

CONDITIONS ATTACHED TO LICENCE TO DRIVE PRIVATE HIRE VEHICLES

PLEASE NOTE:

- a) *Failure to fully comply with any of these conditions may lead to your licence being suspended or revoked.*
- b) *Any persons aggrieved by any of these conditions may appeal to a magistrates court within twenty one days of the date of this licence.*

1. CONDUCT OF DRIVER

The driver shall:-

- (a) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him/her.
- (b) at all times be clean and respectable in dress and person and behave in a civil orderly manner.
- (c) afford all reasonable assistance with a passengers luggage.
- (d) Not without the express consent of the hirer:-
 - (i) drink **non-alcoholic drinks only** or eat in the vehicle
 - (ii) play any radio or sound reproducing equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
- (e) not smoke or use e-cigarettes or vape whilst acting as a private hire vehicle driver and carrying fare paying passengers.

2. INSURANCE

The driver shall ensure that at all times there is in force in relation to the private hire vehicle a policy of insurance or security which complies with the requirements of Part VI of the Road Traffic Act 1988 and which covers the use of the vehicle by him/her for the carriage of passengers for hire and reward.

3. PASSENGERS

- (a) The driver shall not convey or permit to be conveyed in a private hire vehicle a greater number of persons than that prescribed in the licence for the vehicle.
- (b) The driver shall not allow there to be conveyed in the front of a private hire vehicle:-
 - (i) Any child below the age of twelve years, or

- (ii) More than one person above that age.
- (c) Children 3 years and over, up to 135cm tall must sit in the rear and use an adult seat belt. Children aged 12 years or more, or over 135cm tall, may travel in the front, but must wear the seat belt.

The driver shall not allow at any time in the private hire vehicle the consumption of alcohol by passengers

4. CONVICTIONS

The driver shall within seven days of the date of conviction, disclose to the Council in writing details of any conviction imposed on him/her during the period of the licence.

5. MEDICAL FITNESS

- (a) The driver shall, within seven days of becoming aware of it, disclose to the Council details in writing of any disability or mental or physical illness or other condition which is or may become likely to affect his/her fitness as a driver, unless the disability, illness or condition is not expected to last for more than two weeks.
- (b) When requested by the Council, the driver shall authorise the Council's Medical Adviser to make such enquiries on his/her medical fitness as the Medical Adviser thinks fit and, if necessary, have any medical examination or medical test required by the Medical Adviser.

6. METER

If the vehicle is fitted with a meter, the driver shall not cause the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and had paid the fare (unless credit is to be given).

7. FARE TO BE DEMANDED

The driver shall not demand from the hirer a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a meter and there has been no previous agreement as to the fare, the fare shown on the meter.

Drivers and operators will not make any additional charge for assisting and carrying a disabled person in their vehicle.

8. LOST PROPERTY

- (a) The driver shall as soon as practicable after termination of any hiring of a private hire vehicle carefully check the vehicle for any property which may have been accidentally left there.

- (b) If any property accidentally left in a private hire vehicle is found by or handed to the driver, he/she shall take it as soon as possible and in any event within twenty four hours, if not claimed sooner by or on behalf of its owner, to a convenient police station and leave it in the custody of the officer in charge on his giving a receipt for it.

9. WRITTEN RECEIPTS

The driver, if requested by the hirer of a private hire vehicle, will provide him/her with a written receipt for the fare paid.

10. ANIMALS

The driver shall not convey in a private hire vehicle any animal belonging to or in the custody of himself/herself or the proprietor or operator of the vehicle and shall ensure that any animal belonging to or in the custody of any passenger is conveyed in the rear of the vehicle using a suitable restraint or carrier, except in the case of a fully trained guide dog for the blind, which may be permitted to travel in the front passenger footwell of the vehicle.

11. PROMPT ATTENDANCE

The driver shall, if aware that the vehicle has been hired to be in attendance at an appointed time and place or if otherwise instructed by the operator of the vehicle to be in attendance at an appointed time and place, punctually attend at the appointed time and place, unless delayed or prevented by sufficient cause.

12. CHANGE OF ADDRESS/OPERATOR

The driver shall notify the Council in writing of any change of address or operator during the period of the licence as soon as practicable, and, in any event within two Council working days.

13. RETURN OF BADGE

The driver shall upon the expiry revocation or suspension of this licence forthwith return to the Council the driver's badge issued by the Council when granting this licence.

14. DISABLED PASSENGERS

Each passenger with a disability has different needs. Many disabled people have experienced well-intentioned but clumsy assistance that has caused them discomfort and pain.

