installed to the requirements of the LOLER 98 Regulations. A report confirming that the lifting equipment is safe to use shall be presented at the time of the vehicle inspection. Vehicles presented for inspection with a wheelchair lift will require a LOLER certificate that is valid for a period of six months from the date of issue.
- 5.1.2 A purpose designed wheelchair access ramp which is carried must be lightweight and easy to deploy. On level ground the ramp shall have a maximum gradient of 20 per cent in the fully deployed position. The installed ramp shall have a visible reference to safe working load of 250kgs and certified to BS 6109.
- 5.2 The wheelchair access equipment shall be fitted either into the rear or a side access door of the vehicle. Where it is fitted to a side door this shall be the door situated on the

right side of the vehicle when viewed from the front ie kerbside when stopped in a normal road.

- 5.3 The wheelchair access equipment shall be fitted such that it terminates at the vehicles interior floor level so as to allow for smooth ingress without the need to negotiate any step etc.
- 5.4 The aperture of the door into which the access equipment is fitted shall have a minimum clear headroom in its central third of 48ins (1,220mm). The measurement shall be taken from the upper centre of the aperture to a point directly below on either, the upper face of the fully raised lift platform, or the upper face of the ramp fully deployed on level ground.
- 5.5 The aperture of the door into which the access equipment is fitted shall have sufficient width to allow the easy ingress of a wheelchair bound passenger. A locking mechanism shall be fitted that positively holds the access door in the open position whilst in use.

6.0 Floor height and steps

- 6.1 At every access door into the passenger area of the vehicle steps shall be provided to aid ingress as follows:
 - 6.1.1 Where the internal floor height of the vehicle exceeds 12ins (305mm) Intermediate steps shall be fitted every 9ins (228mm) from road level up to the internal floor height.
- 6.2 The tread area of all steps shall have a minimum depth of 6ins (152 mm) and shall have a slip resistant surface.
- 6.3 All steps shall be capable of supporting the weight of an adult.
- 6.4 Hand rails shall be fitted in appropriate positions in all passenger access doors so as to facilitate the use of the steps provided.

7.0 Bulkhead/drivers safety screen

- 7.1 A full width full height bulkhead/safety screen shall be fitted in the vehicle directly behind the driver's seat. The upper section of the bulkhead/safety screen shall contain a clear vision panel sufficient for the driver to be able to see a substantial amount of the passenger compartment which must include vision of all access doors.

A section of the bulkhead/safety screen shall be openable so as to allow verbal communication between the driving and passenger compartments. Except for the openable section the surface of the bulkhead shall have no discontinuities such that a passenger could reach into the driver's compartment from the passenger compartment.

- 7.2 The vision panel section of the bulkhead/safety screen shall be constructed of safety glass to the standard required for windscreen laid down in Regulations 30,31 and 32 of

The Road Vehicles (Construction and Use) Regulations 1986 or any clear material with at least the same impact resistance and safety qualities as that of safety glass.

8.0 Emergency exits

- 8.1 The vehicle shall have a minimum of two means of exit from the passenger compartment for use in emergency situations. The means of exit shall be free of any obstructions, reachable from all parts of the passenger compartment and have an aperture through which an adult can pass without undue difficulty.
- 8.2 Both exits shall be clearly marked 'Emergency Exit' together with clear instructions relating to the means of opening, all markings shall be both inside and outside of the vehicle.

9.0 Windows/ventilation

- 9.1 The vehicle shall have windows fitted on both sides and the rear of the passenger compartment. A minimum of one window on each side shall be openable for the purpose of ventilation.
- 9.2 All windows shall comply with Regulations 30, 31 and 32 of The Road Vehicles (Construction and Use) Regulations 1986.

10.0 Luggage area

- 10.1 There shall be a luggage compartment situated at the front of the vehicle forward of the bulkhead/safety screen and on the opposite side to the driving compartment. The luggage compartment shall be divided off by a barrier capable of preventing any luggage from entering the driving compartment.
- 10.2 The luggage compartment shall have sufficient capacity to accommodate one medium size suitcase for each of the maximum number of passengers that can be carried and a suitable restraint system shall be provided. The luggage compartment shall have a permanently fitted light for illumination during the hours of darkness.

