

## **Standard Conditions attached to a Private Hire Drivers licence**

### **Local Government (Miscellaneous Provisions) Act, 1976 part 2 Section 1**

#### **1. Driver licences / Conditions**

- (a) Each licensed driver shall deliver to his employing Private Hire operator his/her licence to drive a Private Hire vehicle. The employing Private Hire Operator shall be responsible for the safe custody of the Private Hire driving licence during the period of employment and shall return it to the Council at the request of an Authorised Officer.
- (b) The driver shall at all times when driving a Private Hire vehicle carry with him, a copy of these conditions and shall make them available for inspection by the hirer or any other passenger on request.

#### **2. Change of Operator**

A licensed driver must inform the Licensing Unit immediately in writing and in any case not more than 72 hours after the event if he/she changes Private Hire Operator.

#### **3. Change of address**

The driver shall notify the Licensing Unit, in writing of any change of address during the period of the licence within seven days of such change taking place.

#### **4. Medical circumstances**

- (a) A licensed driver must notify the Council in writing, within 72 hours, of any changes to his/her medical circumstances as contained in the Group II entitlement of the 'Medical Aspects of Fitness to Drive Guide for Medical Practitioners' as published by the Medical Commission on Accident Prevention whether it being permanent or temporary which affects or may affect the driver's ability to drive a Private Hire vehicle.  
This includes, but not exhaustively, the following:- heart attack, angina, diabetes, epilepsy, stroke, high blood pressure, any surgical operation, any bone fracture or dislocation of joint, alcohol or drug addiction or dependency.
- (b) A licensed driver must comply with the request of an Authorised Officer of the Council to undertake a medical examination with their General Practitioner or consultant or the Council's authorised Occupation Health representative to satisfy the Council that they are fit to safely undertake public transport duties. The driver must supply an original copy of that medical opinion to the Council.  
The Authorised Officer may suspend the licence, if not satisfied that the Condition set out here is not being complied with within a reasonable timescale, or that the medical condition of the licensed driver is such that the licence should be suspended in any case, or that the medical condition appears to be such that it is in the interest of safety to suspend the licence.
- (c) Disability discrimination - Every licensed driver must conform to the requirements of the Equality Act 2010, and associated legislation.

#### **5. Requirements to report convictions & associated incidents<sup>3</sup>**

1. Any of the following events must be reported in writing to the Licensing Section within 72 hours during the currency of a licence giving full details of:-
  - i any conviction or finding of guilt (criminal or driving matter);
  - ii any caution (issued by the Police or any other agency);
  - iii issue of any Magistrate's Court summons against them;
  - iv issue of any fixed penalty notice for any matter;

- v any harassment or other form of warning or order within the criminal law including Anti-Social Behaviour Orders or similar;
  - vi their arrest for any offence (whether or not charged)
2. When required, a licensed driver will undertake enhanced Disclosure and Barring vetting (DBS) at his/her own expense and within a timescale set by the Council.

## **6. Training to expected standards of service and safety**

- (a) During the lifetime of a drivers licence, an Authorised Officer of the Council may require a licence holder to undertake reasonable and appropriate training to meet these expectations and requirements. Such a requirement would be in writing. A reasonable time scale of up to 3 months will be set for the training to be successfully undertaken at a place designated by the Council. If there is a refusal or failure to attend, or the licensed driver does not meaningfully participate in the training or attain the training accreditation the licence may be suspended or revoked. The cost of such training will be borne by the licence holder.
- (b) The driver of any wheelchair accessible vehicle must undertake appropriate training, approved by the Council, to ensure that passengers are handled and conveyed safely.

## **7. Driver badges**

Each driver shall at all times, when driving a licensed Private Hire vehicle, display their driver's badge issued by the Council, in a prominent place on the outer clothing at the front of the upper body. A replacement badge may be issued on application in return for the prescribed fee. The badges issued by the Council shall remain the property of the Council and must be returned to the Council immediately the licence is suspended, revoked or becomes invalid for any reason.

