

North West Leicestershire District Council

Private Hire Driver's Licence Conditions

Issue 2 – 1 October 2010

Section 51(2) of the Local Government (Miscellaneous Provisions) Act 1976 states that "A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary."

1. CONDUCT OF DRIVER

The driver of a private hire vehicle shall:

- (a) Afford all reasonable assistance with passengers' luggage.
- (b) At all times be clean and respectable in his appearance and behave in a civil and orderly manner.
- (c) Take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle.
- (d) Not without the express consent of the hirer, drink or eat in the vehicle.
- (e) 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 vehicle.
- (f) At no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- (g) Ensure that any private hire vehicle to be driven by him/her is in a roadworthy condition and thoroughly cleansed before the commencement of his/her journey.
- (h) Comply with the Code of Conduct for hackney carriage and private hire driver licence holders.

2. PASSENGERS SAFETY

- (a) The driver of a private hire vehicle shall not convey or permit to be conveyed in a private hire vehicle a greater number of persons (regardless of the age or size of the passenger) than the number of persons prescribed in the licence for the vehicle and specified on the vehicle identification plate affixed to the rear of the vehicle.
- (b) The number of passengers must not exceed the number of restraints available in the vehicle.

PLEASE NOTE:

IT IS THE DRIVER'S RESPONSIBILITY TO ENSURE THAT A PASSENGER IS USING THE CORRECT RESTRAINT.

3. LOST PROPERTY

- (a) The driver of a private hire vehicle shall immediately after the termination of any hiring, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.
- (b) If any property is accidentally left in a private hire vehicle by any person who may have been conveyed in the private hire vehicle, the driver shall carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the nearest police station and leave it in the custody of the officer in charge on being given a receipt for it.

4. WRITTEN RECEIPTS

The driver of a private hire vehicle shall, on the request of a hirer of a private hire vehicle, provide a written receipt for the fare paid. The receipt should show the private hire company's name, the fare paid, the date of the hiring, the name of the hirer and be signed and dated by the driver.

5. ANIMALS

- (a) No animal belonging to the driver of the private hire vehicle or the vehicle proprietor or private hire operator shall be conveyed in a private hire vehicle.
- (b) Any animal belonging to or in the custody of a passenger, which in the driver's discretion may be conveyed in a private hire vehicle, must be conveyed in the rear of the vehicle and shall be contained so as not to present a nuisance or hazard to any occupants of the vehicle.
- (c) A driver of a private hire vehicle must carry a guide dog or assistance dog belonging to a passenger free of charge unless the driver has a proven medical condition that would preclude such action and has been given an exemption from the Council.

6. WHEELCHAIR ACCESSIBLE VEHICLES

Drivers of wheelchair accessible vehicles must:

- (a) Be fully conversant with the correct method of operation of all ramps, lifts and wheelchair restraints fitted to the vehicle.
- (b) Before the commencement of any journey ensure that all wheelchairs are firmly secured and that the brakes of the wheelchair have been applied.

7. PROMPT ATTENDANCE

The driver of a private hire vehicle who has been hired or instructed by the operator or proprietor of a private hire vehicle to be in attendance at an appointed time and place, shall, unless delayed or prevented by some sufficient cause, punctually attend at that appointed time and place.

8. INSURANCE

A private hire driver should ensure that they have valid insurance cover in place before commencing to drive a private hire vehicle.

9. OPERATORS LICENCE

A private hire driver should ensure that they are covered by a current private hire operator's licence issued by North West Leicestershire District Council.

10. COPY OF CONDITIONS

The driver of a private hire vehicle shall at all times when driving a private hire vehicle carry with him a copy of these conditions and shall make it available for inspection by the hirer or any other passenger on request. A further copy of the conditions shall be signed by the licensed driver and held on file to ensure they have been read and understood.

11. DEPOSIT OF LICENCE

If a private hire driver is permitted or employed to drive a private hire vehicle of which the proprietor is someone other than himself, he shall, before commencing to drive that vehicle, deposit his private hire driver's licence with that proprietor for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of that proprietor.

12. FARE TO BE DEMANDED

The driver of a private hire vehicle shall not demand from any hirer of a private hire vehicle a fare in excess of any fare previously agreed for the hiring between the hirer and the operator.

13. CHANGE OF ADDRESS

The driver of a private hire vehicle shall notify the Council in writing of any change of his address during the period of the licence within 7 days of such change. A revised licence will be issued at no cost.

14. CONVICTIONS, CAUTIONS AND FIXED PENALTY NOTICES

The driver shall within 7 days disclose to the Council in writing details of any interview, arrest, conviction, or caution by the Police in respect of any matter AND any fixed penalty notice (motoring or otherwise) imposed on him during the period of the private hire driver's licence.