11.0 Floors and passageways

- 11.1 All floor areas and passageways between seats over which passengers will be expected to pass shall be free of all steps, encumbrances or trip hazards. Floor coverings must be complete, properly secured and in good condition.

12.0 Rear view mirrors

- 12.1 The vehicle shall have rear view mirrors fitted in accordance with Regulation 33 of The Road Vehicles (Construction and Use) Regulations 1986. The mirror reflecting surface should not be deteriorated or broken and in such position that a person sitting in the driver's seat can see clearly to the rear.

13.0 Interior lighting

- 13.1 The vehicle shall have interior lighting fitted in the passenger compartment sufficient to light the whole of that compartment. The lights shall be switched such that they may be turned on or off from either the driving or passenger compartments. All interior lights fitted as per the manufacturers standard equipment must illuminate.
- 13.2 A means of illuminating the entrance steps on all access doors into the passenger compartment shall be fitted and switched such that they automatically operate when the door is opened.

14.0 Fire extinguisher/first aid kit

- 14.1 The vehicle shall have fitted in the driving compartment an appropriate fire extinguisher and first aid kit.

Testing of private hire/ hackney carriage vehicles

The Certificate of Compliance is as standard MOT with the following additional items checked for the Certificate of Compliance Test.

1. Vehicle structure
2. Front/ rear seats/ headlining – condition/ cleanliness
3. Carpets – front/ rear – condition/ cleanliness
4. Fire extinguisher
5. Licence plates/ discs
6. Body – corrosion/ paint/ cleanliness
7. Door and window handles
8. Tyres – tyres must have a tread depth of 3mm (including spare)
9. Radio securely fitted
10. Door signs (Private Hire only)
11. Meter test and seal (Hackney Carriages only)
12. Statutory smoking signage
13. First aid kit – the first aid kit must contain a minimum of the following:
 - four individual triangular bandages
 - 20 individual assorted sterile adhesive dressings
 - six medium-sized 12cm x 12cm approx sterile unmedicated wound dressings
 - two sterile eye pads
 - six safety pins
 - two large 18cm x 18cm approx sterile individual unmedicated wound dressings
 - one pair of disposable gloves
14. A bulb kit relevant to the vehicle driven
15. All advertising on the vehicle must conform to the relevant private hire/ hackney carriage vehicle licence conditions.

Agreed at Regulation Committee 17 December 2012. Effective for decisions on or after 01 April 2013

Luton Council

Taxi and private hire licensing

Convictions and Fitness policy

1. Introduction

1.1 The purpose of this policy is to provide guidance on the criteria used by the council when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage, private hire driver or operator licence ('a licence') and whether to exercise powers to refuse, revoke or suspend such a licence

1.2 The overriding aim of the council as licensing authority is to protect the safety of the public.

The council is concerned to ensure:

- a. that a person is a fit and proper person
- b. that the person does not pose a threat to the public
- c. that the public are safeguarded from dishonest persons, and
- d. the safeguarding of vulnerable persons, children and young persons

1.3 This policy provides guidance to any person with an interest in hackney carriage and private hire licensing. In particular, but not exclusively:

- a. applicants for drivers' and private hire operator licences,
- b. existing licensed drivers or private hire operators whose licences are reviewed,
- c. licensing officers,
- d. officer's with delegated powers,
- e. members of the Licensing Committee and the Taxi and Private Hire Licensing panel, and
- f. courts hearing appeals against local authority decisions.

Where licensing officers, or others, have delegated powers they will utilise these guidelines when making a decision in relation to a licence decision

1.4 Whilst licensing officers and Taxi and Private Hire Licensing panel ('the panel') will have regard to the guidelines in this policy, each case will be considered on its individual merits and, where the circumstances demand, the licensing officer / panel may depart from the same.

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2. General Policy

- 2.1 There may be occasions where it is appropriate to depart from the guidelines.
- 2.2 A person who has been convicted of a serious offence need not automatically be barred from obtaining a licence, but would normally be expected to:
- a. Remain free of conviction for the appropriate period indicated in this policy and
 - b. Show adequate evidence that he / she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence). Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.
- 2.3 Where this policy requires an applicant to be free from conviction for any specified period, that period shall commence from either the date of sentence or the date of completion of a sentence, wherever date is the later. The same specified periods will apply to a suspended sentence of imprisonment, as apply to an immediate custodial sentence and community penalty orders.
- 2.4 Any reference in this policy to conviction for an offence also includes convictions for aiding and abetting, counselling or procuring that offence or an attempt or conspiracy to commit that offence and / or any offence which replaces that offence due to a change in law.

