

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Proposed LICENCE CONDITIONS – DRIVERS' LICENCES

It is important that you read these conditions.

As a South Cambridgeshire Private Hire or Hackney Carriage Driver you are **NOT** permitted to ply for hire in the Cambridge City Boundary or at any of the taxi ranks within that area, which includes the Railway Station. Any person caught doing so will be subject to investigation for breach of licence conditions with the possibility of suspension or revocation of their licence.

1. TOUTING OR SOLICITING

The driver shall not while driving or in charge of a Private Hire Vehicle

- a) Tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle
- 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 for hire in any private hire vehicle; or
- c) Accept an offer for the immediate hire of that vehicle while the driver of that vehicle is on a road or other public place except where such offer is first communicated to the driver by telephone or similar device (ie radio) fitted to that vehicle.

2. CONDUCT OF DRIVER

The driver shall:-

- (a) afford all reasonable assistance with passengers' luggage;
- (b) at all times be clean and respectable in his dress and person and behave in a polite and orderly manner;
- (c) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him;
- (d) not without the express consent of the passengers smoke, drink or eat in the vehicle during the course of a hiring; (the word `smoke' will be deleted from 1 July 2007 when government regulations regarding smoking come into force)
- (e) not without the express consent of the passengers play any radio or sound reproducing instruments or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle; and
- (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.

3. PASSENGERS

- a) The driver shall not convey or permit to be conveyed in the vehicle a greater number of persons than that prescribed in the licence for the vehicle, provided however, for this purpose.
- b) The driver shall not allow there to be conveyed in the front of any licensed vehicle beside him:-
 - i. any child below the age of ten years; or
 - ii. more than one person;and at all times the driver shall ensure compliance with any relevant regulations regarding seat belt and restraints.
- c) The driver shall not without the consent of the passengers convey or permit to be conveyed any other person in that vehicle.
- d) It is the driver's responsibility to ensure that for every journey there is appropriate third party insurance cover in the event of all passengers' personal injury.
- e) *Unless further authorised by the Council in WRITING, this licence does NOT permit there to be conveyed in the vehicle in the course of business at any time any child under the age of 16, or under the age of 18 who has special needs or under the age of 18 who is looked after by a local authority (for residential care only) if the journey is on behalf of a local authority or a self-governing (grant maintained) school or independent school or further education establishment, whether the journey is under contract directly by them or through volunteer or voluntary body directly engaged by them (including foster parents, adoptive parents or childminders) UNLESS in all of such cases there is another accompanying responsible adult in the vehicle at all relevant times.

4. LOST PROPERTY

- a) The driver shall immediately after the end of any journey, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.
- b) If any property accidentally left in a licensed vehicle by any person who may have been conveyed therein is found by or handed in to the driver, he shall take it as soon as possible and in any event within twenty-four hours if no sooner claimed by or on behalf of its owner to the Chief Executive officer or to the nearest Police Station and leave it in the custody of the Chief Executive or the Officer in charge of the Police Station on their giving a receipt for it.

5. WRITTEN RECEIPTS

The driver shall if requested by the hirer or passenger of a licensed vehicle provide him with a written receipt for the fare paid.

6. FARE TO BE DEMANDED

The driver of a Private Hire vehicle shall not demand from any hirer of a licensed vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a meter and there has been no previous

agreement as to the fare, any fare greater than that shown on the face of the taxi meter.

The driver of a Hackney Carriage shall not demand from any hirer of a licensed vehicle any fare greater than that shown on the face of the taxi meter.

7. ANIMALS

The driver shall not convey in any licensed vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle and he shall ensure that any animal belonging to or in the custody of any passenger is adequately restrained and kept in such a position so as not to distract the driver or otherwise be a cause of danger or nuisance. In the case of hackney carriages guide dogs accompanied by their owners shall be carried free of charge.