Drivers will in the first instance ask the customer and their carer what assistance they need. The driver should ask the customer if they are comfortable and happy to start the journey before setting off.

14. CARRYING OF GUIDE DOGS, HEARING DOGS, AND ASSISTANCE DOGS

- (a) This condition imposes duties on the driver of a private hire vehicle which has been hired:-
 - (i) by or for a disabled person who is accompanied by his or her guide dog, hearing dog (meaning a dog which has been trained to guide a blind person or to assist a deaf person as appropriate), and assistance dog (meaning a dog trained to assist a person with a mental or physical disability).
 - (ii) by a person who wishes such a disabled person to accompany him or her in the private hire vehicle
- (b) The duties are:-
 - (i) to carry the disabled person's dog and to allow it to remain with them, and
 - (ii) not to make any additional charge for doing so.
- (c) If the Council is satisfied it is appropriate on medical grounds to exempt a person from the duties imposed by this condition it shall issue the driver with a certificate of exemption. The driver of a private hire vehicle is exempt from the duties imposed on this condition if:-
 - (i) a certificate of exemption issued to him under this section is in force with respect to the private hire vehicle, and
 - (ii) the prescribed notice of his/her exemption is exhibited on the private hire vehicle in a suitable manner.

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976:
GUIDANCE NOTES ON STATUTORY PROVISIONS
RELATING TO PRIVATE HIRE VEHICLE DRIVERS**

PLEASE NOTE

These notes are for guidance only and are not authoritative nor exhaustive. If you would like any further information, please contact the Council's Licensing Section or a Solicitor.

Licensing of Driver

No person may knowingly act as a driver of a private hire vehicle without having a current Private Hire Vehicle Drivers Licence.

Private Hire Vehicle Licence Plate

No person may without reasonable excuse use a private hire vehicle without the Council's identification plate displayed on the rear of the vehicle in accordance with the relevant Vehicle Licence Condition.

Inspection of Private Hire Vehicle Drivers Licence

At the request of any authorised officer of the Council or of any constable, the driver must produce for inspection his/her Private Hire Vehicle Drivers Licence, either forthwith or within five days, at the Council Offices or at any Police Station as required.

Wearing of Drivers Badge

A driver must at all times, when acting in accordance with his Private Hire Vehicle Drivers Licence, wear the drivers badge issued to him/her by the Council in such a position and manner as to be plainly and distinctly visible.

Prolongation of Journeys

No driver may without reasonable cause unnecessarily prolong, in distance or time, the journey for which the private hire vehicle has been hired.

Meter

If the vehicle is fitted with a meter, no person may tamper with any seal on the meter without lawful excuse, or alter the meter with intent to mislead.

Obstruction of Authorised Officers

Any person who:

- (a) wilfully obstructs an authorised officer or constable acting in pursuance of this Act;
- or

- (b) without reasonable excuse fails to comply with any requirement properly made to him/her by such officer or constable under this Act; or
- (c) without reasonable cause fails to give such an officer or constable so acting any other assistance or information which he may reasonably require of such person for the purpose of the performance of his duties under this Act; or
- (d) in giving any such information as mentioned above, makes any false statement which he knows to be false, is guilty of an offence.

Plying for Hire

Only a licensed hackney carriage and a licensed hackney driver can “ply for hire”, ie, pick up fares by being hailed in the street or by using a hackney carriage rank. Therefore, a driver who is only licensed to drive private hire vehicles and/or drives a vehicle that is only licensed as a private hire vehicle is not permitted to ply for hire.

Any driver failing to comply with any of these statutory provisions is liable on conviction to a heavy fine. He/she is also liable to have this licence suspended or revoked or refused to be renewed.

ADDITIONAL IMPORTANT ADVICE

Renewal of a Licence to drive a Private Hire/Hackney Carriage Vehicle

If you are intending to renew your licence you should carefully read and note the following:-

- It is **YOUR** responsibility to ensure that you fully complete the Council's application procedure for renewal **BEFORE** the date on which your current licence expires.
- If you apply to renew **AFTER** the expiry date of your current licence that application has to be considered as a **NEW** application procedure which includes:-
 - Payment of a higher fee
 - Medical Examination
 - References
 - Police check on criminal records
 - The Council do **NOT** have to send you any reminder to renew as it is **YOUR** responsibility to make the necessary application.
 - Once your licence **EXPIRES**, by law, you are **NOT** allowed to drive a vehicle licensed by the Council and to do so would constitute a serious offence.
 - If you want to renew your licence, you are advised to contact the Council at least 21 days **BEFORE** the expiry date.