

Policy to be followed in considering the
grant of Cab & Cab Drivers' Licences

1. The London Cab Order, 1934, as amended, is far from specific in stating grounds on which applications for Cab Drivers' licences may be refused. Indeed the only definite provision is contained in Sec. 24, which stipulates that a licence shall not be granted to a person under the age of 21 years. For the rest, the Assistant Commissioner for the time being appointed by the Secretary of State as Licensing Authority, has discretion to refuse to grant a licence if the applicant fails to satisfy him that he is of good character and fit to act as a cab driver (Sec. 25(a)).

2. So far as Cab licences are concerned, Sec. 6 lays down the same age limit (21) as for drivers. Sec. 7, however, is very detailed in specifying grounds on which the Assistant Commissioner may, in his discretion, refuse to grant an application, e.g:-

if the applicant, a partner or company with whom he is or was at the material time a responsible officer has been convicted of any offence in relation to the use of a hackney or stage carriage or a public service vehicle, or if a licence granted to such person or company for such a vehicle has been revoked or suspended, or if there has been any breach of the conditions under which such a licence was granted; or, if the applicant has been convicted of any indictable offence, or fails to satisfy the Assistant Commissioner that he is of good character, good business repute, and, having regard to his general financial position, a fit and proper person to hold a cab licence.

3. Although these powers are discretionary, there seems to be a strong implication that a considerably stricter standard should be applied to applicants for cab licences. Because of the discretion allowed, it is necessary to lay down the following broad principles for the guidance of senior staff delegated with the authority to supervise the issue of licences on behalf of the Assistant Commissioner.

Original applications for Cab Drivers'
Licences

4. "Fitness" to act as a cab driver is all-embracing and covers medical fitness, cab driving proficiency and topography of London.

(a) Medical fitness of original applicants should not present undue difficulties to Public Carriage Office staff because the procedure is familiar and similar to that adopted for public service vehicle drivers.

(b)/

- (b) Driving tests are conducted by Vehicle Examiners and unusual problems rarely arise. In addition to the normal Ministry of Transport driving test requirements, attention is paid to passenger safety and passenger comfort. Exceptionally, the orthopaedic specialist may say that a person with a physical disability is only fit to drive certain types of cabs, e.g. those with automatic transmission. No guarantee can be given that such cabs will always be available and this must be explained to the individual concerned. The nature of the limitation must be suitably endorsed upon the licence, provision being made for this under Sec. 27(1)(a) and Schedule 'D' of the London Cab Order, 1934.
- (c) Knowledge of London proficiency will be decided by the London Examiners. An important point to be borne in mind is that a London candidate should take approximately 9 months to acquire a reasonable standard of knowledge, although there will obviously be exceptions to this general rule. On the other hand an applicant for a "Suburban" licence normally passes in 2 or 3 months. If, therefore, a person who has applied for a "Suburban" licence is not allowed to proceed forthwith with his application for any reason, he should be required to wait 6 months longer than an applicant for an "All London" licence who has a similar record of character.

5. Character is primarily assessed in the light of convictions recorded in C.R.O. Traffic convictions as confirmed by B.4 or provincial police forces must also be taken into account since a bad record may give rise to doubts as to the applicant's fitness to drive the public or may indicate either a certain disrespect for the law or a weakness in temperament. Failure to admit convictions could in certain circumstances indicate current dishonesty. Much must depend on whether the omission is deliberate and from the impression created on interview. If the concealed record is a bad one, refusal would be the proper course. Consideration might also be given to the question of proceedings for misrepresentation under Sec. 14 of the 1843 Act. In less serious cases the applicant might be allowed to proceed with a warning as to future conduct and the correct completion of official forms. Enquiries are not usually made of local Police until shortly before the proposed issue of a licence but, even at that stage, if information which throws any doubt on the applicant's character or general fitness becomes available, the matter must be fully considered.