

CONDITIONS ATTACHED TO THE ISSUE OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCE

DEFINITIONS

1. "The Council" means the Council of the Borough of Chorley.
"Identification plate" means the plate issued by the Council for the purpose of identifying a licensed vehicle as a hackney carriage or private hire vehicle.
"The Proprietor" has the same meaning as in Section 80 of the Local Government (Miscellaneous provisions) Act 1976.
"The Operator" means a person holding a licence to operate private hire vehicles issued pursuant to Section 55 of the Local Government (Miscellaneous provisions) Act 1976.
"Taximeter" has the same meaning as in Section 80 of the Local Government (Miscellaneous provisions) Act 1976.

CONVICTIONS

2. The licensee shall notify the Council in writing of any conviction or caution recorded against him/her and/or the imposition of any endorsable or non-endorsable fixed penalty within 7 days of such conviction or caution or penalty being imposed.
3. If on application, there are 9 or more current penalty points on the applicants' drivers licence the Licensing Officer will determine whether to his delegated powers to grant the licence or to defer the decision to the Licensing Committee.

DRIVERS

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

CONDUCT

5. The Driver shall:
 - (a) Afford all reasonable assistance with passengers' luggage.
 - (b) At all times be clean and respectable in his/her dress and person 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 driven by him/her.
 - (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/she is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

IDENTIFICATION PLATE

6. The licensee shall not conceal the exterior identification plate of the vehicle or the details painted or marked thereon, and will keep the identification plate in a clean condition.
7. The plate showing the licence number and the maximum numbers of passengers **MUST** be displayed in the manner prescribed by the Council. This plate should be on the outside of the vehicle and fixed in such a way that any Authorised Officer or Police Constable may, in certain circumstances, remove it.

DRIVERS' LICENCE

8. The licensee shall deposit his licence to drive issued by the Council with the proprietor/operator for which the vehicle is being used during the time it is so used for that proprietor/operator.
9. Drivers licences are issued for a period of 3 years.
10. Every driver of a licensed vehicle must be licensed by the District Council (Section 46 LG(MP)A).
A Council cannot grant a licence unless it is satisfied that the applicant:
 - (a) is a 'fit and proper person'.
 - (b) has held a full ordinary GB driving licence, or other full licence issued by an EEA State, for at least 12 months, for motor cars. (It is Council policy that an applicant must be over 21 years of age and must have three years experience driving under a full licence).
 - (c) is medically fit to drive a licensed vehicle (Section 51 and 57 LG(MP)A) and has been assessed to DVLA group 2 standards by a doctor that has access to the applicants medical records.
 - (d) has produced an enhanced Criminal Records Bureau disclosure.
 - (e) has passed the Councils knowledge test.
 - (f) has successfully completed the training requirements as follows:
****to be confirmed by Committed resolution****
 - (g) submitted a completed application and has paid the relevant fee.

DRIVERS' BADGES

11. The Driver's badge provided by the Council shall be worn by the driver of a vehicle in such position and manner as to be plainly visible.
The badge need not be worn if:
 - (a) the vehicle is being used in connection with a wedding or funeral.
 - (b) the vehicle is carrying written permission from the Council that the plate need not be displayed (Section 75 LG(MP)A).On revocation or suspension of the driver's licence, the badge must be returned to the Council on demand (Section 61 LG(MP)A).

PROLONGATION OF JOURNEYS

12. A driver must proceed by the shortest route, subject to the instructions of the hirer (Section 69 LG(MP)A).

ACCIDENTS

13. All accidents, however minor, **MUST** be reported to the owner/proprietor who, in turn, must report the incident to the Council as soon as is reasonably practicable and in any event within 72 hours.

SMOKING

14. It is an offence for the driver or passengers to smoke in a licensed vehicle at any time.

SUSPENSION AND REVOCATION OF DRIVER'S LICENCE

15. The Council may suspend or revoke or refuse to renew any licence on the following grounds:
 - (a) the commission of an offence involving dishonesty, indecency or violence.
 - (b) the commission of an offence under LG(MP)A.
 - (c) any other reasonable cause (Section 61 (LG(MP)A).

