

1. DRIVER LICENCE

The licensee shall not assign or in any way part with the benefit of the licence which is personal to the licensee.

2. DRIVER BADGE

- (a) The driver shall at all times, when driving a private hire vehicle for hire or reward, wear the driver's badge issued by the Council in a prominent visible place on the outer clothing.
- (b) The driver's badge shall remain the property of the Council. If the licence is not renewed such badge shall be returned by the licence holder to the Council within 7 days of a Notice from the Council requiring the licensee so to do, or such other period as may be specified.
- (c) The badge must be returned to the Council immediately the licence is suspended, or revoked, or becomes invalid for any reason (eg expiry).

3. CONDUCT OF DRIVER

- (a) The driver shall at all times be clean and respectable in his/her dress and person.
- (b) The driver shall behave in a civil and orderly manner and comply with all reasonable requirements of any person hiring or being conveyed in the vehicle.
- (c) The driver shall afford all reasonable assistance with passenger luggage as may be required.
- (d) The driver shall take all reasonable steps to ensure the safety of passengers entering or conveyed in or alighting from the vehicle, especially those passengers with a disability.
- (e) The driver shall not smoke tobacco or like substance in the vehicle at any time as provided by the Health Act 2006.
- (f) The driver shall not, without the express consent of the hirer, drink or eat in the vehicle or 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.
- (g) The driver shall at all times when driving a private hire vehicle for hire or reward ensure that such vehicle is maintained in a roadworthy and clean condition.
- (h) The driver shall ensure at all times that insurance cover is in force covering him/her to drive such vehicle for private hire purposes.
- (i) The driver, whilst in charge of a private hire vehicle on a road or other public place, shall not -
park the vehicle on any hackney carriage stand for any reason during the operational times of such stand and/or
stand or ply for hire or offer such vehicle for immediate hire; or
solicit, cause or procure any person to hire or be carried for hire in such vehicle; or
accept an offer for the immediate hire of such vehicle except where such offer is first communicated to the licensee from the office of a licensed private hire operator.
- (j) The driver of a private hire vehicle shall ensure that neither the licence number marked on the inside of the vehicle nor the licence plate affixed to the rear of the vehicle become concealed from public view or be so damaged or defaced that any figure or material particular is rendered illegible.
- (k) The driver of a private hire vehicle shall if he/she 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 delayed or prevented by sufficient cause.
- (l) The fitting of mobile/portable/cell phones in private hire vehicles is prohibited but such a phone may be carried by the driver for **emergency use only** (use of a phone for or in connection with a booking of a private hire vehicle will render the driver liable to prosecution). The use of scanner equipment is prohibited.
- (m) The driver of a wheelchair accessible vehicle is required to hold a Driving Standards Agency (DSA) Wheelchair Assessment Certificate.

4. FARES AND FARECARDS

- (a) The driver shall ensure that a notice is visibly displayed for the benefit of passengers to the effect that in the absence of a published fare scale, the fare should be agreed between passenger(s) and driver before commencement of the journey. When a fare scale is used that fare scale shall be displayed and must be of a similar size to the Council's notice regarding fares and shall give an accurate reflection of the charge, including any specific additions (i.e. Bank Holiday and after midnight loading) the customer may be expected to pay.
- (b) The driver shall not, if the private hire vehicle is fitted with a taximeter, cause the fare recorded thereon to be cancelled or concealed until the hirer has had the opportunity of examining it and has paid the fare.
- (c) 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.
- (d) The driver shall, if requested by the hirer, provide a written receipt for the fare paid, such receipt to bear the name and address of the proprietor of the vehicle together with the badge number of the driver.

5. PASSENGERS

- (a) The licensee shall not cause or suffer or permit to be conveyed in a private hire vehicle a greater number of persons exclusive of the driver than the number of persons specified in the licence issued in respect of that private hire vehicle. In addition the driver shall ensure that seat belt legislation is complied with in respect of all children conveyed in the vehicle.
- (b) The driver shall not without the consent of the hirer of the vehicle convey or permit to be conveyed any other person in that vehicle.
- (c) The driver shall provide all reasonable assistance to passengers and especially those with a disability. (See Condition 6(c) regarding 'assistance dogs'.)

continued overleaf

6. ANIMALS (INCLUDING ASSISTANCE DOGS)

- (a) The driver shall not convey in a private hire vehicle any animal belonging to or in the custody of him/herself or the proprietor or operator of the vehicle whilst undertaking any hiring.
- (b) Any animal belonging to or in the custody of any passenger should remain with that passenger and be conveyed in the front or rear of the vehicle.
- (c) The driver shall not fail or refuse to carry out a booking by or on behalf of a person with disabilities who is accompanied by an 'assistance dog' unless the driver has a Medical Exemption granted by the Licensing Authority **and** is displaying the Exemption Certificate in the approved manner in or on the vehicle.

7. FOUND PROPERTY

The driver shall, following the setting down of passengers, ascertain if any property belonging to the hirer(s) has been left in the vehicle and if not immediately able to return any such property, shall leave it at the office of the licensed operator for that vehicle for safe keeping.

8. MEDICAL CONDITION(S)

- (a) The licenceholder shall notify the Council **in writing** without undue delay of any change in medical condition.
- (b) The licenceholder shall at any time, or at such intervals as the Council may reasonably require, produce a certificate in the form prescribed by the Council signed by a registered medical practitioner to the effect that he/she is or continues to be physically fit to be a driver of a private hire vehicle.

9. CONVICTIONS

The licenceholder shall notify the Council **in writing** within 7 days full details of any conviction, binding over, caution, warning or reprimand imposed on him/her during the period of the licence.

10. CHANGE OF OPERATOR

The licenceholder shall notify the Council **in writing** within 7 days of any change of operator through whom he/she works.

11. CHANGE OF ADDRESS

The licenceholder shall notify the Council **in writing** within 7 days of any change of his/her address taking place during the period of the licence, whether permanent or temporary.

NOTES

- (i) These conditions should be read in conjunction with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.
- (ii) Anyone to whom a badge and/or licence is produced as evidence of being licensed must check with the Licensing Office (Wakefield 302921/18) to verify it is still currently valid and not suspended or revoked or cancelled.
- (iii) Any person who commits an offence against any of the provisions of the Act of 1976 shall pursuant to Section 76 be liable on summary conviction to a fine not exceeding level 3 on the standard scale or to such other penalty as expressly provided in the Act. The licenceholder should ensure compliance at all times.
- (iv) The use of a vehicle not licensed as a private hire vehicle to fulfil any private hire booking is prohibited even if no fare is charged for the journey or irrespective of when, how and to whom any fare is payable.
- (v) **ANY INFRINGEMENT OF THE LICENSING CONDITIONS COULD LEAD TO SUSPENSION OR REVOCATION OF THE LICENCE.**
- (vi) **ANY REQUEST FOR ADVICE FROM THE COUNCIL IN RELATION TO LICENSING LEGISLATION SHOULD BE IN WRITING TO WHICH A WRITTEN RESPONSE WILL BE GIVEN SO AS TO AVOID ANY FUTURE DISPUTE AS TO THE ADVICE GIVEN. THIS DOES NOT PRECLUDE YOU FROM OBTAINING YOUR OWN INDEPENDENT LEGAL ADVICE.**
- (vii) **ANY PERSON AGGRIEVED BY ANY CONDITION SPECIFIED IN THE LICENCE MAY APPEAL TO A MAGISTRATES' COURT WITHIN 21 DAYS OF ISSUE.**