

## Appendix B -Telford & Wrekin Council Private Hire Driver Conditions of Licence

<b>1.</b>	<b>GENERAL REQUIREMENTS</b>
1.1	Throughout the currency of his/her licence the holder of a Private Hire Driver's licence shall be a fit and proper person to hold such a licence. New applicants will be subject to a satisfactory Criminal Records Bureau check and all licence holders will be subject to a Criminal Records Bureau check every three years.
1.2	Throughout the currency of his/her Driver's Licence, the holder of a Private Hire Driver's Licence must possess a full Category B DVLA driving licence and must have held one for at least the preceding 3 years (3 years actual driving experience). The Licence referred to is one issued under Part III Road Traffic Act, 1988, as amended by the Road Traffic Act, 1991, authorising the holder to drive a motor car.
<b>2.</b>	<b>MEDICAL FITNESS AND MEDICAL EXAMINATION</b>
2.1	Throughout the currency of his/her Licence the holder of a Private Hire Driver's Licence must be and must remain medically fit. To enable the Council to be satisfied as to medical fitness the following requirements will apply:-
2.2	All drivers should have medicals on application and then every three years.
2.3	If once granted, the Driver's medical circumstances change during the currency of that Licence, he/she must so advise the Council as soon as possible. If the Council then so requires, the Driver must immediately submit to a further medical examination and thereafter, provide written evidence (in the form of an approved medical certificate as detailed above) of the outcome of this examination and of his fitness to continue as a driver of a Private Hire Vehicle. The Council reserves the right to refer any such matter to its own appointed Medical Officer whose decision will be final.
2.4	The Council will not grant or renew (as the case may be) any Driver's Licence unless the foregoing provisions are complied with (as appropriate) and the applicant can thereby demonstrate that he is medically fit to hold a Private Hire Driver's Licence.
2.5	The Council may revoke or suspend an existing Licence if the holder is unable to demonstrate as necessary that he/she remains medically fit to hold such Licence. The Council reserves the right to refer any such matter to its own appointed Medical Officer whose decision will be final.
<b>3.</b>	<b>MEDICAL EXEMPTIONS</b>
3.1	Medical exemptions involving the carriage of Disabled persons and also the carriage of Guide, Hearing or Other Assistance Dogs may apply to new or existing drivers who suffer certain medical conditions and if so must submit themselves to a rigorous medical examination and provide proof that they have a history of a specific health problem to qualify for such exemption.
<b>4.</b>	<b>CRIMINAL RECORD BUREAU CHECKS AND CONVICTIONS NOTIFICATION</b>
4.1	The Licence holder shall notify the Council in writing of any conviction recorded against him/her by any court within 7 days of such a conviction being imposed.
4.2	The Licence holder shall within 42 days of such an offence notify the Council in writing of any fixed penalty notice imposed upon him/her which results in an endorsement upon his/her UK driver's licence.
<b>5.</b>	<b>RETURN OF BADGE AND LICENCE</b>
5.1	On suspension, revocation, refusal to renew, or expiry of the Driver's Licence, the holder of the Licence shall, on demand, return the Badge and Licence to the Council within 48 hours.
<b>6.</b>	<b>KNOWLEDGE TEST</b>
6.1	At the discretion of the Council the holder of a Private Hire Driver's Licence can, during the currency of the Licence, be required to undertake a further knowledge test or tests. (Where a Private Hire Driver's Licence has previously been held but has lapsed for 12 months or more, the Council will invariably require a knowledge test to be taken before issuing a Licence.) Failure to submit to, or pass, any knowledge test so required will permit the Council to refuse to grant (or renew) a Private Hire Driver's Licence or to revoke or suspend a Private Hire Driver's Licence (as the case may be).
<b>7.</b>	<b>TRAINING</b>
7.1	All successful applicants will be required to undertake up to two days training per annum at the discretion of the Council to include: Disability awareness training Licensing Requirements Passenger Safety
7.2	a) That a qualification must be taken in "Transporting passengers by taxi and private hire" or similar qualification within the first 12 months of being licensed.  b) That a DSA Driving Test shall be taken by Private Hire Drivers where the driver has been disqualified from driving by the DVLA or with endorsements on their driving licences or for serious driving offences.
7.3	Training courses will be designed around the basic needs required by Private Hire Drivers and held on several pre-determined dates during the year commencing January to December. All candidates shall be expected to complete a course within the period of the licence which has been issued to them. (A six months badge holder within six months and a one year badge holder within that one year period.)
7.4	The direct costs of the training will be borne by the Council; however, the costs of driver time will not be met. Failure to submit to, or pass, any training so required by the Council will permit the Council to refuse to grant (or renew) a Private Hire Driver's Licence or to revoke or suspend a Private Hire