## **8. Conduct of driver**

The driver shall:

- (a) Alight from the vehicle and provide reasonable assistance with passengers' luggage and ensure its safe storage within the vehicle.
- (b) Where a passenger has an obvious or apparent disability, the driver shall alight from the vehicle, offer assistance and ensure the passenger is seated safely in the vehicle before commencing the journey.
- (c) Ensure that any disabled aid, wheelchair or assistance dog is appropriately and safely stored or accommodated within the vehicle.
- (d) On arrival at the pick-up point of a booked journey, use the Operators 'ring back' system or radio the Operator base to enable the customer to be informed of the booked vehicles arrival.
- (e) At the conclusion of a journey the driver shall similarly offer all reasonable assistance to passengers leaving the vehicle and assist them with luggage or any disability aids or wheelchair.
- (f) Particular care must be taken with unaccompanied children and vulnerable adults. Drivers should ensure that children and vulnerable adults leave the vehicle directly onto the kerb and immediately outside their destination. In respect of passengers with significant visual impairment who are taken to hospitals or other medical establishments, personal guidance and assistance should be given to ensure that they arrive at an appropriate place of contact i.e. a reception desk.
- (g) At all times be clean and respectable in his / her dress and person and behave in a civil and orderly manner.
- (h) Take all reasonable steps to ensure safety of passengers conveyed in, entering or alighting from the vehicle driven by him/her.
- (i) Not without the express consent of the hirer, drink or eat in the vehicle.
- (j) Not smoke at any time within the licensed vehicle, or allow any other person to do so, or adjacent to it, which results in smoke entering the vehicle.
- (k) 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, which may only be by way of the Operators radio or data head linked to the Operators dispatch system.
- (l) At no time cause or permit the noise emitted by any radio or other previously mentioned equipment. In the vehicle which he/she is driving, to be a source of nuisance to any person, whether inside or outside the vehicle.

- (m) Not use a mobile telephone unless in emergency circumstances e.g. a '999' call. It must not be used for social calls or for the purpose of recording a booking which the Operator has not despatched.
- (n) Not record, or cause to be recorded in the Operators booking system any hiring they have undertaken; are undertaking; or considering undertaking which was not despatched by the Operator. Any such attempt to circumvent the relevant legislation in order to give the appearance that a journey was lawfully pre-booked will be considered as a serious breach of primary legislation and Conditions and may result in the suspension or revocation of the drivers licence.
- (o) Other than satellite navigation information, not display any moving images or have any non-factory fitted form of visual display screen fitted to the licensed vehicle.

## **9. 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 vehicles any child below the age of ten years.
- (c) The driver shall not without the consent of the hirer of the vehicle, convey or permit to be conveyed any other person in that vehicle.

## **10. Prompt attendance**

- (a) The driver of the Private Hire vehicle shall, if he is aware that the vehicle has been hired to be in attendance at an appointed time and place, or he has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at that appointed time and place, unless delayed or prevented by sufficient cause.
- (b) The driver shall immediately report to the Operator such delay.

## **11. Taximeter**

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

## **12. Fare to be demanded & issuing of receipts**

- (a) The driver shall not demand from any hirer of a Private Hire vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator, or the hirer and the driver. If the vehicle is fitted with a tariff meter and there has been no previous agreement as to the fare, the driver shall not demand from any hirer a fare in excess of that shown on the face of the meter.
- (b) The driver will supply the hirer, or one of the party accompanying the hirer, upon request and free of charge, a formal receipt for the cost of the journey. The information to be included on the receipt is: - the name of the operator, the date & time of the hiring, the drivers licence badge number, the cost of the journey and signature and printed name of the driver.

## **13. Guide Dogs & Assistance Dogs**

- a) The driver shall 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 him/her from doing so.
- b) The driver shall produce to the Council, a Medical Certificate signed by his/her General Medical Practitioner, to prove such a medical condition, on his/her application for a Private Hire driver licence, or if he/she develops such a medical condition after the grant of a licence as soon as he/she is aware of it.
- c) The driver shall also make his/her Operator aware of any such medical condition at the time of commencement of working for that Operator, as soon as he/she is aware of such a medical condition, whichever is the earlier.
- d) "Guide dog" means a dog, which assists a person with sight impairment.
- e) "Assistance dog" means a dog which assists a person with a hearing or other impairment.

## **14. Animals**

The driver shall not convey in the 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.

## **15. Lost property**

- (a) Any property or articles of any description left in a Private Hire vehicle by a passenger shall forthwith, and in any event not later than 72 hours, be delivered to the Private Hire Operator who must make appropriate arrangements for the secure storage of such items, for a minimum of 12 weeks. Prompt and appropriate enquiries must be made by the driver in order to return the property to the owner.
- (b) A record of the property must be retained for a period of 3 months by the driver whose responsibility it was to take care of the property when found.

## **16. Miscellaneous**

South Ribble Borough Council reserves the right to add, amend or waive conditions attached to the grant of a licence as and when it deems necessary. All such changes will notified in writing.