



Ribble Valley Borough Council

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RIBBLE VALLEY BOROUGH COUNCIL **HACKNEY CARRIAGE DRIVER'S LICENCE** **(the "Driver's Licence")**

The Council has the power to suspend, revoke or refuse to renew any Driver's Licence if any of these standard conditions are not complied with.

The following standard conditions are attached to the issue of a Hackney Carriage Driver's Licence (the "Driver's Licence") in the Ribble Valley.

REQUIREMENTS FOR THE ISSUE OF A DRIVER'S LICENCE

Age and Qualifications of Driver

1. An applicant for a Driver's Licence must have attained the age of 21 years and for the twelve months immediately prior to the application either:
 - a. have been the holder of a licence (not being a provisional licence) granted under Part III of the Road Traffic Act 1988 ("RTA") (as amended from time to time or under any successor legislation); or
 - b. be authorised by virtue of Section 99 A(1) or Section 109(1) of the RTA (as amended from time to time or under any successor legislation) to drive a motor car in Great Britain.

Health of a Driver

2. A mandatory Group 2 Medical Certificate (which is a requirement of "Fitness to Drive: A Guide for Health Professionals" published in 2006 by The Royal Society of Medicine Press Limited on behalf of the Department for Transport) signed by your own doctor must be produced at the time of the initial application.

3. Applicants over the age of 60 years may be asked to submit themselves for examination by a Medical Practitioner nominated by the Council. The applicant must pay the costs of such an examination.
4. Drivers who are 65 or over will be subject to an annual medical examination.
5. In the event of the onset or worsening of a health condition likely to cause a driver to be a source of danger to the public, when driving either now or in the future they must inform the Council immediately.

Examples of health conditions, which must be reported, are:

- giddiness;
- fainting;
- black-outs;
- Epilepsy;
- Strokes;
- Multiple Sclerosis;
- Parkinson's Disease;
- heart disease;
- Angina;
- Coronaries;
- high blood pressure;
- Arthritis;
- disorder of vision;
- mental illness;
- alcoholism;
- drug taking and
- the loss of a limb or use of a limb.

THIS LIST DOES NOT INCLUDE ALL THE CONDITIONS THAT MUST BE REPORTED. THESE EXAMPLES ARE GIVEN ONLY TO INDICATE THE TYPES OF CONDITIONS.

Drivers, who are in doubt about whether or not their health condition is one, which should be reported, should consult their doctor.

Test of fit and proper person

All applicants must satisfy the Council that they are a fit and proper person to hold a Driver's Licence. The following issues are considered when applying that test:

Disclosure and Barring Service check ("DBS check")

6. All applicants must apply for an enhanced DBS check, the contents of which will form part of the process of assessing whether an applicant is a fit and proper person.

Knowledge Test

7. All applicants must pass the Council's knowledge test before a Driver's Licence will be issued. The knowledge test can be taken either as a written test or as a mobile test in the applicant's vehicle. Applicants must contact the Council to make an appointment to take the knowledge test. An applicant will be allowed no more than four attempts to pass the knowledge test.

DVSA Taxi Driver's Test

8. All applicants must produce evidence of having passed the DVSA Taxi driver's test.

BTEC - Introduction to the Role of the Professional Taxi and Private Hire Driver

9. All applicants must be enrolled upon the BTEC – Introduction to the Role of the Professional Taxi and Private Hire Driver course upon application and must have completed this within one year of the licence granted.

Right to Licence

10. Applicants must be able to demonstrate their right to licence pursuant to the Immigration Act 2016.

Address on Driving Licence

11. Applicants must ensure that their VOSA driving licence shows their current address.

THE LICENCE

Duration of Driver's Licence

12. Save where a licence is subject to suspension or revocation a Driver's Licence will be valid for 12 months or 3 years (dependent on the period applied for) from the date of issue.

Suspension/Revocation/Refusal to Renew

13. A Driver's Licence may be suspended, revoked and/or not renewed by the Council if a driver:
 - a. fails to comply with these standard conditions;
 - b. is convicted of an offence involving dishonesty, indecency or violence;
 - c. has been convicted of an offence under or has failed to comply with the provisions of the Town Police Clauses Act or the Local Government (miscellaneous provisions) Act 1976;
 - d. has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty; or
 - e. on any other reasonable grounds.

