

South Holland District Council

Conditions In Respect Of Driving Hackney Carriage & Private Hire Vehicles

**PLEASE READ THESE CONDITIONS CAREFULLY AS ALL CONDITIONS
MUST BE COMPLIED WITH**

HACKNEY CARRIAGES

1. When driving a hackney carriage the driver is required to attach the badge issued by the Council to his/her jacket or similar garment, in such a position and manner to be plainly and distinctly visible to the passengers.
2. The badge remains the property of the Council and must be returned to the Team Leader, Food Safety and Licensing at South Holland District Council, Council Offices, Priory Road, Spalding, Lincolnshire, PE11 2XE, (a) at the termination of this licence; or (b) when ceasing to be employed/engaged as a hackney carriage driver.
3. **Any change in the driver's address or employer must be notified immediately** to the Team Leader at the above address.
4. If a driver's badge and/or licence is misplaced or lost the driver must notify the Team Leader immediately.
5. The driver shall at the request of any authorised officer of the Council or any Constable produce for inspection his/her official driver's licence forthwith, or;
 - (a) in the case of a request by any authorised officer, before the expiration of the period of five days beginning with the day following that on which the request was made at the Food Safety and Licensing section at the above address;
 - (b) in the case of a request by a Constable before the expiration of the period aforesaid at any police station which is within the District and is nominated by the driver when the request is made.
6. The driver shall comply at all times with the Bylaws made by the Council under Section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act, 1875, and on no occasion shall charge any fares in excess of those authorised by the Council. The current fare scale is available for inspection at the Council Offices and must be displayed in every hackney carriage.
7. The driver shall at all times be clean and respectable in his/her dress and person and behave in a civil and orderly manner.
8. **The driver shall notify to the Council details in writing within 7 days of any convictions, penalty notices, endorsements and/or cautions imposed on him/her during the period of the licence.**
9. The driver shall notify the Council of any changes in their medical condition and may be required to undergo a further medical examination, as required by the Council.

PRIVATE HIRE VEHICLES

1. When driving a private hire vehicle the driver is required to attach the badge issued by the Council to his/her jacket or similar garment, in such a position and manner to be plainly and distinctly visible to the passengers.
2. The badge remains the property of the Council and must be returned to the Team Leader, Food Safety and Licensing at South Holland District Council, Priory Road, Spalding, Lincolnshire, PE11 2XE (a) at the termination of this licence; or (b) when ceasing to be employed/engaged as a private hire driver.
3. **Any change in the driver's address or employer must be notified immediately** to the Team Leader at the above address.
4. If a driver's badge and/or licence is misplaced or lost the driver must notify the Team Leader immediately.
5. The driver shall at the request of any authorised officer of the Council or any Constable produce for inspection his/her official driver's licence forthwith, or;
 - (a) in the case of a request by any authorised officer, before the expiration of the period of five days beginning with the day following that on which the request was made at the Food Safety and Licensing section at the above address;
 - (b) in the case of a request by a Constable before the expiration of the period aforesaid at any police station which is within the District and is nominated by the driver when the request is made.
6. The driver of a private hire vehicle shall **NOT** permit that vehicle to wait on stands appointed for hackney carriages **NOR** proceed along the highway for the purpose of plying for hire.
7. The driver shall:
 - (a) when requested by the hirer, convey a reasonable quantity of luggage, and afford reasonable assistance with the loading and unloading thereof.
 - (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.
8. 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.

9. The driver shall not allow there to be conveyed in the front of a private hire vehicle:
 - (i) any child below the age of ten years; or
 - (ii) more than one person above that age.
10. The driver shall not without the consent of the hirer of a vehicle convey or permit to be conveyed any other person in that vehicle.
11.
 - a) The driver shall immediately after the termination of any hiring of a private hire vehicle or as soon as possible thereafter carefully search the vehicle for any property which may have been accidentally left there.
 - b) If any property accidentally left in a private hire vehicle by any person who may have been conveyed therein is found by or handed to the driver, he shall take it as soon as possible and in any event within twenty-four hours to a convenient police station and leave it in the custody of the officer in charge on their giving receipt for it.
12. **The driver shall notify to the Council details in writing within 7 days of any convictions, penalty notices, endorsements and/or cautions imposed on him/her during the period of the licence.**
13. The driver shall notify the Council of any changes in their medical condition and may be required to undergo a further medical examination, as required by the Council.
14. **Written receipts**

The driver shall if requested by the hirer of a private hire vehicle provide a written receipt for the fare paid.
15. **Attendance and Distance**

The driver of a private hire vehicle shall, unless delayed or prevented by some sufficient cause, punctually attend at the time and place appointed by the hirer, and shall not without reasonable cause, prolong in distance or in time, the journey for which the vehicle has been hired.
16. **Taximeter**

If a private hire vehicle being driven by a driver is fitted with a taximeter, the driver shall not cause the fare recorded thereon to be cancelled until the hirer has had a reasonable opportunity of examining it and has paid the fare (unless credit is to be given).
17. **Fares to be demanded**

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, if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter. The operator or driver shall display visibly inside the vehicle a current list of his/her scale of charges for inspection by passengers.
18. Where any complaint is made against a private hire vehicle driver, then the complainant shall be requested to put that complaint in writing immediately and submit it to the Council or the proprietor who shall in turn within 48 hours of receipt of the complaint notify the Licensing Authority.

Disability Discrimination Act 1995 Section 37 & 37A - Carriage Of Guide, Hearing And Other Assistance Dogs In Hackney Carriage & Private Hire Vehicles

19. Under section 37 and 37A of the above Act, it is mandatory for Hackney Carriage and Private Hire drivers to carry guide, hearing and other assistance dogs accompanying disabled people and to do so without additional charge. The dog must be allowed to remain with the passenger.

Only in cases where a driver has been issued with a Notice and Certificate of Exemption on medical grounds will they be exempt. Where a Notice of Exemption has been issued to a driver, it must be exhibited in the vehicle by fixing it facing outwards, either to the windscreen or in a prominent position on the dashboard.

Failure to comply with these duties is an offence and if found guilty you may be liable of a fine currently up to £1,000.

It is also an offence under Section 49(2) of the Act if, with intent to deceive, you

- (a) forge, alter or use a Certificate or Notice of Exemption
- (b) lend a Certificate or Notice of Exemption to any other person
- (c) allow it to be used by any other person; or
- (d) make or have in your possession any document which closely resembles a Certificate or Notice of Exemption.

Types of Dogs covered:

- **Guide dogs:** trained by Guide Dogs for the Blind Association to guide a visually impaired person. These dogs wear a harness.
- **Hearing dogs:** trained to assist a deaf person. These dogs wear a jacket with the words 'Hearing Dogs for Deaf People'.
- **Other assistance dogs:** those trained by 'Dogs for the Disabled', 'Support Dogs', of 'Canine Partners' to assist a disabled person with a physical impairment. These dogs should be wearing a jacket inscribed with the name of the relevant charity.

In addition, the owners of all these dogs will carry an identity card with the name of the relevant charity.

20. **Other animals**

The driver shall not convey in a taxi any animal belonging to or in the custody of him/herself or the proprietor or operator of the vehicle. The driver should ensure that any animal belonging to, assisting, or in the custody of any passenger, is conveyed in a manner appropriate to its size. At the termination of any such hiring the driver will ensure that the seat(s) are cleared of all fur, hair and mud before accepting another fare.