



Town Hall  
Station Road  
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Essex CO15 1SE

August 2024

**A message from Alfie and Anna:**

Hi everyone! You may or may not have spoken to us yet, but in-case you haven't we wanted to introduce ourselves.

Alfie joined the licensing team in April 2024 as the Licensing Enforcement Officer. Alfie will be conducting vehicle inspections and enforcing the new Hackney Carriage and Private Hire Policy 2024.

Anna joined the licensing team in May 2024 as a Technical Officer, which means she will be assisting with your applications, renewals and other queries relating to your Hackney Carriage/Private Hire licences.

We are both very much enjoying the roles and have enjoyed getting to know the drivers we have spoken to so far. We would like to open the lines of communication with drivers so that you are aware of the expectations of the licensing department, but also to let you know that we are aware of the issues you are facing as drivers, and we will always do our bests to assist you.

**Applications/Documents/Payments**

Applications should be submitted via e-mail ([licensingsection@tendringdc.gov.uk](mailto:licensingsection@tendringdc.gov.uk) or [taxi@tendringdc.gov.uk](mailto:taxi@tendringdc.gov.uk)) payments can be made over the telephone using either a credit or debit card.

Please ensure that the email document is no larger than 25mb as these are unable to pass the Council's email security system.

## Vehicle Inspections

Many of you will have recognised that vehicle and rank inspections are being conducted on a regular basis and because of this, we would like to refresh drivers with the expectations that drivers are expected to meet in order to best comply with the requirements of the Hackney Carriage and Private Hire Policy 2024.

- 1) Drivers Badge: Drivers are expected to have their drivers badge on display in the vehicle at all times when operating a licensed vehicle. This can either be on a lanyard around the driver's neck, a clip on the drivers clothing, or inside of the vehicle and in a place where a passenger is reasonably expected to see it.
- 2) Taxi/PHV Plates: Drivers are expected to keep both their front and rear taxi/phv plates in the correct position, clean and free from all damage.
- 3) Top Light: Hackney Carriage Vehicles must be affixed with a top light that is lit when available to take a fare and working correctly.
- 4) All licensed vehicles are expected to have no smoking signs inside of the vehicle. These must be on display, in a place where members of the public are able to see them and during an inspection, the driver is expected to show the no smoking signs to an authorised officer, at the time of any inspection.
- 5) Fare Tariff: Drivers are expected to have an up-to-date fare tariff ON DISPLAY inside of the Hackney Carriage Vehicle and a fare tariff should NOT be inside of the glove box or sun visors. A good method of displaying the fare tariff is to laminate it, and keep it on display on the front dashboard, on the passenger side of the vehicle and this may be secured with blue tac so that it can be handed to a passenger if they wish to see it.
- 6) Fire extinguishers: Drivers are expected to keep a functioning fire extinguisher inside of the licensed vehicle and will be expected to show this to an authorised officer upon request. Fire extinguishers do have an expiry so it is important that these are kept in date.
- 7) Tyres: Drivers are expected to have tyres which comply with UK legislation. Tyre checks will be conducted during inspections and drivers will receive three points for each tyre found to have a tread depth below the legal requirement of 1.6mm, or any tyre which is deemed to be un-roadworthy.
- 8) Interior and Exterior: Drivers are expected to keep the interior and exterior clean and fit for passengers. When drivers are considering whether their vehicle meets an acceptable standard, they should consider whether, objectively, a reasonable person would be happy to sit in the vehicle to complete their journey.
- 9) Daily Vehicle Inspections: Daily vehicle inspections are a new introduction as a result of the Hackney Carriage and Private Hire Policy 2024.

Daily vehicle checks are essential in helping spot potentially dangerous issues or defects with vehicles before they are used to carry the public and ensure that vehicles are in a good working order, safe and fit for purpose at the start of each day.

Drivers are expected to complete the routine daily vehicle checks and keep a record of them so that they can be produced to an authorised officer upon request. Drivers may choose to keep the checks inside of the vehicle.

If the driver does not provide the daily vehicle checks to the authorised officer within the timeline provided, then the driver will receive 3 penalty points for failure to produce suitable relevant documents or to fully assist an authorised officer with their reasonable enquiries.