DRIVER'S RESPONSIBILITIES

Driver's Badge/Licence

14. The driver of a Hackney Carriage **MUST** wear their Hackney Carriage Driver's Badge in such a position and manner as to be visible at all times whilst in the course of their duty.
15. The badge will serve as evidence of the driver's licence and they shall, if requested, show the badge to the hirer of the vehicle, a police officer or any authorised officer of the Council.
16. A badge relates only to the driver it was issued to; it **cannot** be transferred.

17. Upon expiry, revocation or suspension of a Driver's Licence, the driver shall return their badge to the Council within 7 days.
18. Section 48 of the Town and Police Clauses Act 1847 requires Hackney Carriage Proprietors to obtain and retain custody of the Hackney Carriage Licences of the drivers they employ.
19. If carrying out private hire work a driver must show their Driver's Licence to the operator/proprietor at the beginning of their employment as a private hire driver.
20. A Hackney Carriage driver must only carry out private hire work through a private hire operator licensed by Ribble Valley Borough Council.

Conduct of Driver

21. The Driver shall:
 - a. at all times be clean and respectable in their dress and person and behave in a civil and orderly manner;
 - b. ensure that the vehicle driven by them is kept in a clean and tidy condition;
 - c. take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by them;
 - d. not without the express consent of the hirer, eat or drink in the vehicle;
 - e. not smoke in the vehicle or permit any passenger to smoke in the vehicle (which for the avoidance of doubt shall include smoking or using an electronic cigarette or any other vapour producing smoking device);
 - f. not use any mobile phone (including a hands free mobile phone) whilst driving;
 - g. not without the express consent of the hirer, play any radio or other 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;

- h. not cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which they are driving, to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle;
- i. convey a reasonable quantity of luggage on behalf of the hirer and/or passengers;
- j. afford reasonable assistance with loading or unloading luggage;
- k. afford reasonable assistance in removing luggage to or from the entrance of any building, station or place at which they may take up or set down the hirer and/or passenger(s);
- l. if they are aware that the vehicle has been hired, to be in attendance at an appointed time and place, or they have otherwise been instructed by the Operator or proprietor of the vehicle to be in attendance at an appointed time and place, attend at that appointed time and place unless delayed or prevented by sufficient cause;
- m. If carrying out private hire work not operate the horn of the vehicle as a means of signalling that the vehicle has arrived; and
- n. Provide a written receipt for the fare paid if requested by the hirer.

Lost Property

- 22. A driver of a Hackney Carriage shall, immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left therein.
- 23. A driver of a Hackney Carriage shall, on finding such lost property, take it as soon as possible and in any event within 48 hours if not claimed by its owner, to a Police Station within the district where they should report it to the officer in charge of the station.

Passengers

24. Section 51 and 52 of the Town Police Clauses Act 1847 and this Council's Byelaws provide that the permitted maximum number of passengers is marked on plates both inside and outside a Hackney Carriage. A driver must not carry more passengers than the stated maximum number.
25. A driver shall not convey or allow there to be conveyed in the front seat of a Hackney Carriage:
 - a. any child below the age of 10 years; or
 - b. more than one person above that age.
26. The driver of a Hackney Carriage shall not permit any person to be conveyed in the vehicle without the consent of the hirer.

Unauthorised/Uninsured/Unlicensed Drivers

27. No person being unauthorised, uninsured or unlicensed shall drive a Hackney Carriage.
28. The holder of a Driver's Licence shall not permit an unauthorised, uninsured or unlicensed person to drive a Hackney Carriage.

Advertisement

29. Save with the consent of the Council, a driver of a Hackney Carriage shall not place or allow to be placed any printed, written or other matter by way of advertisement on any part of the vehicle.

Shortest Route

30. Subject to any directions given by the hirer, a driver of a Hackney Carriage, when hired, shall drive to the hirer's required destination, by the shortest available route.

Licence Plate

31. The Hackney Carriage Licence plate provided by the Council, which identifies the vehicle as a Hackney Carriage, must remain attached to the vehicle using the Council's approved bracket, by the method and in the position specified by the Council, **AT ALL TIMES** (including when the vehicle is not in use) and should not be removed unless required to do so by an authorised officer of the Council or by the police.
32. The driver of a Hackney Carriage shall not wilfully or negligently cause or suffer any licence plate to be concealed from public view at any time or to be defaced.

Licence Conditions/Bye Laws

33. A driver shall at all times when driving a Hackney Carriage keep a copy of these Conditions and the Hackney Carriage Bye Laws within the vehicle and shall make them available for inspection by the hirer or any other passenger on request.

Fares

34. A driver shall ensure that a statement of fares, in the form issued by the Council is exhibited at all times inside the Hackney Carriage and is fitted and maintained in such a position so as to be clearly visible at all times to the hirer.