	Driver's Licence (as the case may be).
<b>8.</b>	<b>PRODUCTION OF DVLA DRIVING LICENCE</b>
8.1	The holder of a DVLA Driver's Licence shall, at the request of any Authorised Officer of the Council or any Police Constable, produce his Driving Licence for inspection either forthwith, or within 7 clear days of the request.
8.2	Any driver requesting a photocopy of his/her driver's licence from Council records must have a valid reason for doing so and shall be charged a fee.
<b>9.</b>	<b>CONDUCT OF DRIVER</b>
	The holder of a Private Hire Driver's Licence shall, when driving a Private Hire vehicle:-
9.1	At all times be clean and respectable in his/her dress and appearance and maintain a high standard of personal hygiene.
9.2	Drivers of Executive status vehicles shall be dressed appropriate to the occasion at all times and as a minimum standard shall adopt smart casual clothes with jacket, collar and tie.
9.3	Tailored shorts may be worn in hot weather. They shall be of one colour and of knee length or below knee length (in the sitting position). Cut off jeans or similar shall not be worn.
9.4	Not without the express consent of the hirer eat or drink in the Private Hire vehicle.
9.5	Not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the Private Hire vehicle.
9.6	Not at any time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which the Licence holder is driving be a source of annoyance to any person whether inside or outside the Private Hire vehicle.
9.7	At all times, behave in a civil and orderly manner towards all other road users, pedestrians and persons seeking to hire or being conveyed in the vehicle.
9.8	When having agreed to attend a location at an appointed time shall, unless delayed and prevented by some sufficient cause, punctually attend at such appointed time and place.
9.9	Shall at all times when hired afford reasonable assistance to the passenger and convey them subject to any instructions given by the hirer, to their destination by the shortest practicable route.
<b>10.</b>	<b>ANIMALS</b>
	When driving a Private Hire vehicle, the holder of a Private Hire Driver's Licence:
10.1	Shall not carry any animal belonging to or in their custody whilst fare paying passengers are being conveyed in the vehicle. However it will be allowed to make the transportation of animals at the discretion of the vehicle owner/company (with the exception of assistance dogs as defined by the Disability Discrimination Act 1995. They may however allow any animal belonging to or in the custody of a passenger to be conveyed in the vehicle but only in the rear (in the foot well or floor pan of the vehicle).
<b>11.</b>	<b>RECEIPT FOR FARE</b>
11.1	The Licence holder shall, if requested by the hirer, supply the hirer with a written receipt for any fare paid.
<b>12.</b>	<b>ACCIDENTS</b>
12.1	The Licence holder shall, notwithstanding his/her responsibilities under the Road Traffic Act, report to the Council within 72 hours, any accident involving a Private Hire Vehicle under their control. In any case the licence holder shall notify the Council immediately, of any vehicle being under their control which has suffered damage of any kind which materially affects the safety performance or appearance of the vehicle, or the comfort convenience of the fare paying passengers.
<b>13.</b>	<b>CHANGE OF PARTICULARS</b>
13.1	The holder of a Private Hire Driver's Licence shall notify the Council in writing of any change of his circumstances which may occur during the currency of his Licence, including any change of address or change of employers. Any such change shall be so notified within 7 days of it taking place. Failure to do so is an offence.
<b>14.</b>	<b>ROOF SIGNS</b>
14.1	The Driver of the vehicle shall ensure the roof signs are maintained and kept in such a condition that the information contained is clearly visible to public view at all times and that the roof sign is illuminated when the vehicle is in service during lighting up times.
<b>15.</b>	<b>HIRER'S PROPERTY</b>
15.1	The Licence holder shall immediately after termination of any hiring, or as soon as practicable thereafter search the Private Hire vehicle for any property which may have been left therein.
15.2	The Licence holder shall, if any property is accidentally left therein by any person who may have been conveyed in the vehicle and be found by or handed to him/her, carry it as soon as possible and in any event within 24 hours if not sooner claimed by or on the behalf of its owner, to a Police Station in the district in order to receive instructions from the Police regarding its custody.
<b>16.</b>	<b>PASSENGERS</b>
16.1	The Licence holder shall at all times when a Private Hire vehicle is hired take all reasonable steps to ensure the safety of passengers conveyed therein and persons entering and alighting from the vehicle.
16.2	The Licence holder shall not permit a Private Hire vehicle to carry a greater number of passengers than the number prescribed in the Licence.
<b>17.</b>	<b>PARKING AND PLYING FOR HIRE</b>

