

Private Hire Driver Licence Conditions

S.51(2) of the Act provides the Licensing Authority power to impose such conditions on an driver's licence, as it considers reasonably necessary. The standard conditions are set out below (additional conditions may be applied):

CONDITIONS RELATING TO A PRIVATE HIRE DRIVERS' LICENCE

1. The Licence

In this licence:

“the Council” or “the Licensing Authority” means Barrow Borough Council.

“the Act” means the Local Government (Miscellaneous Provisions) Act 1976.

“the Operator” means the person(s) licensed under section 55 of the Local Government (Miscellaneous Provisions) Act 1976.

“Authorised Officer” means any officer of the Council for the purposes of this Part of the Act.

- 1.1. The holder of a private hire vehicle drivers' licence shall observe and perform all the following terms and conditions which shall be attached to and form part of his/her private hire vehicle drivers' licence, which should also be read in conjunction with the Driver Code of Conduct.
- 1.2. This licence is personal to the licensee named herein and the licensee may not in any circumstances assign it or in any way part with the benefit thereof to any other person.
- 1.3. The driving licence shall be in force for three years, unless it is suspended or revoked, or for such lesser period, specified in the licence, as the council think appropriate in the circumstances of the case.

2. Driver Badge

- 2.1. The licensee shall at all times when acting as a driver of a private hire vehicle wear the drivers' badge issued by the council in such a position and manner as to be plainly and distinctly visible.
- 2.2. The drivers' badge issued by the council remains the property of the council and shall be returned to the council within 7 days of the date of the suspension or revocation of or refusal or failure to renew this licence.

3. Driver Conduct

- 3.1. The licensee shall not, whilst driving or in charge of a vehicle licensed for private hire:

- (i) Stand on any place provided as a stand for hackney carriage vehicles;
 - (ii) Change to hackney stand or ply for hire or solicit any person to hire or to be carried for hire or reward on any road or in any public place or in any place readily accessible and visible from a road;
 - (iii) Cause or procure any 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 offer that vehicle for immediate hire while the licensee or that vehicle is on a road or other public place; or
 - (iv) Accept an offer for the hire of the vehicle whilst the licensee or that vehicle is on a road or other public place except where such offer is first communicated to the licensee by a telephone or by wireless telegraphy apparatus fitted to that vehicle.
- 3.2. The licensee shall not permit or cause or offer to be carried in any vehicle licensed for private hire a greater number of persons than that specified in the licence for that vehicle.
- 3.3. The licensee, if he/she is not the operator of the vehicle, shall report to the operator of any vehicle licensed for private hire and the Council, as soon as practicable, and in any case within 72 hours of its occurrence, details of any accident in which such vehicle is involved.
- 3.4. The driver of a private hire vehicle which has been hired to be in attendance at an appropriate time and place shall, unless delayed or prevented by some sufficient cause, punctually attend at the appointed time and place.
- 3.5. The driver shall be respectably dressed and clean and tidy in appearance and the vehicle shall be presented in a clean and tidy condition for each journey.
- 3.6. The licensee shall, when requested by the hirer, convey a reasonable quantity of luggage and afford reasonable assistance in loading and unloading, including assistance in removing to and from the entrance of any house or other place where he collects or sets down his/her passengers.
- 3.7. The driver, when hired to drive to a particular destination, shall proceed to that destination by the shortest route.
- 3.8. The driver is required to carry a guide, hearing or other assistance dog belonging to a passenger, free of charge, unless the driver has been granted exemption by the council on medical grounds, and the notice of exemption is displayed in the vehicle.
- 3.9. Where any property is left by a customer within the vehicle, it should be returned to the Operator's base. The Operator must endeavour to arrange to return such property to its rightful owner, failing which it must be dealt with in accordance with legal requirements.

4. Driver Fitness

- 4.1. A licensed driver must inform the Council without delay about the onset or worsening of any health condition likely to cause him to be a source of danger to the public when driving either now or in the future. Examples are: giddiness, fainting, blackouts, epilepsy, strokes, multiple sclerosis, parkinson's disease, heart disease, angina, high blood pressure, arthritis, disorder of vision, mental illness, alcoholism, drug taking and loss of a limb or use of a limb. ***This list does not include all the disabilities that must be reported and these examples are given only to indicate the types of disabilities.***
- 4.2. Drivers who are in doubt about whether or not their health condition is one which should be reported, should consult their doctor.
- 4.3. A licensed driver must inform the Council within 48 hours, of any issue of summons, interview under caution or the arrest and release on bail with or without charge, during the period of the licence.
- 4.4. A licensed driver must inform the Council within 48 hours, in writing, of any convictions, cautions or similar proceedings during the period of the licence.
- 4.5. The licensee shall, at the request of any authorised officer or any police constable produce for inspection his drivers' licence either or before the expiration of 3 days beginning with the day following the date of the request:
 - (a) In the case of a request of an authorised officer of the council at the offices;
 - (b) In the case of a request of a police constable at any police station within the council's area which is nominated by the driver when the request is made.

5. General

- 5.1. This licence may be suspended, revoked or not renewed by the council:
 - (a) If the licensee commits an offence or otherwise fails to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976;
 - (b) If the licensee has been convicted of an offence involving dishonesty, indecency or violence;
 - (c) If the licensee becomes disqualified from driving under any of the Road Traffic Acts in which case the licence shall be automatically revoked;
 - (d) On any other reasonable grounds.
- 5.2. If any of the particulars (such as change of name and/or address) supplied in the drivers application change during the currency of the licence, details of the change(s) must be notified in writing to the Council within 48 hours.
- 5.3. The licensee shall at all times when acting as a driver, abide by the Drivers Code of Conduct.
- 5.4. The council may at any time add to, delete or alter any of the foregoing conditions and upon notice thereof having been served upon the licensee such additions, deletions or

alterations shall, as from the date of such service, be deemed to be incorporated herein.

- 5.5. Any notice required to be served by the council under this licence or under any of the provisions of the Local Government (Miscellaneous Provisions) Act 1976 shall be deemed to have been properly served if sent by it by prepaid post to, or left at, the last known address of the holder of the licence.

6. Wheelchair Accessible Vehicles

- 6.1. All 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 any movement of the vehicle takes place ensure that all wheelchairs are firmly secured to the vehicle using an approved restraining system and the brakes of the wheelchair have been applied.
- c) Ensure that any wheelchairs, equipment and passengers are carried in such a manner that no danger is likely to be caused to those passengers or to anyone else, in accordance with Regulation 100 of the Road Vehicles (Construction and Use) Regulations 1986.