3. Appeals

- 3.1 Any applicant refused a licence on the grounds that the council is not satisfied that he or she is a fit and proper person to hold such a licence, or an existing licence holder, has had a licence suspended or revoked or had conditions attached to their licence, has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal or the decision attaching conditions.

4. Powers

- 4.1 Sections 61 and 62, Local Government (Miscellaneous Provisions) Act 1976 ('the 1976 Act') allow the council to suspend, revoke or refuse to renew a licence if the applicant / licence holder has been convicted of a offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Causes Act 1847 ('the 1847 Act'); failure to comply with the provisions of Part II of the 1976 act; or where there is any other reasonable cause.
- 4.2 The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended), allows the council to take into account **all** convictions recorded against an applicant for, or the holder of, a private hire or hackney carriage driver's licence, whether they would otherwise be spent or not.

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5. Consideration of disclosed criminal history

- 5.1 Under Sections 51, 55, and 59 of the 1976 Act, the council is required to ensure that an applicant for the grant or renewal of a hackney carriage and / or a private hire driver licence and / or private hire operator's licence is a 'fit and proper' person to hold such a licence.
- 5.2 If an applicant has been convicted of any offence, received warnings, cautions, reprimands, or has matters recorded against them where restorative justice has been used, has charges against them awaiting trial, is on bail before being charged or has been the subject of an anti-social behaviour order, the council will consider:
- a. How relevant the offence(s) are to the licence being applied for,
 - b. How serious the offence(s) were,
 - c. When the offence(s) were committed,
 - d. The date of conviction,
 - e. The sentence imposed by the court,
 - f. The applicant's age at the time of conviction(s),
 - g. Whether the conviction(s) form part of a pattern of offending,
 - h. Any other character check considered reasonable (eg personal references), and
 - i. Any other factors that might be relevant.
- 5.3 Where an applicant has made a false statement or a false declaration on their application for the grant or renewal of a licence, the licence will normally be refused.
- 5.4 The council may also consider evidence of an applicant's conduct even though the applicant has not been convicted of any offences, received a caution or a warning or been dealt with under restorative justice procedures, etc in relation to that conduct. Any decision regarding the conduct concerned will be based on the civil standard ie on the balance of probabilities.

6. Serious offences involving violence

- 6.1 A licence will not normally be granted where an individual has been convicted of an offence involving violence, unless free of conviction for five years, as determined in Section 2.3 above. However, given the range of the offences that involve violence, consideration must be given to the nature of the conviction.
- 6.2 Unless there are exceptional circumstances a licence will not normally be granted where an individual has been convicted of an offence of:

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- a. Murder
- b. Manslaughter,
- c. Manslaughter of Culpable Homicide while driving, or
- d. Terrorism offences

6.3 A licence will not normally be granted where an individual has been convicted of an offence, unless free of conviction for 10 years, as determined in Section 2.3 above:

- a. Arson,
- b. Wounding or grievous bodily harm, S17 or S20 Offences Against the Person Act 1861,
- c. Actual Bodily Harm which is racially aggravated,
- d. Robbery,
- e. Possession of a fire arm,
- f. Riot,
- g. Any racially aggravated violent, or
- h. Violent disorder

6.4 A licence will not normally be granted where an individual has been convicted of any other racially aggravated offence (see Section 6.3 above) unless free from conviction for seven years, as determined in Section 2.3 above.

6.5 A licence will not normally be granted where the applicant has been convicted of an offence unless free from conviction for five years, as determined in Section 2.3 above:

- a. Common assault,
- b. Assault occasioning actual bodily harm,
- c. Affray,
- d. Section 5 Public Order Act 1986 offence (harassment, alarm or distress,)
- e. Section 4 Public Order Act 1986 offence (fear or provocation of violence),
- f. S4A Public Order Act 1986 offence (intentional harassment, alarm or distress),
- g. Assaulting a Police Officer,

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- h. Resisting arrest, or
- i. Obstruction.

