

**INFORMATION LEAFLET FOR THE GUIDANCE
OF THOSE WISHING TO BECOME
A LICENSED HACKNEY CARRIAGE OR PRIVATE HIRE DRIVER**

If you wish to drive a Hackney Carriage Vehicle [usually known as a 'taxi'] or a Private Hire Vehicle [sometimes known as a 'minicab'] you will need to apply for a Driver's Licence for that particular category of vehicle. If you wish to drive both types of vehicle, you will need a licence for each category and, as this involves a fee for each type of licence, you should think carefully before you apply for your licence, as the licences are not interchangeable.

What is the Difference between the Types of Vehicle?

Hackney Carriage

A Hackney Carriage Vehicle is one which can use any taxi rank within the Tending District for the purpose of setting down, picking up or waiting to pick up a fare. A Hackney Carriage may also stop in the street to pick up a fare in response to being hailed by a member of the public and may also be 'pre-booked' – for instance, when a member of the public telephones in advance to be picked up for a specific journey. A Hackney Carriage Vehicle doubles as the driver's office and, therefore, there is no requirement for such a vehicle to operate from special premises but there is a requirement that the vehicle be fitted with a top light and a meter.

If you become a Hackney Carriage Driver – whether you use your own licensed vehicle or someone else's – you may operate from your home address [provided no specific planning permission is needed], you may use a taxi rank and take your turn at picking up fares or you may decide to run from a designated taxi office whereby you have an arrangement with the proprietor regarding the use of his radio control and/or licensed vehicles.

If you hold only a Hackney Carriage Driver's Licence, you may drive any Hackney Carriage Vehicle but not a Private Hire Vehicle. That is the law and should you fail to comply with this, not only would you be committing an offence but your insurance cover would be invalidated.

In order for you to become fully licensed, you will have to pass a Knowledge Test which will be related to the area in which you are intending to work when you will be expected to have knowledge of all the main pubs, clubs, places of interest and roads plus a good working knowledge of other areas within the District such as hospitals, air ports and main thoroughfares, etc. The Knowledge Test is not a test of your driving, although you will be expected to drive safely and with due regard to other road users.

Private Hire

If you decide to become a Private Hire Driver, all your work would be pre-booked and you may not pick up a fare if you are hailed in the street nor may you use a taxi rank anywhere in the District. For this reason, you are not required to undertake a Knowledge Test as you will know your routes prior to taking your passengers to their destinations, nor is your vehicle required to be fitted with a top light [you may not pick up fares] or have a meter installed, as your journeys are pre-booked and your passengers informed of the cost of the journey prior to this taking place. Please note that, within the District, you may not charge more than the agreed fare tariff, a copy of which will be given to you.

A Private Hire Driver may only drive a Private Hire Vehicle and if you wish to drive both kinds of vehicle, you will need to apply for a Hackney Carriage Driver's Licence separately and take a Knowledge Test. Whilst you may hold both types of Driving Licence, the vehicle can only be plated as either a Hackney Carriage **or** a Private Hire Vehicle.

If you intend to plate your own Private Hire Vehicle and work completely on your own, you will need to have a Private Hire Operator's Licence which is valid for five years and allows the use of one vehicle. If you decided to plate another vehicle, a further fee would be required for that vehicle. If you intend to plate your own vehicle and operate it under another person's Private Hire Operator's Licence, you may do so provided the Operator declares this and pays the appropriate fee if this is needed. Your Driver's application form will require you to state whether you will be working out of your own premises, or using someone else's office.

The Private Hire legislation requires you to work from an office and maintain records of all your work: this could be your own home or someone else's office but, if you intend working from home you should enquire of the Council's Planning and Building Service whether you will need planning permission. This is almost certainly required if you intend to erect a radio aerial and use more than one vehicle in your new business venture and is a matter which should be taken into account when you are making your decision as to what you would like to do.

