



**South Derbyshire
District Council
Private Hire Licence
Conditions
For
Operators, Vehicles and
Drivers**

SOUTH DERBYSHIRE DISTRICT COUNCIL

PRIVATE LICENCE CONDITIONS DEFINITIONS

PART A

Definitions	
The Council	means the South Derbyshire District Council.
The District	means the area of the Council.
The Act	means the Local Government (Miscellaneous Provisions) Act 1976.
Private Hire Vehicle	has the same meaning as in the Act.
Vehicle	means the private hire vehicle.
Operator	means a person holding a licence to operate private hire vehicles issued by the Council under the provisions of Section 55 of the Act.
Driver	means a person holding a licence to drive private hire vehicles issued by the Council under the provisions of Section 51 of the Act.
Proprietor	means the person or persons or body named on a private hire vehicle licence as the proprietor of the vehicle and includes part proprietors and in relation to a vehicle subject to a hiring agreement or hire purchase agreement, the person in possession of the vehicle under that agreement.
Meter	means any device for calculating the fare to be charged in respect of any journey in a vehicle by reference to the distance travelled or time elapsed since the start of the journey, or a combination of both.
Plate	means the plate issued by the Council for the purpose of identifying a vehicle as a private hire vehicle.
Badge	means the badge issued by the Council under the provisions of Section 54 of the Act to the licence holder for the purposes of identifying him as a licensed private hire vehicle driver.
Authorised Officer	means any officer of the Council authorized in writing by the Council for the purpose of regulating private hire vehicles.
Premises	Means the operator's place or places of business for the purpose of operating vehicles

NOTES

YOUR ATTENTION IS ALSO DRAWN TO THOSE STATUTORY PROVISIONS OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 RELATING TO PRIVATE HIRE DRIVERS. FAILURE TO COMPLY WITH ANY OF THESE PROVISIONS MAY RESULT IN A FINE AND/OR THE LICENCE BEING SUSPENDED OR REVOKED.

SOUTH DERBYSHIRE DISTRICT COUNCIL

PRIVATE HIRE DRIVER'S LICENCE CONDITIONS

PART B

PRIVATE HIRE DRIVER'S LICENCES ARE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS. YOU ARE ADVISED TO STUDY THESE CAREFULLY AS NON-COMPLIANCE WITH ANY CONDITION MAY RESULT IN A FINE AND/OR THE LICENCE BEING SUSPENDED OR REVOKED.

1. General Conditions

The Licensee shall observe and perform the following conditions :-

- (a) The licensee shall not assign or in any way part with the benefit of the licence. It is personal to the licensee*
- (b) The licensee shall not, while driving or in charge of a private hire vehicle ;-*
 - Tout or solicit on a road or other public place any person to hire or be carried in any private hire vehicle;*
 - Cause or procure any person to tout or solicit in a road or other place any person to hire or be carried in any private hire vehicle;*
 - Offer that vehicle for immediate hire while the licensee or that vehicle is on a road or other public place;*
 - Accept an offer for immediate hire of that vehicle while the licensee or that vehicle is on a road or other public place except where such offer is first communicated to the licensee by telephone or by apparatus for wireless telegraphy fitted to that vehicle without the licensee in any way procuring the offer.*
- (c) The licensee shall not cause or suffer or permit to be conveyed in a Private Hire Vehicle a greater number of persons than is specified in the Licence issued in respect of a Private Hire vehicle.*
- (d) The licensee shall when driving a Private Hire Vehicle wear in a conspicuous position so as to be plainly and distinctly visible the drivers badge issued by the Council.*

2. Disclosure of Information (To determine fit and proper person)

- (a) It is now a requirement that all new drivers have to submit via a recognised body a Disclosure of Information Form to the Criminal Records Bureau (CRB). It should be noted that new drivers will not be issued with a licence until all appropriate paperwork is completed and the Disclosure of Information Form is returned to the Council Offices. The time taken for this search to return is not in Councils control.*

(b) From the date that Committee Approves this section all drivers will be required to submit a new disclosure of Information Form to Criminal Records Bureau every 3 years after their initial approval in order to ascertain that the driver has not received any convictions which have not been brought to the attention of the Authority. This will be undertaken in conjunction with the renewal of the licence and will not suspend the licence whilst the Council awaits the return of the CRB form. No additional fee will be charged for this except the fee charged by the CRB.

3. Conduct of Driver

The driver shall:-

- (a) behave in a civil and orderly manner;
- (b) be clean and respectable in his dress and person;
- (c) take all reasonable steps to ensure the safety of passengers conveyed in, entering into or getting out of the vehicle driven by him;
- (d) not, drink or eat in the vehicle whilst it is being let for hire and it is now an offence for the passenger or driver to smoke in the vehicle at any time.
- (e) not, without the express consent of the hirer, play any radio or any sound reproducing equipment in the vehicle other than for the purposes of sending or receiving messages in connection with the operation of the vehicle;
- (f) at no time cause or permit the noise from any radio or similar equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person whether inside or outside the vehicle; and
- (g) not stand or ply for hire or solicit on a road or other public place any person to hire or be carried for hire in the vehicle.
- (h) not use a mobile phone whilst the engine is running unless it is via an appropriate hands free operation and not be distracted in any way whilst taking messages from the mobile phone***

4. Badge

The driver shall ensure that the badge is **current** and worn on his / her clothing in such a position and manner as to be plainly and distinctly visible at all times when discharging his duties as a driver of a vehicle.

