



Appendix F

Conditions of Private Hire Drivers Licence

Local Government (Miscellaneous Provisions) Act 1976

These Conditions are to be read and complied with in conjunction with the appropriate provisions of the Local Government (Miscellaneous Provisions) Act 1976, Part II & the Council's Enforcement Intervention Scheme.

1. Conduct of Driver

The Driver shall:

- a) Wear the driver's badge issued by the Council at all times when acting in accordance with this licence. The badge is to be worn in a position where it can be clearly visible to your passengers;
- b) Offer assistance in loading and/or unloading your passenger's belongings;
- c) Operate in a professional manner and conform the Council's Driver's Dress Code;
- d) Take all reasonable steps to ensure the safety of passengers entering, being carried in or leaving the private hire vehicle;
- e) Not without the consent of the hirer play any radio, cassette or CD player. The driver must also not allow any of the equipment to cause annoyance to any person, whether inside or outside the private hire vehicle;
- f) Not unnecessarily prolong, in distance or in time, any private hire journey;
- g) Not to wait or ply for hire on a road or other public place. Drivers are only permitted to carry a hirer that has made a prior booking through the operator;

- h) Not park a private hire vehicle attended or unattended on a hackney carriage rank;
- i) Not sound the horn of a private hire vehicle to attract the attention of the hirer;
- j) Not smoke tobacco or e-cigarettes, including vapes and heat-not-burn devices, at any time in the vehicle;
- k) As instructed by the operator, arrive at the appointed time and place agreed with the hirer, unless delayed or prevented by some unforeseeable cause.

2. Passengers

The Driver shall:

- a) Not carry a greater number of passengers than the vehicle is licensed for;
- b) Comply with the law on child restraints and seatbelts – see ‘Child restraints and seatbelts leaflet available from the licensing office;
- c) Not carry any other person in the vehicle without the consent of the hirer.

3. Lost Property

At the end of every journey the driver shall carefully search the vehicle for any property which may have been accidentally left in the vehicle.

If the driver finds or is handed by any other person carried in the vehicle, property that is left in the vehicle, he/she shall hand the property over to the Operator.

4. Written Receipts

The driver, if requested, shall provide a written receipt in respect of the fare paid for any private hire journey.

5. Animals

The driver shall ensure that any animal belonging to or in the care of the hirer is suitably restrained in the rear of the vehicle so as not to cause a nuisance.

The driver is not allowed to carry his/her own dog in a private hire vehicle whilst it is in use for the purpose of hire and reward.

6. Fare to be demanded

The driver shall not demand from the hirer of a private hire vehicle a fare that is more than that previously agreed between the hirer and the operator.

7. Change of Address/Operator

The driver shall notify the Council in writing of a change of address /operator within 7 days of the change-taking place.

8. Convictions

You must notify the Council IN WRITING within 7 days of being:

- bailed, involved in an investigation, charged with or convicted of any criminal offence; and/or
- interviewed under caution at a police station for any offence, which you are suspected of having committed.

9. Disclosure and Barring Service (DBS)

A renewal licence will be issued on the condition that there will be no adverse information revealed on the Disclosure that would render the applicant not 'fit and proper'.

If information is revealed on a Disclosure, the licence holder may be required to appear before the General Licensing Sub-Committee. Applicants and licence holders are requested to subscribe to the Disclosure and Barring Service Online Update Service. The Update Service can be used if an application is made for a renewal and there has been no changes. If no changes are recorded on the DBS update service check then a full DBS check will not be required. In all other cases a full Enhanced DBS check will be required before a licence will be renewed/issued. The applicant must provide consent for the Licensing Authority to undertake checks of their DBS status, failure to give consent may result in an application being refused. The Licensing Department will then carry out an online DBS Status Check on a Yearly basis (or as and when required) to be satisfied that the applicant/licence holder is fit and proper to hold a licence.

Where an applicant has, from the age of 10 years, spent more than six continuous months or more living outside the United Kingdom, evidence of a criminal record check from the country/countries covering the relevant period should be supplied.

10. Driving Licence Endorsements

You must notify the Licensing Office within 7 days of being notified that you have committed an offence. This can be by way of the fixed penalty notice, charge sheet issued by the Police or letter advising you have been caught by a speed camera. You must also complete a Disclosure Form, which you can obtain from the licensing office.

You must attend the licensing office within 3 months of the date of the offence or attendance at court for a DVLA record check using the DVLA's view and share facility.

Drivers who have 10 or more Penalty Points endorsed on a driving licence will automatically be referred to the General Licensing Sub-Committee.

Notes: Please be aware that if you are convicted of a motoring offence at Court, this conviction may also be recorded with the Disclosure and Barring Service and be disclosed on a Certificate.

11. Return of Badge

A driver's badge and licence issued by the Council shall remain the property of the Council at all times.

If a driver's licence expires, is revoked or suspended, both the licence and driver's badge, issued by the Council, must be returned within 7 days of being requested to do so.

12. Benefit of Licence

The driver shall not give or allow anyone else to use the licence issued to him/her by the Council.

13. Private Hire Vehicles

Drivers must make sure that any private hire vehicle they drive has a valid insurance certificate which covers themselves to drive (a copy of which must be deposited with the operator) and a valid certificate of compliance. Driver's, who agree to take responsibility for a private hire vehicle in the absence of the proprietor, must comply with the Council's private hire vehicle conditions.

14. Absence

The Council requires drivers to provide email/written communication to the licensing office prior to a period of absence of 7 days or more. With details of when they are away and when they return, also explaining any special arrangements for vehicles etc.

15. Medical Conditions

You are obliged to immediately report any changes in your medical condition to the licensing office.

The Council may require evidence in the form of a medical certificate or confirmation letter.

If you are unable to satisfy the Council that you meet the required medical standard, your licence may be suspended, not be renewed or revoked.

16. Medicals Exemptions

Drivers of private hire vehicles must accept assistance dogs unless the driver holds a Medical Exemption Certificate excusing them from such duties. The Council will not accept a Medical Exemption Certificate that is more than 3 months old.

A new Medical Exemption Certificate will be required every 6 months if the medical condition continues.

If a driver has a condition that requires a lifetime exemption, the driver will be required to appear before the General Licensing Sub-Committee.

17. Wheelchair Passengers

Prior to carrying any wheelchair bound passenger, the driver must ensure that the wheelchair is secured properly in the vehicle.

If a wheelchair bound passenger cannot be secured by the appropriate equipment the driver must arrange with the operator for suitable vehicle to be provided for safe passage of the hirer.

18. Expenses

Any expenses incurred in satisfying the Council that a person is 'fit and proper' to hold a private hire drivers licence must be paid for by the driver.

19. Variation of Conditions

The Council may vary any or all of these conditions, following consultation with the Trade.

20. Appeals

A Licensee who is aggrieved by any of these Conditions has a right of appeal to a Magistrates' Court.