DRIVERS OF LICENSED VEHICLES MUST BE LICENSED

16. Once a vehicle is licensed every driver of that vehicle whether it be used for business or pleasure, must possess a current drivers' licence from the Council who licenses the vehicle.

HIRERS' PROPERTY

17. The licensee shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the licensed vehicle for any property which may accidentally have been left therein.
18. The licensee of a licensed vehicle shall if any property is accidentally left therein by any person who may have been conveyed in the licensed 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 behalf of its owner, to a Police Station in the district in order to receive instructions from the Police regarding its custody.

PASSENGERS

19. The licensee shall at all times when a licensed vehicle is hired take all reasonable steps to ensure the safety of passengers converted therein and persons entering and alighting from the licensed vehicle.
20. The licensee shall allow only one passenger to be carried in the front of the licensed vehicle beside the driver.
21. The proprietor/licensee shall not permit the Hackney Carriage/Private Hire Vehicle to be used to carry a greater number of passengers than that prescribed in the licence.

NOTE: It must be remembered that a licence is issued for a maximum number of passengers, be it 4, 5 or 8 (regardless of age or size) and it is an offence to carry more than the number licensed for, (this may also invalidate the vehicle insurance). The allowance of two children under the age of ten being counted as one person insofar as the rear seating only is concerned is only for the purpose of the fare charged and not for increasing the number of persons being carried as passengers.

'ALL PASSENGERS & DRIVERS MUST COMPLY WITH CURRENT SEAT BELT REGULATIONS'

ANIMALS

22. The licensee shall not permit any animal to ride in a licensed vehicle except an animal in the custody or control of the hirer which animal shall be conveyed in the rear of the vehicle.
23. The licensee must carry a guide, hearing or other prescribed assistance dog belonging to a passenger, free of charge, unless the driver has a proven medical condition that would preclude such action. Drivers have a responsibility to ensure that their operator/company is aware of such medical condition when they are first employed.

CHANGE OF ADDRESS

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

RECORD BOOKS & RECEIPTS

25. A record book must be kept at all times in the vehicle to show when a receipt is issued. A receipt must be given if requested and each receipt must show the licence number of the driver, the date and the amount charged.

TOUTING, ETC

26. The licensee shall not while driving or in charge of a licensed vehicle:
 - (a) TOUT OR SOLICIT IN A PUBLIC PLACE ANY PERSON TO HIRE OR BE CARRIED FOR HIRE IN ANY LICENSED VEHICLE OR
 - (b) CAUSE OR PROCURE ANY OTHER PERSON TO TOUT OR SOLICIT IN A PUBLIC PLACE ANY PERSON TO HIRE OR BE CARRIED FOR HIRE IN ANY LICENSED VEHICLE.

In this condition:

"public place" includes any highway and any other premises or place to which at the material time the public have or are permitted to have access (whether on payment or otherwise).

CHEQUES

27. A licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared.

FARES / TARIFF CARDS

28. The licensee shall not demand a fare in excess of that previously agreed between the hirer and the operator at the time of booking. The tariff may vary to that set by the Council, but a Table of Fares **MUST** be clearly displayed for the benefit of passengers.
29. The tariff for Taxis is set by the Council. All tariffs are a maximum, which may not be exceeded. A card showing the tariff **MUST** be clearly displayed in the vehicle.

ILLNESS OR INJURY

30. A Licensee must immediately inform the Council in writing of any deterioration in health or of any injury that would affect the licensee's ability to drive Hackney Carriage or Private Hire Vehicles. (This is in addition to the requirement of Section 94 of the Road Traffic Act 1988 requiring any driver to notify the Secretary of State of any relevant disability).

RADIO SCANNERS

31. The driver shall not fit, carry or use any radio frequency scanning apparatus in or on a licensed vehicle.