6.6 Under Section 6.5 above a licence will not normally be granted if an individual has been convicted of more than one offence of a violent nature in the last seven years, as determined in Section 2.3 above.

7. Possession of a weapon

7.1 A licence will not normally be granted where an individual has been convicted of an offence, unless free of conviction for 5 years, as determined in Section 23 above.

8. Sexual and indecency offences

8.1 Licensed drivers often carry unaccompanied and vulnerable passengers. An individual convicted of the more serious sexual offences will normally be refused.

8.2 Any individual on the Sex Offenders Register will normally be refused a licence.

8.3 A licence will not normally be granted where an individual has been convicted of more than one sexual or indecency offence.

8.4 Unless there are exceptional circumstances, an application will normally be refused where the applicant has been convicted of an offence such as:

- a. Rape,
- b. Assault by penetration,
- c. Offences involving children or vulnerable adults,
- d. Sexual assault,
- e. Possession of indecent photographs, child pornography etc,
- f. Exploitation of prostitution, or
- g. Trafficking for sexual exploitation.

8.5 A licence will not normally be granted where an individual has been convicted of an offence below, unless free of conviction for five years, as determined in Section 2.3 above:

- a. Indecent exposure,

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- b. Soliciting (eg kerb crawling), or
- c. Any similar offences (including attempt or conspiracy to commit) or offences which replace the above.

9. Dishonesty

9.1 A licence will not normally be granted where an individual has been convicted of an offence **listed below**, unless free of conviction for five years, as determined in 2.3 above. Offences involving dishonesty include but are not limited to:

- a. Theft,
- b. Burglary,
- c. Fraud,
- d. Benefit fraud,
- e. Handling or receiving stolen goods,
- f. Forgery,
- g. Conspiracy to defraud,
- h. Obtaining money or property by deception,
- i. Other deception,
- j. Taking a vehicle without consent, or
- k. Perverting the course of justice.

10. Offences against property

10.1 A licence will not normally be granted where an individual has been convicted for offences against property unless free of conviction for three years, as determined in Section 2.3 above.

11. Drugs

11.1 A licence will not normally be granted where an individual has been convicted of an offence related to the supply of possession of drugs unless free of conviction for five years, as determined in Section 2.3 above.

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- 11.2 A licence will not normally be granted where an individual has been convicted of more than one offence related to the supply or possession of drugs and has not been free of conviction for seven years, as determined in Section 2.3 above.
- 11.3 If there is evidence of persistent drug use, misuse or dependency a specialised medical examination (in accordance with DVLA Group 2 medical standards) will be required before the licence is granted.

12. Driving offences involving the loss of life

- 12.1 A licence will not normally be granted where an individual has been convicted of an offence listed below unless free of conviction for 10 years, as determined in Section 2.3 above.

13. Drink driving / driving under the influence of drugs

- 13.1 A licence will not normally be granted where an individual has been convicted of an offence related to drink driving or driving under the influence of drugs unless free of conviction for five years, as determined in Section 2.3 above.
- 13.2 More than one conviction for these offences raises significant doubts as to the applicant's fitness to drive the public. Where an applicant has been convicted of more than one such offence a licence will not normally be granted unless free of conviction for seven years, as determined in Section 2.3 above.
- 13.3 Medical evidence will also be required in accordance with paragraph 10.3 above where there is evidence of misuse or dependency.

14. Disqualification of DVLA license / totting up of points

- 14.1 A licence will not normally be granted where an individual has been disqualified from driving unless free of conviction for three years, as determined in Section 2.3 above.
- 14.2 If an existing licence holder accrues penalty points that result in a period of disqualification of the DVLA licence then the driver's Luton licence will be suspended and the matter referred to the Licensing Manager.
- 14.3 If an existing driver accrues 12 or more penalty points on their DVLA licence then the council will review the driver's suitability to remain a council licensed driver.

15. Motor vehicle Insurance offences

- 15.1 A licence will not normally be granted where an individual has been convicted for offences of insurance unless free of conviction for five years, as determined in Section 2.3 above.