So, to be a Private Hire Driver working solely for yourself, you would need a Private Hire Driver's Licence, a Private Hire Vehicle Licence and a Private Hire Operator's Licence, for which separate fees are required.

What you will need to decide

Hackney Carriage

If you will be licensing your own Hackney Carriage Vehicle and running it on your own or using another person's premises and radio circuit, you will need a Hackney Carriage Driver's Licence and a Hackney Carriage Vehicle Licence.

If you are not intending to use your own vehicle but will be using someone else's licensed Hackney Carriage Vehicle, you will need only a Hackney Carriage Driver's Licence

Private Hire

If you are intending to plate your own vehicle and work using an existing Private Hire Operator's Licence, you will need a Private Hire Driver's Licence and a Private Hire Vehicle Licence.

If you intend to work for another Private Hire Driver or Operator, using a licensed Private Hire Vehicle which is not your own, you will only need a Private Hire Driver's Licence. You should check whether to make sure that the vehicle is covered by a Private Hire Operator's Licence.

If you intend to work completely on your own, then you will need all three licences - Driver, Vehicle and Operator. **Please note that there are specific criteria governing the type of vehicle which may be used and if you are considering the purchase of a vehicle, you should not do so without enquiring of the Licensing Section as to its suitability.**

Which Licence should I apply for?

The Council may not, of course, tell you which licence you should apply for – that is your decision alone as only you know what type of work you wish to do and how you wish to carry it out. However, you should consider *where* you wish to work – whether it will be in town or out in the villages, whether you wish to pick up fares from the ranks on an ad hoc basis or whether you wish to receive your work by taking *pre-booked* journeys. In making your decision you should consider where the ranks are sited and whether they will be of use to you.

How do I apply for a Licence?

Please complete and send the accompanying letter to the Licensing Officer requesting that an application pack be sent to you. You will see that the administration fee for the application pack is **£30.00** and that this sum will be offset against the full application fee provided your application is submitted within six months of the pack being forwarded to you. **Once this fee is submitted, no refund will be made should you wish to cancel your application. Please note that if you change your mind and, for example, wish to change from Hackney Carriage to Private Hire, this will require a different set of forms and therefore will attract a further fee of £30.00.**

The fees for the grant of either type of Driver's Licence are: **£279.00** for three years, **£233.00** for two years and **£201.00** for one year. Also, you will need to pay a fee of £36.00 which is levied by the Criminal Records Bureau for the processing of your Disclosure Form and this sum should be added to your final application fee. Your doctor will charge you a fee for carrying out your medical examination and you will, of course, pay your GP direct.

Provided you have a clean Road Traffic Driver's Licence and no previous convictions, you should expect to receive your Licence within ten days of the return of your Disclosure Form from the Criminal Records Bureau. However, Fixed Penalty endorsements, previous convictions, etc., will mean that your application will need to be determined by the Licensing Sub-Committee and you should seek advice prior to requesting an information pack to be sent to you if you consider there may be any difficulties in this respect. A summary of the guidelines for the issue of a licence is set out below.

GENERAL GUIDELINES

Motoring offences, e.g. parking/speeding	Licence refused if more than 3 in previous 3 years
Serious motoring offences, e.g. Insurance/Drink Driving	Must have none in previous 5 years
Reckless driving/Driving whilst disqualified	Licence refused unless offence expired
Criminal offences, e.g. theft	Must have none in previous 5 years
Serious criminal offences, e.g. grievous bodily harm and sexual offences	Must have none in previous 7 years
Custodial sentences	Must have none in previous 10 years

DRIVERS MUST HAVE HELD A FULL EUROPEAN DRIVER'S LICENCE FOR AT LEAST FOUR YEARS

If you need any advice or assistance, please contact:

The Licensing Section
Legal Services
Tendring District Council
Westleigh House
Carnarvon Road
Clacton on Sea
Essex CO15 6QF
Tel: [01255] 686565

[e-mail: licensingsection@tendringdc.gov.uk]