17.1	All Private Hire Drivers, as soon as they have dropped passengers shall, unless prevented by another prior booking, return to the Operators licensed base of operations or other approved parking areas (as per the approved list – which shall be subject to continual review) within the controlled district to await further bookings or instructions.
<b>18.</b>	<b>FARES</b>
18.1	The Licence holder shall not demand a fare in excess of that prescribed by the Operator unless previously agreed between the hirer and the Operator at the time of booking.
18.2	The driver of a Private Hire vehicle which displays a sign “Travel Tokens Accepted” shall not refuse to convey the hirer who may wish to pay for the journey with Travel Tokens properly issued to them.
<b>19.</b>	<b>METERS</b>
19.1	Any Private Hire vehicle fitted with a Meter approved by the Council, and into which the restrictions and the Operating company’s fare rates have been programmed, shall be tested and sealed by the Council and the following instructions shall apply;
19.2	The Private Hire driver shall not cause the fare recorded upon the Meter to be cancelled until the hirer has had a reasonable opportunity of examining it and has paid the fare.
19.3	The Private Hire driver shall ensure that the Meter is sufficiently illuminated that when in use it is visible to all passengers.
19.4	The Private Hire driver shall ensure that the fare or charge shall be calculated from the point in the district at which the hirer commences the journey and shall not exceed that displayed on the Meter on the completion of such journey.
19.5	The Private Hire driver shall ensure that the Meter is only brought into action at the commencement of the hirer’s journey and the correct tariff for that journey is displayed.
<b>20.</b>	<b>DRIVER’S RESPONSIBILITIES</b>
20.1	It is the Private Hire driver’s responsibility to ensure that an approved serviceable Fire Extinguisher is carried in the vehicle whenever it is used as a Private Hire vehicle for hire and reward.
<u>20.2</u>	It is the Private Hire driver’s responsibility to ensure that an approved and complete First Aid Kit is carried in the vehicle whenever it is used as a Private Hire vehicle for hire and reward.
<u>20.3</u>	It is the driver’s responsibility to ensure that there is a valid certificate or cover note of insurance in existence for him/her to drive the vehicle. Insurance covering Public Hire for Private Hire vehicles will not be accepted by the Council.
<u>20.4</u>	The Private Hire Driver shall ensure that if there are any points recorded on their DVLA Licence that these convictions are disclosed to the Council and the Insurer. A copy of the proposal form relating to such a disclosure must be produced to the Council on request.
20.5	The Private Hire Driver shall ensure that any other material facts are disclosed to the insurer and the vehicle proprietor.
20.6	The Private Hire Driver shall not use a Meter that has not been programmed to the Operators current fare scale and has not been tested and sealed by the Council to prevent unauthorised adjustment.
<b>21.</b>	<b>CHEQUES</b>
21.1	A Licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared, and if not cleared will become void and will result in the revocation of such Licence.
<b>22.</b>	<b>RADIO SCANNING DEVICES</b>
22.1	The Private Hire Driver shall ensure that no Radio Scanner or Scanning Device of whatsoever type is used at the base of operations, fitted to, carried in, or used in the vicinity of any licensed Private Hire Vehicle.
<b>23.</b>	<b>SIGNAGE</b>
23.1	Private Hire Driver’s shall ensure that they should display a replica of their Private Hire Driver’s badge issued by the Council, affixed to the inside of the vehicle, in the prescribed manner, so as to be plainly visible to fare paying passengers.