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16. Other motoring offences

- 16.1 The council considers all convictions for motoring offences as a serious matter in deciding whether a person is fit and proper to hold a licence or to continue to hold a licence. All drivers are expected to have no points on their DVLA licence.
- 16.2 An isolated conviction for a motoring offence may not normally mean a refusal of a licence, subject to the offences already mentioned in the policy; however, each case will be considered on its own merit.
- 16.3 Discretion may be exercised by the director of environment and regeneration to grant a licence where there are no more than nine penalty points.
- 16.4 A new applicant with points on their licence will normally be treated as follows:
- a. Up to and including six points over a period of three years, applicant should be free of conviction for 12 months and the licence will normally be granted, with an advice letter,
 - b. Seven to nine points, over a period of three years, applicant should be free of conviction for 24 months and the licence will normally be granted, with a warning letter, or
 - c. 10 points and above over a period of three years, application will normally be refused.
- 16.5 An existing Luton licensed driver who accrues DVLA points during the term of their licence will normally be treated as follows:
- a. A total of six points of DVLA, advice letter or be issued,
 - b. Between seven and nine points on DVLA licence, warning letter to be issued, or
 - c. 10 points and above, interview with Licensing Service and the licence reviewed.
- 16.6 In considering motoring convictions the type of offence for which the points were imposed will be considered in each case.

17. Outstanding charges or summonses

- 17.1 If the individual is subject of an outstanding charge or summons their application can continue to be processed, but the application will need to be reviewed either at the conclusion of any legal proceedings or at the end of the licensing process, whichever is earlier.
- 17.2 If the outstanding charge or summons involves a serious offence / or the individual's conviction history indicates a possible pattern of unlawful behaviour or character trait, then in the interests of public safety the application may be put on hold until proceedings are concluded or the licence may be refused.

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17.3 Where information is received through the Notifiable Occupations Scheme on existing licence holders, then the council will take appropriate action depending upon the nature of the incident, the drivers past history and with consideration to Section 1.2 above.

18. Non-conviction information

18.1 If an individual has been arrested or charged, but not convicted, for a serious offence which suggests an individual could be a danger to the public, consideration should be given to refusing the application. The council will consider all available evidence and determined whether a licence should be granted.

18.2 Where information is received on existing licence holders, then the council will take appropriate action depending upon the nature of the incident, the driver's past history and with consideration to Section 1.2 above. The council may consider all available evidence and determined whether a licence should be granted.

19. Cautions

19.1 If an individual has received a caution a licence will not normally be granted until the applicant is free of conviction or caution, based on the time period for the category of offence referred to in this policy and as determined by Section 2.3 above.

19.2 An existing driver who receives a caution may have their licence reviewed and appropriate action taken by the council.

20. Licensing offences, breaches of legislation, conditions, bye law and complaints

20.1 The primary legislation for licensed drivers, vehicle owners and private hire operators is contained in the 1847 Act and the 1976 Act. Examples of these offences are contained in Appendix A.

20.2 A licence will not normally be granted where an individual has been convicted for offences under hackney carriage and private hire legislation unless free of conviction for two years, as determined in Section 2.3 above.

20.3 Licence holders are expected to comply with all relevant statutes, the council's bye-laws, appropriate licence conditions and the Highway Code at all times. Individuals who persistently breach these will be liable to have their licence reviewed to consider whether they are still a fit and proper person to hold a licence.

20.4 Individuals who are the subject of persistent complaints will be liable to have their licence reviewed to consider whether they are still a fit and proper person to hold a licence.

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21. Other Offences

21.1 The council reserve the right to consider any other offences not specifically mentioned in this policy in deciding whether an applicant or existing licence holder is a fit and proper person.

22. Taxi and Private Hire Licensing panel

22.1 Cases may be referred to the panel for the to decide, where the delegated officer;

- a. Has prior to the completion of the Convictions and Fitness report, been involved in the case and this involvement could create a conflict of interest, or
- b. Wishes to depart from the Convictions and Fitness policy.

23. Summary

23.1 While it is possible that an applicant may have been convicted of a number of offences that individually meet the policy, the overall offending history must be considered when assessing an applicant's suitability to be licensed.

23.2 Some discretion can be afforded in a conviction for an offence is isolated and there are mitigating circumstances, but the overriding consideration is the protection of the public.

Appendix A

Town Police Clauses Act 1847

Local Government (Miscellaneous Provisions) Act 1976

Hackney carriage and private hire offences and penalties

Offences under the above legislation are set out below. Offences may also be committed under other legislation not listed below. Drivers and operators must comply with the legislation or they risk prosecution.