Use of Taximeter

35. A driver of a Hackney Carriage shall:
 - a. ensure that the taximeter is started as soon as the hirer commences their journey;
 - b. ensure that the dial/display of the taximeter is kept properly illuminated throughout any part of the hiring which is during the hours of darkness and/or at any other time at the request of the hirer.
 - c. ensure that the fare recorded on the taximeter is not cancelled or concealed until the hirer has had reasonable opportunity of examining it and has paid the fare (unless credit is to be given).

- d. not tamper with or permit any person to tamper with, the taximeter, its fittings or seals attached to it and/or with any other equipment attached to or forming part of the vehicle.

EQUALITY ACT 2010

Assistance_Dogs

- 36. The Equality Act 2010 imposes duties on a driver of a Hackney Carriage which has been hired by:
 - a. a disabled person or a person who is accompanied by an assistance dog; or
 - b. by another person who wished to be accompanied by a disabled person with an assistance dog.
- 37. The driver must:
 - a. carry the disabled person's dog and allow it to remain with that person; and
 - b. not make any additional charge for doing so.
- 38. An exemption to this obligation can only be given on medical grounds.
- 39. Failure to comply with this obligation will lead on summary conviction to a fine not exceeding level 3 on the standard scale, currently **£1,000**.
- 40. A driver shall not convey in a Hackney Carriage any animal belonging to or in the custody of himself or the proprietor of the vehicle.
- 41. A driver shall ensure that any animal carried in the Hackney Carriage at the request of the hirer/passenger is properly secured before the journey commences.

Wheelchair Accessible Vehicles

- 42. Section 165 of the Equality Act 2010 imposes duties upon drivers of designated hackney carriage which has been hired:

- a. by or for a disabled person who is in a wheelchair, or
 - b. by another person who wishes to be accompanied by a disabled person who is in a wheelchair.
43. The duties are:
- a. to carry the passenger while in the wheelchair;
 - b. not to make any additional charge for doing so;
 - c. if the passenger chooses to sit in a passenger seat, to carry the wheelchair;
 - d. to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort;
 - e. to give the passenger such mobility assistance as is reasonably required.
44. Failure to comply with these obligations will lead on summary conviction to a fine not exceeding level 3 on the standard scale, currently £1,000.
45. An exemption to this obligation can only be given on medical grounds.

Disabled Passengers – Duties of drivers

46. Section 164A of the Equality Act 2010, imposes duties upon drivers of private hire vehicles which have been hired by or for a disabled person, or by another person who wishes to be accompanied by a disabled person. The duties are to:
- a) To carry the passenger
 - b) If the passenger is in or has with them a wheelchair, to carry the wheelchair
 - c) If the passenger has with them any mobility aids, to carry the mobility aids
 - d) To take such steps as are reasonable to ensure that the passenger is carried in safety and reasonable comfort
 - e) To give the passenger such mobility assistance as is reasonably required
 - f) Not to make or propose to make any additional charge for complying with a duty mentioned in paragraphs (a) to (e).

47. It is an offence for a driver to fail to comply with this duty and person found guilty would be liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000).

Disabled Passenger – assistance to identify and find vehicle

48. Section 165A of the Equality Act 2010 imposes duties on the driver of a private hire vehicle or pre-booked taxi where it has been booked by a disabled person or by another person who wishes to be accompanied by a disabled person. The driver's duties are:

- a) To take such steps as are reasonable to assist the passenger to identify and find the vehicle which has been hired
- b) Not to make, or to propose to make, any additional charge for complying with the duty mentioned in paragraph (a).

49. It is an offence for a driver to fail to comply with this duty and person found guilty would be liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000).

Accident to Vehicle

50. If a driver of a Hackney Carriage is involved in an accident or incident the driver **MUST** report this to the Council as soon as reasonably practicable, but in any case within 72 hours of the accident or incident. Compliance with this condition does not exempt the driver from his statutory liability to report all accidents to the police.

DISCLOSURE OF INFORMATION

Convictions

51. Any person who holds a Driver's Licence **MUST** disclose to the Council, within **seven days**, in writing full details of any conviction and/or police caution received or imposed on them.

Change of Address

52. Any person holding a Driver's Licence **MUST** notify the Council in writing of a change to their address within seven days.

Change of Employment

53. Any person holding a Driver's Licence **MUST** notify the Council within seven days of the commencement or termination of employment of the name and address of the Operator or proprietor and the date when the employment either started or ended.