

Hackney Carriage/ Private Hire Driver Conditions

These conditions must be read in conjunction with all relevant provisions of:-

- Local Government (Miscellaneous Provisions) Act 1976
 - Town Police Clauses Act 1847
 - Transport Act 1980
- 1 The driver shall within **7 days** notify the Council of any change of their name or home address.
 - 2 All drivers must inform their licensing authority within **48 hours** if they are arrested, questioned or interviewed voluntarily under caution by the police in respect of a criminal offence. For full requirements refer to Page 16 for Disclosure of Convictions, Cautions, Fixed Penalties etc.
 - 3 If asked about your employment you must inform the police that you are a licensed driver.
 - 4 If the driver ceases to drive inform the Licensing Department within 7 days.
 - 5 The driver shall notify the Council of any accidents or damage caused to the vehicle as soon as is practicable but in any case **within 48 hours**.
 - 6 The driver shall at all times, when the vehicle is available or being driven for hire, be clean and respectable in his/her appearance and dress in accordance with the Council's approved Dress Code.
 - 7 The Council's Dress Code for drivers of both hackney carriages and private hire vehicles is attached as **Appendix 5** to this document.
 - 8 Licensed drivers shall not conduct themselves in any way, or act in a manner, which might be perceived as discriminatory or infringes equality legislation. For the avoidance of doubt, no driver shall discriminate against fellow drivers, passengers, members of the public or Council employees contrary to the Equality Act 2010.
 - 9 Licensed drivers must comply with the Rules of the Rank at all times. (see **Appendix 9**)
 - 10 The driver shall behave in a civil, friendly and helpful manner at all times and take all reasonable precautions to ensure the safety of passengers and other road users. For the avoidance of doubt this includes ensuring the proper restraint of wheelchair passengers.
 - 11 All drivers shall maintain high standards of driving; be polite and courteous, as well as being helpful in assisting passengers to enter and alight from the vehicle and stowing/carrying luggage. Drivers must comply with any duties under Equalities Act 2010, and ensure they assist wheelchair passengers.

- 12 The driver shall not use or hold a hand held mobile phone, or eat or drink in the vehicle whilst it is moving.
- 13 The driver shall not, except with the express consent of the hirer, convey any other person other than the hirer in the vehicle.
- 14 The driver shall not allow or permit his/her vehicle to carry a greater number of passengers than the number prescribed on the licence.
- 15 The driver shall not cause or permit the noise emitted by any radio equipment or sound reproducing equipment installed in the vehicle to be a source of nuisance or annoyance to any persons whether inside or outside of the vehicle.
- 16 The driver of the vehicle should attend punctually at the time and place appointed for hire unless delayed or prevented by some reasonable cause.
- 17 The driver shall ensure that the vehicle has a receipt book within the vehicle at all times.
- 18 The driver shall, if requested by the hirer, provide him/her with a written or electronic receipt for the fare paid specifying the driver's name, badge number and plate number.
- 19 At all times that the vehicle is being used or is made available for customers the driver shall ensure that the vehicle is kept clean and tidy, inside as well as the exterior. In any case the plate number must always be clearly visible
- 20 Before undertaking any journey, the driver shall ensure that the vehicle is roadworthy and that as far as reasonably practicable, ensure that all lights and indicators are working correctly. The driver shall also ensure that the tyres are not worn below the legal limit and that the licence plates are properly positioned, secured permanently and can be clearly seen from the front and rear of the vehicle.
- 21 The driver shall at all times when a vehicle is hired take all reasonable steps to ensure the safety of passengers when entering and alighting from the vehicle.
- 22 **Smoking in the vehicle and the use of electronic/vape cigarettes are strictly prohibited**, at all times; this applies to both drivers and passengers.
- 23 Drivers shall not at any time sound the vehicle's horn in order to attract the attention of customers, eg where they are waiting for the hirer outside a public house etc.
- 24 Assistance Dogs (Guide Dogs and Hearing Dogs) **must** be carried free of charge unless the driver has applied for and been granted an exemption certificate, the allergy exemption must be clearly displayed within the vehicle.