The maximum penalties and fine levels are as follows:

- **Level 1** - £200
- **Level 2** - £500
- **Level 3** - £1,000
- **Level 4** - £2,500

Town Police Clauses Act 1847

Section	Offence	Maximum penalty
40	Giving false information on application for hackney carriage licence.	Level 1
44	Failure to notify change of address of hackney carriage proprietor.	Level 1
45	Plying for hire without hackney carriage proprietor's licence.	Level 4
47	Driving a hackney carriage without hackney carriage driver's licence.	Level 3
47	Lending or parting with hackney carriage driver's licence.	Level 3
47	Hackney carriage proprietor employing unlicensed driver.	Level 3
48	Failure by hackney carriage proprietor to hold hackney carriage driver's licence.	Level 1
48	Failure by hackney carriage proprietor to produce hackney carriage driver's licence.	Level 1
52	Failure to display hackney carriage plate.	Level 1

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Section	Offence	Maximum penalty
53	Refusal to take a fare.	Level 2
54	Charging more than the agreed fare.	Level 1
55	Obtaining more than the legal fare.	Level 3 and 1 months imprisonment
56	Travelling less than the lawful distance for an agreed fare.	Level 1
57	Failing to wait after a deposit to wait has been paid.	Level 1
58	Charging more than the legal fare.	Level 3
59	Carrying other person than the hirer without consent.	Level 1
60	Driving hackney carriage without proprietor's consent.	Level 1
60	Allowing another to drive hackney carriage without proprietor's consent.	Level 1
61	Drunken driving of hackney carriage.	Level 1
61	Wanton or furious driving leading to injury or danger.	Level 1
62	Driver leaving hackney carriage unattended.	Level 1
64	Hackney carriage driver obstructing other hackney carriages.	Level 1

Local Government (Miscellaneous Provision) Act 1976

Section	Offence	Maximum penalty
46(1)(a)	Using an unlicensed private hire vehicle.	Level 3
46(1)(b)	Driving a private hire vehicle without a private hire driver's licence.	Level 3
46(1)(c)	Proprietor of a private hire vehicle using an unlicensed driver.	Level 3
46(1)(d)	Operating a private hire vehicle without a private hire operator's licence.	Level 3
46(1)(e)	Operating a vehicle as a private hire vehicle when the vehicle is not licensed as a private hire vehicle.	Level 3

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Section	Offence	Maximum penalty
46(1)(e)	Operating a private hire vehicle when the driver is not licensed as a private hire driver.	Level 3
48(6)	Failure to display a private hire vehicle plate.	Level 3
49	Failure to notify transfer of a hackney carriage proprietors, or private hire vehicle, licence.	Level 3
50(1)	Failure to present hackney carriage or private hire vehicle for inspection as required.	Level 3
50(2)	Failure to inform the authority where the hackney carriage or private hire vehicle is stored, if requested.	Level 3
50(3)	Failure to report an accident to the authority.	Level 3
50(4)	Failure to produce the hackney carriage proprietor's, or private hire vehicle, licence and insurance certificate.	Level 3
53(3)	Failure to produce the hackney carriage or private hire driver's licence.	Level 3
54(2)	Failure to wear a private hire driver's badge.	Level 3
56(2)	Failure by a private hire operator to keep records of bookings.	Level 3
56(3)	Failure by a private hire operator to keep records of private hire vehicles operated by him.	Level 3
56(4)	Failure to produce a private hire operator's licence on request.	Level 3
57	Making a false statement or withholding information to obtain a hackney carriage, private hire driver or private hire operator licence.	Level 3
58(2)	Failure to return a plate after notice given following expiry, revocation or suspension of a hackney carriage proprietor's, or private hire vehicle, licence.	Level 3 + fine of £10/day
61(2)	Failure to surrender a driver's licence after suspension, revocation or refusal to renew.	Level 3
64	Permitting any vehicle other than a hackney carriage to wait on a hackney carriage stand.	Level 3
66	Charging more than the meter fare for a journey ending outside the district, without prior agreement.	Level 3

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Section	Offence	Maximum penalty
67	Charging more than the meter fare when hackney carriage used as private hire vehicle.	Level 3
69	Unnecessarily prolonging a journey.	Level 3
71	Interfering with a taximeter.	Level 3
73(1)(a)	Obstruction of an authorised officer or constable.	Level 3
73(1)(b)	Failure to comply with a requirement of an authorised officer or constable.	Level 3
73(1)(c)	Failure to give information or assistance to an authorised officer or constable.	Level 3

Borough of Luton

Byelaws

Made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by the Mayor, Aldermen and Burgesses of the County Borough of Luton, acting by the council with respect to hackney carriages in the County Borough of Luton.

