Annex C

Revisions to Guidance Notes and Conditions for Hackney Carriage and Private Hire Vehicle Owners, Operators and Drivers with effect from 6 January 2017

New condition:

Planning approval may be required for any premises used as a private hire operator base, including residential properties. The applicant or licence holder is responsible for making enquiries to ascertain whether approval is required.

New condition:

To comply with the Immigration Act 2016, the Council is required to check eligibility to live and work in the UK for all applicants for driver and operator licences. Applicants will be required to provide evidence of this on request. Examples of acceptable documentation include a British passport, EC passport with the right to stay and work in the UK, permanent residence permit, work permit with a passport with correct authorisations, a UK birth certificate together with an official document giving the NI number such as a P45 or P60, or a biometric immigration document indicating a right to stay indefinitely in the UK or a right to do the work in question.

For applicants with a limited time to remain in the UK, the licence will only be granted for the period of permission to remain, and may only be granted for a shorter period. The licence may be extended should the applicant's right to remain in the UK be made permanent.

If an applicant has extended leave to remain (pending a decision) the licence cannot be granted for more than six months, and again may only be granted for a shorter period. The licence may be extended should the applicant's right to remain in the UK be made permanent.

If a licence holder loses the right to remain in the UK during the currency of a licence, the licence ceases to have effect and the licence (and badge for drivers) must be returned within 7 days.

New condition:

A certificate of calibration provided by the taximeter installer may be required on issue of a licence or when the seal is damaged or missing.

New condition:

Where a licence has been revoked, but the situation which led to the revocation is resolved, the Council will aim to reinstate the licence as soon as practicable. A new application will be required. Existing documents which remain valid from the previous licence will normally be transferred to the new application, but updated documents may be requested by the licensing officer as determined on a case by case basis.

The usual licence fee will be payable and the licence will be issued for the usual licence period. In exceptional circumstances, such as the licence being revoked pending the outcome of a Court Case, no further fee will be payable but the licence will simply be reissued for the period that the revoked licence had left to run.

New condition:

The driver should carefully search the vehicle for any property which may have accidentally been left behind after each journey. Any items found should be handed into the nearest Police station as soon as practicable. The driver should notify any operator of the vehicle.

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New condition:

Drivers must not drink or eat whilst driving, nor should they use any hand-held mobile phone, PDA, or any other device which may cause their attention to be distracted.

New condition:

The driver shall at all times be clean and respectable in their dress and person and behave in a civil and orderly manner.

New condition:

Any new private hire operator licence applicants who are not already a licensed driver, or applying to be a licensed driver must pass the private hire knowledge test (theory section only) prior to an operator licence being granted.

New condition:

Any private hire driver not registered with an operator upon the renewal of their licence shall be permitted to renew their licence, but their badge and licence will be retained by the Council until they are registered with an operator licensed by the Council.

Amend condition 5.5

All licensed drivers are required to report details of **any** convictions, cautions or fixed penalty notices imposed within 28 days of the conviction, acceptance of the caution or issue of the fixed penalty. Details should be entered on the 'Notification of Conviction, Caution or Fixed Penalty' which is available at www.bracknell-forest.gov.uk/licensing and by hard copy on request.

Amend current condition 10.1:

A vehicle submitted for initial licensing must be less than 5 years old from date of first registration.

Amend current condition 30.5:

Only trading or company name(s) that are written on the operator licence, or other trading name approved by the Council in writing, shall be used for trading in the Borough of Bracknell Forest. No new operator (licensed from 6 January 2017) shall be permitted to use a trading name containing the words 'Taxi' or 'Cab' unless the firm uses predominantly hackney carriages to fulfil bookings.

Amend current condition 5.20:

Licensed drivers may not initiate any dialogue of a sexual nature with a passenger, including by telephone contact, social media, email or any other form of communication. Licensed drivers are not permitted to have sexual contact, even with consent, with a passenger whilst on duty or in a licensed vehicle.