- 25 The driver must not carry any animal in the vehicle, whilst the vehicle is in the course of trade, including his/her own or the operator's/proprietor's animal **except that:**
- The driver may at his/her discretion carry the animal of a fare paying passenger but the animal must be carried in the rear of the vehicle.
- 26 The Council shall issue a badge to all drivers detailing their name and driver number. This badge shall remain the property of the Council and shall be immediately returned to the Council should the driver cease to hold either a Hackney or Private Hire driving licence.
- 27 **The driver shall at all times, when working, wear the driver's Identification badge, issued by the Council, in such a position and manner so that it is plainly and distinctly visible.** If any driver contravenes this provision they shall be guilty of an offence.
- 28 The licence badge remains the property of the Council at all times and upon revocation, suspension, expiry or surrender of the licence, the driver shall immediately return the badge to the Council.
- 29 The Driver must deposit his/her Private Hire/Hackney carriage driver's licence with the Private Hire Operator or Hackney Carriage Proprietor for which the vehicles is being used during the time it is being used for that person's business.
- 30 The driver shall, as soon as is practicable, after the termination of any hiring, search the vehicle for any property which may have been left behind.
- 31 The driver must report any items found to the Operator (if applicable), then take any lost property left in the vehicle to the Reception at Stafford Borough Council as soon as possible but within 72 hours. You will be required to complete the details on the evidence bag provided and place any items within.
- 32 The driver shall undertake appropriate training as required by the Head of Operations which will also include Child Sexual Exploitation (CSE) and Wheelchair Access Vehicle (WAV).
- 33 The driver shall subscribe to the DBS Online Update Service and set up automatic renewals when first joining the service and must remain subscribed to the service for the duration of their licence.

Whilst driving a private hire vehicle

- 34 It is illegal to ply for hire with a Private Hire Vehicle to do so is an offence and may also negate insurance cover. Every passenger journey must be pre-booked through, and recorded by a person separately licensed by the Borough Council as a Private Hire Operator.
- 35 For the avoidance of doubt; if there is no prior booking, there can be no 'ride' for the passenger. A booking cannot be taken by the driver at the point of hiring.

- 36 The driver shall only carry up to the maximum permitted number of passengers as specified by the Private Hire Vehicle License and Plate.
- 37 Whilst driving or in charge of a Private Hire Vehicle (PHV), the driver shall not:-
- Permit the vehicle to stand or park in a manner which might suggest that the driver is plying for hire;
 - Solicit on a road or other public place any person to hire or to be carried for hire and reward in his/her PHV (or any PHV under his/her control or responsibility); or
 - Cause or procure any other person to solicit or procure on a road or other public place any person to hire or to be carried for hire and reward in any PHV under his/her control or responsibility.
 - Overcharge passengers at any time.
 - Seek to charge additional rates to wheelchair/disabled passengers or refuse to take them without an exceptional reason.

Whilst driving a licensed hackney carriage vehicle

- 38 The taximeter shall be activated in accordance with current legal requirements and must not be operated until the passenger is seated in the vehicle; the driver is seated and ready to drive off.
- 39 Ensure that the Table of Fares can be clearly seen by passengers.
- 40 The driver must ensure that passengers are not overcharged at any time. The driver must not seek to charge additional rates to wheelchair/disabled passengers or refuse to take them without an exceptional reason.
- 41 Obey the Rules of the Rank given at **Appendix 9** of this document.
- 42 Fulfil bookings punctually and use the shortest available routes, unless directed otherwise by the hirer.
- 43 Only carry up to the maximum permitted number of passengers as specified by the Hackney Carriage Vehicle Licence and Plate.

DO NOT: tamper, or allow anyone else to tamper with the taximeter or its fittings or any seal and only demand the authorised fare, giving a receipt if requested.

NOTE: ***The Licensing Authority will only issue reminders for renewal of licences via electronic means where possible.***