Interpretation

1. Throughout these byelaws 'the council' means the mayor, aldermen and burgesses of the County Borough of Luton, acting by the council and 'the district' means the County Borough of Luton.

Provisions regulating the manner in which the number of each hackney carriage, corresponding with the number of its licence, shall be displayed.

2. Every proprietor of a Hackney Carriage shall
 - (a) 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 respectively of the carriage, or on plates affixed thereto,
 - (b) 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,
 - (c) not cause or permit the vehicle to ply for hire with any such plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided.

3. Every 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 or 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 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 an efficient fire extinguisher which shall be carried in such a position as to be readily available for use
- (i) 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. Every proprietor of a hackney carriage shall cause the carriage to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say,

- (i) 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 face of the taximeter
- (ii) 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
- (iii) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity 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
- (iv) 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
- (v) the taximeter shall be so placed that all letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be suitably illuminated during any period of hiring,
- (vi) 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.

Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments, and determining whether such drivers shall wear any and what badges.

5. Every driver of a hackney carriage provided with a taximeter shall:
 - (a) 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
 - (b) 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, flag or other device fitted for the purpose so that the word 'hired' is legible on the face of the taximeter;
 - (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 in Section 17 of the Road Transport Lighting Act 1957, and also at any other time at the request of 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 seals affixed thereto.
7. Every driver of a hackney carriage for which stands are fixed by any byelaw in that behalf shall, when plying for hire in any street and not actually hired:
 - (a) proceed with reasonable speed to and station the carriage on one of such stands
 - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand
 - (c) 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 in 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
8. Every proprietor or driver of a hackney carriage who shall have an agreed or shall have 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.
9. If a badge has been provided by the council and delivered to the driver of a hackney carriage, either with the licence granted to him by the council or afterwards, he shall,

when standing, plying, or driving for hire, wear that badge in such a position and manner as to be plainly and distinctly visible.

10. Every 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 house, station, or place at which he may take up or set down such person

11. Every driver of a hackney carriage
 - (a) shall conduct himself towards any person hiring or seeking to hire the carriage and any persons conveyed in such carriage in an orderly, seemly and courteous manner
 - (b) shall take all reasonable precautions for the safety of persons conveyed in such carriage

12. Every proprietor or driver of a hackney carriage who shall knowingly convey in the carriage the dead body of any person shall, immediately thereafter, notify the fact to the chief public health inspector of the council.

Provisions fixing the stands of hackney carriages.

13. Each of the several places specified in the following list shall be a stand for such number of hackney carriages as is specified in the list:-

Please note: a schedule of the current Stands is enclosed as a separate document.

14. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the following table, the rate or fare being calculated by distance unless the hirer express 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 by distance 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 following table which it may not be possible to record on the face of the taximeter.

Fares for distance

Please note: the current table of fares is enclosed as a separate document.

15. (1) Every proprietor of a hackney carriage plying for hire for which any fares are fixed by any byelaws in that behalf shall:
 - (a) cause a statement of such fares to be painted or marked on the inside of the carriage, or on a plate affixed thereto, in clearly distinguishable letters and figures
 - (b) renew such letters and figures as often as is necessary to keep them clearly visible
- (2) 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.

Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages and fixing the charges to be made in respect thereof.

16. Every proprietor or driver of a hackney carriage shall, immediately after the termination of any hiring, carefully search the carriage for any property which may have been accidentally left therein.
17. Every 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 by or handed to him,
 - (1) carry it within twenty four hours, if not sooner claimed by or on behalf of its owner, to the Bedfordshire and Luton Police Office, Dunstable Place, Luton and leave it in the custody of the officer in charge of the office on his giving a receipt for it
 - (2) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to one shilling in the pound of its estimated value (or the fare for the distance from the place of finding to the Bedfordshire and Luton Police Office, Dunstable Place, Luton whichever be the greater) but not more than five pounds.

