

Amendment to “Guidelines of the Relevance of convictions and the suspension or revocation of existing hackney carriage and private hire driver licences” to include offences against the Town and Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976 and the Health Act 2006.

Lending or parting with a hackney carriage or private hire driver’s licence or knowingly allowing an unlicensed driver to drive a licensed hackney carriage or private hire vehicle.

Licensed drivers are responsible for the safety of the passengers that they carry and therefore must be a fit and proper person. In order to assess the suitability of a driver an enhanced CRB check and a Group 2 medical is required. An unlicensed driver will not have undergone these checks and will also not be insured to drive a licensed hackney carriage or private hire vehicle.

If a licensed driver has lent their hackney carriage/private hire drivers badge to an unlicensed driver or has knowingly employed an unlicensed driver to drive a licensed hackney carriage or private hire vehicle they are committing an offence.

If it is the first offence that the licensed driver has committed, his/her licence will be suspended for a period of time ranging from 28 to 56 days.

If the licensed driver has committed this offence on more than one occasion, his/her licence will be revoked. Any new application for a licence will not be considered until a period of at least 12 months has lapsed from the date that the offence took place.

Continuing to drive a licensed hackney carriage/private hire vehicle without a current hackney carriage/private hire driver’s licence.

If a driver has failed to renew their licence and it expires, they must not drive a licensed hackney carriage or private hire vehicle. If a driver continues to drive a licensed vehicle they commit an offence and will also be uninsured.

Any driver found driving with an expired hackney carriage/private hire drivers licence will not be granted a licence upon renewal.

Any new application for a licence will not be considered until a period of at least 6 months has lapsed from the date that the offence took place.

Interfering with a taxi meter

Licensed drivers or hackney carriage and private hire vehicles are expected to be trustworthy persons. To knowingly tamper with a taxi meter is an act of fraud and dishonesty and as such any driver found committing this offence is subject to having their licence suspended for a period no longer than 28 days.

If a licensed driver has committed this offence on a second occasion his/her licence will be suspended for a period of time ranging 28 to 56 days.

If a third offence of this nature is committed the driver will have his/her licence revoked. Any new application for a licence will not be considered until a period of at least 12 months has lapsed from the date that the offence took place.

Failure to provide information/obstruction of an authorised officer or constable.

Each case will be decided on its own merits depending on the seriousness of the offence. After considering the full circumstances of the case, including any 'exceptional circumstances' if it is felt appropriate a drivers licence may be suspended for a period not exceeding 28 days.

If the obstruction or failure to provide information to an authorised officer or constable has resulted in the compromise of a person's safety, a decision may be taken to either revoke a driver's licence or increase the suspension period up to a maximum of 56 days, depending on the circumstances of the case.

If a licence has been revoked, any new application for a licence will not be considered until a period of at least 6 months has lapsed from the date that the offence took place.

Making a false statement or withholding information to obtain a hackney carriage/private hire drivers badge or a private hire operator's licence.

If the licence was issued to somebody who is not eligible to hold such a licence, the licence will be revoked.

This is an act of dishonesty. (Refer to section on dishonesty for timescales on considering a new application)

Smoking in a licensed hackney carriage or private hire vehicle.

Smoking in a licensed hackney carriage or private hire vehicle is a prosecutable offence against the Health Act 2006. Smoke free legislation was created to safeguard employees and members of the public from the harms of passive smoke inhalation.

If a licensed driver has been found smoking in a licensed vehicle they will be issued with a fixed penalty notice on the first two occasions.

If they have been found committing the same offence on a third occasion the drivers licence will be suspended for 14 days.

If a driver has been found smoking on a fourth occasion their hackney carriage/private hire drivers licence will be revoked.

Any new application for a licence will not be considered until a period of at least 12 months has lapsed from the date that the offence took place.