We appreciate that the printing of the paper required to print the daily vehicle checks is costly, so we recommend that one A4 sheet is printed and then laminated. The vehicle check sheet can then be completed with a whiteboard pen or erasable marker on a daily basis and a picture can then be taken on the driver's mobile phone to show the authorised officer at the time of the inspection.

Failure to adhere to any of the points above during a routine inspection will result in penalty points being added to the vehicle licence and / or driver's licence, at the time of the inspection.

### **Refusing a fare while parked on a taxi rank**

We would just like to remind drivers that it is an offence under the Town Police Clauses Act 1847 to refuse a fare without a reasonable excuse. Reasonable excuses depend on the merits of the individual circumstances, however, some common reasons to refuse a fare which could be considered acceptable are:

- 1) The fare goes beyond the limits of a Hackney Carriage/Private Hire licence.
- 2) An individual is being threatening or abusive to the driver.
- 3) The individual is unable to provide payment for the journey they are requesting.

It would not be considered reasonable to pass a customer down a taxi rank to a smaller vehicle. Hence, giving drivers with larger vehicles a monopoly on potentially larger fares. If a customer approaches you on a rank and chooses your vehicle, then they should be taken unless the driver has a very clear and reasonable excuse as to why they cannot.

### **Penalty Point Allocation**

The full list of penalty points which may be allocated can be found online at the bottom of the Hackney Carriage and Private Hire Policy.

When an authorised officer considers the allocation of penalty points, they may choose to allocate the points to either the vehicle licence, and / or the driver's licence as they see fit.

A licensed driver operates the vehicle on a daily basis and is responsible for its condition whilst in use. Although the owner of a vehicle may not use the vehicle on a daily basis, if the licensed plate is registered to them, they also hold responsibility for the vehicle in regard to ensuring that the documentation is in order for the vehicle, responsibility for the renewal of the Hackney Carriage license and the overall maintenance of the vehicle.

If a licensed vehicle owner allows another driver to use a vehicle that they own, then both the owner AND the driver can be considered jointly responsible for the vehicles and may both receive penalty points in circumstances where an authorised officer deems it necessary.

## **Documentation**

Regarding the penalty points system above, a large number of the points given out since the introduction of the new policy have been due to documents being provided after their expiry date, such as mechanical test certificate, MOT certificates and insurance documents.

We ask you to please keep track of these dates pertinent to your vehicles and to please let us know in advance (as soon as you can) if documents are going to be provided late, as if there is an acceptable reason for this then penalty points can be avoided.

In regard to all documentation, drivers are given until midnight on the date of the document expiry to get documents to us before points are given. Anything received after this time is considered late and invalid.

***For example, if an MOT expires on 01/01/2024, then drivers will be given until 23:59 on 01/01/2024 to get the updated MOT certificate to us.***

## **Unacceptable Behaviour towards the Licensing Team.**

Unacceptable behaviour either on the telephone, or in person towards members of the Licensing Team will not be tolerated under any circumstances.

Unacceptable behaviour includes but is not limited to:

- Behaviour or language (written or spoken) that could cause our staff to feel afraid, threatened or abused. This includes threatening emails, telephone calls, meetings, and comments on social media or elsewhere.
- Insulting or degrading language, including inappropriate humour, innuendo or malicious allegations
- Any form of physical violence or threats of physical violence
- Derogatory, racist, sexist, ageist, or homophobic remarks
- Comments relating to disability, perceived gender, religion, belief, or any other personal characteristics

Members of the licensing team will promptly end any telephone phone calls where they feel that they have been subjected to unacceptable behaviour and you may be referred to the Miscellaneous Licensing Sub Committee for further action.

## **Child Sexual Exploitation and Vulnerable Persons training**

Just a reminder, Child Sexual Exploitation and Vulnerable Persons training is now required for all grant applications and existing licences upon renewal. The provider to supply this is Blue Lamp Trust. Further information can be found using the link or QR code below - <https://www.bluelamptrust.org.uk/safeguarding-eLearning/>



## **Download a copy of the Hackney Carriage and Private Hire Policy**