Please note: the current address of the Police is Police Office, Bedfordshire Police, Buxton Road, Luton).

Penalties

18. Every person who shall offend 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 forty shillings for each day during which the offence continues after conviction therefor.

Please note: the maximum penalty for offences under these Byelaws is currently £400.

Repeal of byelaws

19. The byelaws relating to hackney carriages which were made by the mayor, alderman and burgesses of the Borough of Luton on the 28 November 1944, and which were confirmed by the Minister of Health on the 22 January 1945, are hereby repealed.

The **common seal** of the **mayor**)
alderman and burgess of the)
Borough of Luton was hereunto)
affixed on the twenty-eighth day of)
June, 1949, in the presence of:)

Claude A. Sinfield

Mayor

W.H. Robinson

Town Clerk

I hereby confirm the foregoing byelaws and fix the date on which they shall come into effect as the 1 October 1949.

J. Chuter Ede,

One of Her Majesty's

Principal Secretaries of State

Private hire and hackney carriage driver licensing application fees

Fees detailed below are valid from 01 April 2024 and are correct at the time of producing this letter.

Please note that once a Licence application has been accepted by the Licensing Service there will be **NO REFUND** due if the Licence is not granted or the Licence application process is not completed

Driver	Item	Licence application fee	Paper licence and badge fee	DBS Update Service	DVLA	CRB	Total
HC driver's fee three year badge	Grant	£405.00	£37.00	£21.00	£0	£0	£463.00
HC driver's fee three year badge	Renewal	£297.00	N/A	£21.00	£0	£0	£318.00
HC driver's fee two year badge	Grant	£278.00	£37.00	£14.00	£0	£0	£329.00
HC driver's fee two year badge	Renewal	£252.00	N/A	£14.00	£0	£0	£266.00
HC driver's fee one year badge	Grant	£232.00	£37.00	£7.00	£0	£0	£276.00
HC driver's fee one year badge	Renewal	£166.50	N/A	£7.00	£0	£0	£173.50
Dual driver's fee three year badge	Grant	£523.00	£37.00	£21.00	£0	£0	£581.00
Dual driver's fee three year badge	Renewal	£415.00	N/A	£21.00	£0	£0	£436.00
Dual driver's fee two year badge	Grant	£396.00	£37.00	£14.00	£0	£0	£447.00
Dual driver's fee two year badge	Renewal	£370.00	N/A	£14.00	£0	£0	£384.00
Dual driver's fee one year badge	Grant	£350.00	£37.00	£7.00	£0	£0	£394.00
Dual driver's fee one year badge	Renewal	£284.50	N/A	£7.00	£0	£0	£291.50
PH driver's fee three year badge	Grant	£405.00	£37.00	£21.00	£0	£0	£463.00
PH driver's fee three year badge	Renewal	£297.00	N/A	£21.00	£0	£0	£318.00
PH driver's fee two year badge	Grant	£278.00	£37.00	£14.00	£0	£0	£329.00
PH driver's fee two year badge	Renewal	£252.00	N/A	£14.00	£0	£0	£266.00

PH driver's fee one year badge	Grant	£232.00	£37.00	£7.00	£0	£0	£276.00
PH driver's fee one year badge	Renewal	£166.50	N/A	£7.00	£0	£0	£173.50
Request for a knowledge test							£106.00

Lanyard	£4.00
Badge holder	£4.00
DBS document checking	£15.00
DBS fee	£85.00
DVLA check fee	£20.00
DBS Update Service Fee	£7.00

Additional badges	Fee	Paper licence / badge fee	KT	DVLA	CRB	Total
Additional badge (at time of renewal)	£118.00	N/A	HC only (£106)	N/A	N/A	Variable
Additional badge (per unexpired month)	£23.50	Needed £37.00	HC only (£106)	Needed (£20.00) (If over three months)	Needed (If over three months)	Variable

Production of licenses and badges	Fee
Production of paper licence for PH/HC licence	£15.50
Production of paper licence and badge	£37.00
Production of badge only	£21.50
Admin charge – miscellaneous amendments	£70.00

Production of licence - per request / licence change of particulars (address, vehicle details etc, plus any other associated fees)	£49.50
Admin charge – Misc' amendments where a fee is not set	£70.00