15. DRIVER'S BADGE

- (a) The driver's badge issued by the Council must be worn at all times when the licensee is driving a private hire vehicle and the badge must be in a position where it is plainly visible. The badge remains the property of the Council (Section 54(2) of the 1976 Act).
- (b) The driver shall upon the expiry (without immediate renewal), revocation or suspension of his private hire driver's licence forthwith return to the Council the driver's badge issued to him by the Council on the grant of the private hire driver's licence.

16. LOSS OF LICENCE/BADGE

A replacement private hire driver's licence or driver's badge shall be issued upon receiving written notification and the relevant fee.

17. ILLNESS OR INJURY

The driver of a private hire vehicle shall notify the Council in writing as soon as possible and in any event within 14 days, of any illness or injury affecting his/her fitness to drive a private hire vehicle.

18. COMPLAINTS/COMPLIMENTS

The driver shall advise the proprietor of the vehicle and/or private hire operator of any complaints made by passengers. A record of any complaint must be kept by the private hire operator. The driver shall also advise passengers of their right to refer their complaint/s to the Council.

19. MOBILE TELEPHONES

A driver of a private hire vehicle must not accept bookings using a mobile telephone unless he holds a private hire operator's licence.

Drivers wishing to use a mobile phone in a vehicle must use them in accordance with the Road Vehicles (construction and use) (Amendment) (No.4) Regulation 2003.

20. SMOKE FREE

- (a) The Smoke-Free Regulations 2007 state that any vehicle shall be smoke-free if used by a member of the public or a section of the public, whether or not for reward or hire.

All licensed vehicles are required to be smoke-free at all times including when passengers are not being carried.

- (b) Section 7(2) of the Health Act 2006 states that a person commits an offence if they smoke in a smoke-free place or vehicle and that person would be liable for a fixed penalty notice for £50.

21. THE WEARING OF SEATBELTS

The requirements contained in the Road Traffic Act 1988, s 15, the Motor Vehicle (wearing of seat belts) Regulations 1993, Part III and the Motor Vehicles (wearing of seatbelts by Children in Front Seats) Regulations 1993 must be complied with. Please see table below

	Front Seat	Rear Seat	Who is responsible
Driver	Private hire drivers are only exempt when carrying a fare-paying passenger. They must wear a seat belt at all other times.		Driver
+Child under 3 years of age	Correct child restraint MUST be used.	If no appropriate restraint available the child may travel unrestrained in the rear.	Driver
Child from 3 rd birthday up to either 135cms in height or 12 years old	Correct child restraint MUST be used	MUST use adult belt if the correct child restraint is not available.	Driver
Child over 135 cms or 12 to 13 years	Seat belt MUST be worn if available	Seat belt MUST be worn if available	Driver
Adult passengers 14 years and over	Seat belt must be worn if available	Seat belt must be worn if available	Passenger

If you are aggrieved by any conditions attached to the grant of a driver's licence you may appeal to a Magistrates' Court within 21 days of the service of this licence on you (Section 52(2) of the 1976 Act).

NOTES:

- (a) FAILURE TO COMPLY WITH ANY OF THE CONDITIONS ATTACHED TO THIS LICENCE MAY RESULT IN THE SUSPENSION OR REVOCATION OF THE LICENCE TO DRIVE A PRIVATE HIRE VEHICLE.
- (b) IN ADDITION TO THE PRIVATE HIRE DRIVER LICENCE CONDITIONS, THE DRIVER OF A PRIVATE HIRE VEHICLE MUST HAVE REGARD TO ALL STATUTORY PROVISIONS WHICH RELATE TO DRIVERS OF PRIVATE HIRE VEHICLES.
- (i) This private hire driver's licence is not transferable to another person.
- (ii) A private hire driver's licence does not permit the licence holder to drive a hackney carriage vehicle. A person who drives a hackney carriage vehicle requires a hackney carriage driver's licence.

THIS LICENCE IS NOT SUFFICIENT.

(iii) Application for renewal of this licence should be made to the Head of Environmental Health on the prescribed form which is available from the Council Offices, Coalville. All licence holders will be sent a reminder and the necessary forms for renewal in advance of the expiry of the licence. Please note, however, that the responsibility for renewal rests with the licence holder. Reminder letters are sent purely as a courtesy.

I confirm that I have read and understood the above conditions. I will comply with the conditions at all times. I understand that any breach of these conditions may result in the suspension or revocation of my private hire driver's licence.

Print Name.....

Signed

Dated

Document History

Issue No	Issue Date	Approved By
1	August 2001	Executive Committee August 1 st 2001
2	1 st October 2010	Licensing Committee September 8 th 2010