The Disability Discrimination Act 1995 – Carriage of Guide, Hearing and other assistance Dogs in Taxis and Private Hire Vehicles came into effect on the 1st April 2001. This act means that no Taxi or Private Hire vehicle in this District may refuse to carry an assistance dog of a passenger, unless they hold a valid medical exemption notice. This exemption order is only issued if you have a medical condition that prevents you from the carriage of animals. Further details can be obtained from The Department of Environment Transport Regions, Zone 1/18, Great Minister House, 76 Marsham Street, London. SW1P 4DR.

7. PROMPT ATTENDANCE (PRIVATE HIRE VEHICLES ONLY)

The driver of a 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 unavoidably delayed or prevented.

8. COPY OF CONDITION

The driver shall at all times when driving any licensed 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.

9. DEPOSIT OF LICENCE (PRIVATE HIRE VEHICLES ONLY)

If the 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 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 his.

10. CHANGE OF ADDRESS

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

11. CONVICTIONS

Any licensed driver shall within seven days disclose to the Licensing Officer in writing details of any conviction arising from Court action imposed on him during the period of the licence.

12. RENEWAL/NEW APPLICATIONS

The driver shall, prior to the date of the licence expiry (see guidance notes for process times for applications, make application to the Authority for a renewal. If an application for renewal is not received by the renewal date the licence will lapse. Where operations continue after a failure to renew, prosecutions are likely to be authorised without notice. In most cases of non-renewal especially with regard to vehicle licensing the third party insurances are placed in jeopardy.

All new drivers to undertake the DSA (Driving Standards Agency) test before being granted a licence. Existing drivers will be exempt from this requirement unless in individual cases where complaints of bad driving or serious driving offences are committed by existing drivers it is felt appropriate for a driver to take the test to prove they are fit and proper to hold such a licence. A serious driving offence may include persons who have accrued 9 points for totting up offences within a 12 month period.

Any driver obtaining a Private Hire or Hackney Carriage drivers licence with a foreign EU or exchangeable licence as permitted under the Local Government (Miscellaneous Provisions) Act 1976 part II will only be granted a licence for one year. Any subsequent application must be made using a full GB licence.

Applicants from the European Union with permissions to undertake Private Hire or Hackney Carriage type work will be required to submit a certificate of good conduct signed and stamped by the relative embassy. The certificate must be translated into English and delivered as part of the application in an envelope with an untampered seal by the issuing embassy. The certificate must be less than six months old. This will only apply to applicants who cannot provide a full and continuous 5yr residency in the UK.

13. DRIVERS BADGE

The driver shall, when hired display any badge provided by the Council in such a manner as to be plainly visible to customers using the vehicle.

The driver shall upon the expiry (without immediate renewal), revocation or suspension of his licence forthwith return to the Council the driver's badge issued to him by the Council when granting the licence. The badge shall remain the property of the Council.

14. VEHICLE LICENCE DISC

- a) The driver shall not drive for hire or reward any unlicensed vehicle, nor any licensed vehicle that is not displaying in the front windscreen or rear of the vehicle a current licence disc for that vehicle.
- b) The driver, unless he is a holder of a Private Hire Vehicle Operator's Licence, shall upon the expiry (without immediate renewal), revocation or suspension of his licence forthwith return to the Council all vehicle licence discs issued to him by the Council.

c) The licence discs shall remain the property of the Council.

15. CONVEYANCE OF DEAD BODY

If the driver shall knowingly convey in the vehicle the dead body of any person he shall, immediately thereafter, notify the fact to the Corporate Manager – Health & Environmental Services of the Council.

16. HEALTH AND MEDICAL CONDITIONS

The driver hereby licensed shall within 7 days or as soon as practicable thereafter disclose to the Council in writing any medical condition which he would likely to adversely affect his/her ability to drive during the period of the licence.

17. FAILURE TO COMPLY WITH CONDITIONS

Failure to comply with any of these conditions may result in the Council suspending, revoking or refusing to renew the licence and in certain circumstances prosecution.

18. RIGHT OF APPEAL

Anyone with a licence under Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847 and aggrieved by any of the conditions attached to the licence may appeal to a Magistrates' Court within twenty-one days of the grant of the licence.