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<b>N.B.</b>	<b>ADDITIONAL NOTES (NOT TO BE CONSIDERED AS LICENSING CONDITIONS)</b>
1.	This list of conditions is not finite and additional information regarding all aspects of Private Hire Driver licensing in detail can be found in the official handbook issued by Telford & Wrekin Council.
2.	Any requirements of legislation which effect the operations being carried out under the terms of this licence shall be regarded as if they are conditions of this licence. Wherever there appears in the licence Conditions, Guides or Handbook, a summary of any statutory provision you are advised that such summary is not exhaustive. If you are in any doubt about any information contained in this document please contact the Licensing Office for advice on 01952 – 383268.

## **HACKNEY CARRIAGE DRIVER LICENCE. THIS LICENCE IS ISSUED SUBJECT OT THE FOLLOWING CONDITIONS**

### **DEFINITIONS**

- 1 “The Council” means the Telford & Wrekin Council.  
 “Identification plate” means the plate issued by the council for the purpose of identifying the vehicle as a hackney carriage vehicle.  
 A “material fact” is one that is likely to influence a prudent insurance underwriter in his or her assessment or acceptance of a proposal.

### **CONVICTIONS**

- 2 a The licensee shall notify the Council in writing of any conviction recorded against him/her by any Court within 7 days of such conviction being imposed  
 b The licensee shall within 42 days of the offence notify the Council in writing of any fixed penalty imposed upon him/her which results in an endorsement on his/her UK drivers licence

### **DRIVERS**

- 3 The licensee shall not cause, procure or permit any other person to drive a licensed hackney carriage vehicle of which he/she is in charge except with the consent of the proprietor of the vehicle.

### **PERSONAL CONDUCT**

- 4 The licensee shall at all times when the vehicle is available or being driven for hire be clean and respectable in his/her dress and person, shall behave in an orderly manner and conduct him/herself with civility and propriety towards every person seeking to hire, or being conveyed in the vehicle  
 5 The licensee shall at all times behave in an orderly manner and conduct him/herself with civility and propriety towards every other taxi and private hire driver.  
 The licensee shall not, except with the express consent of the hirer, smoke, drink or eat in the vehicle.  
 6 The licensee shall not, except with the express consent of the hirer, play any radio or sound reproducing instrument in the hackney carriage vehicle other than  
 for communicating with the operator.  
 7 The licensee shall not cause or permit the noise emitted by any radio equipment or sound reproducing equipment installed in the hackney carriage vehicle to be a source of nuisance or annoyance to any persons whether inside or outside the vehicle.  
 8 The licensee, when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest practicable route.  
 9 The licensee shall not, except with the express permission of the hirer, convey any other person other than the hirer in the hackney carriage vehicle.  
 10 The licensee of a hackney carriage vehicle who has agreed or has been hired to be in attendance with a vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with the hackney carriage vehicle at such appointed time and place.  
 11 The licensee shall afford all reasonable assistance with passenger’s luggage.

### **INSURANCE**

- 12 The licensee shall ensure that a certificate or cover note of insurance covering PUBLIC HIRE is in force and must be carried on the vehicle at all times throughout the duration of the licence.

### **IDENTIFICATION PLATES**

- 13 The licensee shall not conceal the exterior identification plate of the hackney carriage or the details thereon from public view, and will keep the identification plate and the display in a clean condition.

### **LICENCE**

- 14 The licensee shall deposit his / her hackney carriage driving licence issued by the Council with the proprietor or employer for which the vehicle is being used during the time it is so used.

### **HIRERS PROPERTY**

- 15 The licensee shall immediately after termination of any hiring , or as soon as practicable thereafter search the hackney carriage vehicle for any property which may have been left therein.  
 16 The licensee of a hackney carriage vehicle shall if any property is accidentally left therein by any person who may have been conveyed in the vehicle and be found by or handed to him/her carry it, as soon as possible and in any event within 24 hours if not sooner claimed by or on the behalf of its owner, to a Police Station in the district in order to receive instructions from the Police regarding its custody.

### **PASSENGERS**

- 17 The licensee shall at all times when a vehicle is hired take all reasonable steps to ensure the safety of

passengers conveyed therein and persons entering and alighting from the vehicle.

- 18 The licensee shall not permit a hackney carriage vehicle to carry a greater number of passengers than the number prescribed in the licence.

#### **ANIMALS**

- 19 The licensee shall not permit any animal to ride in the vehicle except an animal in the custody or control of the hirer which animal may be conveyed in the rear of the vehicle.

