

Guidance notes



Hackney carriage and private hire vehicle licences

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What's the difference between a hackney carriage and private hire vehicle?

- Hackney carriage

Hackney carriages can be booked in advance from an office, hailed from the street when the 'For Hire' light is on or hired from a taxi rank within the North Devon district. When the 'For Hire' light is on drivers can not refuse a fare without a reasonable excuse. The licensed vehicle will have a top light and can be recognised by a white plate on the rear of the vehicle with the Council's logo and a four-figure number with an 'HV' prefix.

Example North Devon Council hackney plate:



Hackney carriages should use the meter on journeys entirely within the District. Passengers should not be charged more than is displayed on the meter for the journey and any waiting time. For journeys that terminate outside the District, hackney drivers may use the meter or agree a fare with the passenger before the journey commences. A tariff card displaying the meter charges (set by the Council) must be displayed in the vehicle.

Example tariff card:

Tariff	FARES FOR UP TO FOUR PASSENGERS	Rate
1	Hirings begun between 7am & 11.30pm Monday to Saturday except Xmas & New Year's Day Distance not exceeding 1/4 mile (1320 yards) Distance exceeding 1/4 mile for every 1/10 mile or part thereof Waiting Time - For waiting at hire's request each period of one minute or part thereof	£2.60 £0.25 £0.25
2	Hirings begun between 11.30pm & 7am, on Sundays & all Bank Holidays except Xmas Day & New Year's Day Distance not exceeding 1/4 mile (1320 yards) Distance exceeding 1/4 mile for every 1/10 mile or part thereof Waiting Time - For waiting at hire's request each period of one minute or part thereof	£3.90 £0.38 £0.25
3	Hirings begun between midnight Xmas Eve & midnight Xmas Day & between 10pm New Year's Eve & midnight New Year's Day Distance not exceeding 1/4 mile (1320 yards) Distance exceeding 1/4 mile for every 1/10 mile or part thereof Waiting Time - For waiting at hire's request each period of one minute or part thereof	£5.20 £0.50 £0.25
Tariff	FARES FOR 5, 6, 7 OR 8 PASSENGERS	Rate
4	Hirings begun between 7am & 11.30pm Monday to Saturday except Xmas & New Year's Day Distance not exceeding 1/4 mile (1320 yards) Distance exceeding 1/4 mile for every 1/10 mile or part thereof Waiting Time - For waiting at hire's request each period of one minute or part thereof	£3.90 £0.38 £0.25
5	Hirings begun between 11.30pm & 7am, on Sundays & all Bank Holidays except Xmas Day & New Year's Day Distance not exceeding 1/4 mile (1320 yards) Distance exceeding 1/4 mile for every 1/10 mile or part thereof Waiting Time - For waiting at hire's request each period of one minute or part thereof	£5.20 £0.50 £0.25
6	Hirings begun between midnight Xmas Eve & midnight Xmas Day & between 10pm New Year's Eve & midnight New Year's Day Distance not exceeding 1/4 mile (1320 yards) Distance exceeding 1/4 mile for every 1/10 mile or part thereof Waiting Time - For waiting at hire's request each period of one minute or part thereof	£7.80 £0.76 £0.25
7	Non-motorised hackney carriages - Hirings at any time	£1.50 per minute

- Private hire vehicles

These vehicles must be booked in advance from an office and can not pick passengers up from taxi ranks or be hailed from the street. They can be recognised by a yellow plate on the rear of the vehicle with the Council's logo and a three-figure number with a 'PV' prefix. Private Hire fares are usually charged by a set amount per mile or a negotiated price. North Devon Council has no authority over these charges.

Example North Devon Council private hire plate:



Do I need to be licensed?

You need a licence if you intend to operate a vehicle (s) in accordance with the definitions above for hackney carriage and private hire. However, certain types of private hire vehicles are exempted under the Local Government (Miscellaneous Provisions) Act 1976 Section 75 (1) (c). These are:

- funeral vehicles
- wedding vehicles
- volunteer drivers
- child minders
- ambulances/vehicles operating as formal patient transport services.

More detailed enquiries should be referred to the Licensing Team - see contact information towards the bottom of this web page.

The application process

A completed application form (see forms section below) needs to be submitted to the Licensing Team together with the following documentation and accompanied by the correct fee:

- vehicle registration document (V5) or lease document
- current certificate of insurance showing cover for hire purposes
- current M.O.T. certificate
- vehicle inspection report (provided by the Council and to be completed by a M.O.T. testing station)

A licensing officer will arrange to inspect the proposed vehicle to ensure it meets the requirements for newly licensed vehicles as outlined in the Council's Hackney Carriage and Private Hire Licensing Policy. You can find this on the council's website.

Additionally, for Hackney carriages, the meter will need to be checked and sealed by the licensing officer.

The vehicle inspection by the licensing officer usually takes place following receipt of the application paperwork and an initial assessment that all seems to be in order.

Vehicles that have been declared an insurance 'write off' in category A, B, and C will not be licensed. Vehicles that have been declared a category D write off may be licensed, providing the applicant provides an appropriate engineers report, approved by the Council, certifying the standard of repairs.

Renewal of an existing licence

Although there is no statutory duty placed on North Devon Council to issue reminders, holders of existing vehicle licences will be reminded in the month preceding their expiry, when their licences are due to be renewed. Application forms, appropriate fees, and supporting documentation must be submitted at least 7 days prior to the expiry of the previous licence. Licence holders are recommended to place their licence expiry date in their diary and apply in good time.

Failure to renew a licence before the expiry date will result in the applicant being required to make an application for the grant of a new licence.

Determination

Following correct receipt of the paperwork, fee and vehicle inspection/meter check; the license will usually be issued within four working days of receipt of the application.

However, delays may result where things are found to be incorrect. For example:

- incomplete/incorrect paperwork
- vehicle age doesn't meet with policy requirement
- vehicle fails inspection by licensing officer
- meter fails check by licensing officer (for example calibration)

The above list is not exhaustive. Should this situation arise, the licensing officer may agree a way ahead so that the licence can be issued. Alternatively, the application may need to go to the Licensing Sub-Committee, which will decide whether it is issued or refused.

The delay will be unique to the circumstances of the specific application.

Appeals

Unsuccessful applicants shall be informed of their right to appeal against the decision to the Crown Court within 21 days of receipt of the formal notice of refusal of the application.

Conditions

General conditions apply to both hackney carriage and private hire vehicles. There are also specific additional conditions for both types of vehicle. More information about conditions is on the council's website.

Licence holders should ensure they have read and understood these, as failure to comply with certain conditions may result in enforcement action being taken. This may include the following:

- remedial notice giving a set time to resolve any issues; for example, replacement of an out of date fire extinguisher
- vehicle suspension; for example as a result of bald tyres
- revocation of the licence.

Other conditions relating to non-motorised vehicles and stretched limousines can be found in the Policy document referenced above.

Transfers

Vehicle licences can be transferred to another person subject to completion of an application form and payment of the appropriate fee, as well as the following:

- current certificate of insurance showing cover for hire purposes in the new licence holder's name
- vehicle registration document (V5) or lease document.

The transfer may take up to one week to complete and is usually a relatively straight forward process.

Register

A public register of Hackney carriage and private hire vehicle licences can be found on the council's website.

Complaints

If you want to make a complaint about a licensed vehicle, please contact us.

If you feel we have failed to provide you with good service or are concerned about the progress of your application, please telephone the Customer Service Centre. The Licensing team will endeavour to resolve any concerns you may have.

The council also has a formal complaints procedure.