#### **CHANGE OF ADDRESS**

- 20 The licensee shall notify the Council in writing of any change of his/her address within 7 days of such change taking place.

#### **RECEIPTS**

- 21 The licensee shall, if requested by the hirer, provide him/her with a written receipt for the fare paid.

#### **CHEQUES**

- 22 A licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared, and if not cleared will become void and will result in the revocation of such licence.

#### **TOUTING ETC.**

- 23 The licensee shall not while driving or in charge of a hackney carriage vehicle:-
- a Tout or solicit on a road or other public place any person to hire or be carried for hire in any hackney carriage vehicle, or
  - b cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried in any hackney carriage vehicle. In this condition:“ road means any highway or other road to which has access including bridges over which a road passes.”

#### **FARES**

- 24 The licensee shall not demand a fare in excess of that prescribed by the fare table issued by the council unless previously agreed between the hirer and the operator at the time of booking.

#### **MEDICALS**

- 25 The licensee shall submit to a medical examination at the age of 45 years and thereafter every 5 years until the age of 60 years when a medical is required annually.

#### **TAXIMETERS**

- 26 If the vehicle being fitted with a taximeter:-
- a The licensee shall not cause the fare recorded thereon to be cancelled until the hirer has had a reasonable opportunity of examining it and has paid the fare
  - b The licensee shall ensure that when the vehicle is not hired the key is to be locked and machinery kept inactive and the meter must show no fare at that time.
- 27 The licensee shall ensure that the taximeter is sufficiently illuminated that when in use it is visible to all passengers.
- 28 The licensee shall ensure that the fare or charge shall be calculated from the point in the district at which the hirer commences his journey and shall not exceed that displayed on the taximeter on the completion of his/ her journey.
- 29 The licensee shall ensure that the taximeter is only brought into action at the commencement of the hirer's journey and the correct tariff for that journey is displayed.

#### **DRIVERS RESPONSIBILITIES**

- 30
- a It is the licensees responsibility to ensure that an approved Fire Extinguisher is carried in the vehicle whenever it is used as a taxi
  - b It is the licensees responsibility to ensure that an approved First Aid Kit is carried in the vehicle whenever it is used as a taxi.
  - c It is the owner / drivers responsibility to ensure that a certificate or cover note of insurance covering **public hire** is displayed in the interior of the vehicle whenever it is being used as a taxi.
  - c Insurance policies or cover notes carried that are issued to cover “any driver” or “any vehicle” must be accompanied by a driver and vehicle schedule(s) and will not be acceptable without such schedule(s).
  - d The licensee will ensure that if there are any points recorded on their DVLA licence that these convictions are disclosed to the Insurer. A copy of the proposal form relating to such a disclosure must be produced to the Council on request.
  - e The licensee must ensure that any other material facts are disclosed to the insurer.
  - f The licensee shall report to the Council details of any accident that they are involved in whilst driving a licenced hackney carriage vehicle within 72 hours.

- g The licensee shall not use a taximeter that has not been calibrated at the current fare scale or has not been sealed to prevent unauthorised adjustment.

#### **DRIVERS BADGES**

- 31 a A driver shall at all times when acting in accordance with the drivers licence granted to him wear such badge in such position and manner as to be plainly and distinctly visible
- b If any person without reasonable excuse contravenes these provisions, he/she shall be guilty of an offence.

#### **ADDITIONAL CONDITIONS**

- 32 This list of conditions is not exhaustive. Telford & Wrekin Council reserves the right to amend conditions from time to time as required and without prior notice. It is therefore advisable for all drivers, vehicle owners and operators to check with the Authority from time to time. Operators must also refer to the LGMP Act, Town Police Clauses Act 1847, and the construction and Use Regulations 1978. Any requirements of legislation which effect the operations being carried out under the terms of this licence shall be regarded as if they are conditions of this licence. Wherever there appears in the Licence Conditions / Guides / Handbook and summary of any statutory provision you are advised that such summary is not exhaustive. Any vehicle licensed that does not meet the conditions at the time they come into force will be permitted to be re-licensed annually provided it passes the mechanical requirements, but any replacement vehicle will be required to meet all conditions as set out. If in any doubt about any information contained in this document please contact the Licensing Office for advice on 01952 383262