5. Passengers

The driver shall not:-

- (a) convey or permit to be conveyed in a vehicle a greater number of passengers than that specified in the private hire vehicle licence.
- (b) allow any child under the age of 10 years to be conveyed in the front passenger seat of the vehicle without an appropriate restraint;
- (c) allow more than one passenger to be conveyed in the front passenger seat of the vehicle unless the vehicle is adapted to carry more; and
- (d) without the consent of the hirer of the vehicle convey or permit to be conveyed any other person in that vehicle.

6. **Animals**

- (a) The driver shall not convey in the vehicle any animal belonging to or in the custody of himself or the operator of the vehicle, without the consent of the hirer.
- (b) The driver may carry any animal belonging to a passenger at his own discretion but only in the rear seating area of the vehicle and he shall ensure where necessary that such animals are suitably contained so as not to present a nuisance or hazard to the occupants of the vehicle.
- (c) Notwithstanding (b) above ***a Private Hire vehicles must carry a guide dog or assistance dog belonging to a passenger free of charge unless the driver has a proven medical condition that would preclude such action. Operators have the responsibility to ensure that their drivers / employees are aware of such condition when they are first employed.***

7. **Luggage**

The driver shall:-

- (a) carry a reasonable quantity of passengers' luggage on or in the vehicle; and
- (b) afford reasonable assistance in removing or depositing such luggage from or to the entrance of any dwelling, station or other place at which or near to which the driver picks up or sets down a passenger.

8. **Trailers**

The driver shall only drive a vehicle fitted with a trailer when he/she has been issued with a certificate by the Licensing Authority, to say that he/she can do so. *(see special conditions)*

9. **Prompt Attendance**

The driver of a vehicle, which has been hired, to be in attendance at an appointed time and place shall, unless delayed or prevented by sufficient cause, punctually attend with the vehicle at the appointed time and place.

10. **Lost Property**

- (a) The driver shall immediately after the termination of any hiring or as soon as is practicable thereafter, carefully search the vehicle for any property which may have been left in it.
- (b) Any property found by the driver in the vehicle or handed to him shall, if not claimed by or on behalf of the passenger within 24 hours, be given by the driver to the operator of the vehicle.

11. **Destination**

When hired to drive to a particular destination the driver shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.

12. **Meter**

If the vehicle being driven is fitted with a meter, the driver shall:-

- (a) on commencement of a journey bring the machinery of the meter into action and keep the meter in action until the termination of the hiring;
- (b) cause the meter to be properly illuminated throughout any part of the hiring which is during the hours of darkness and at any other time at the request of the hirer; and
- (c) not conceal from public view the proprietor's fare table.

13. Fares

The driver shall not demand from any hirer:-

- (a) in respect of a vehicle with a meter, a fare in excess of that displayed thereon at the termination of the journey unless otherwise agreed with the hirer prior to the commencement of the journey; and
- (b) in respect of a vehicle without a meter, a fare in excess of that previously agreed for the hiring between the hirer and the operator.

14. Written Receipt

The driver shall, if requested by the hirer of the vehicle, provide him with a written receipt of the fare paid.

15. Interior Display

The driver shall not conceal from the passengers' view the interior display indicating the information required to be displayed under the private hire vehicle licence conditions.

16. Plate

The driver shall ensure that the plate is at all times clearly visible to public view when the vehicle is being used for private hire purposes.

17. Medical Fitness

The driver shall:-

- (a) ***Medical Examination Certificate must be completed and signed by a Medical Practitioner as to his fitness to be a driver of a vehicle with the initial application***

A new Medical Examination Certificate will be required on renewal of a drivers Licence at the age of 45 years, and then subsequently every 5 years until the age of 65 unless the driver is restricted to a shorter period for medical reasons. At the age of 65 are renewable annually without an upper age limit.

- (b) ***Every 2.5 years after the initial application and subsequently at the mid term of The medical examination produce a certificate from a qualified Ophthalmic Optician, confirming that his/her vision is of an acceptable standard for the purpose of driving a Private Hire Vehicle. For person over the age of 65 this will be included in their medical Examination.***

- (c) notify the Council in writing of any medical condition or ophthalmic condition arising during the period of the licence which may affect his ability to drive safely;

- (d) if required to do so by the Council produce a certificate signed by a Medical Practitioner as to his/her fitness to be a driver of a vehicle;

18. Change of Address

The driver shall give notice to the Council in writing of any change of his address during the period of the licence and return the licence to the Council for endorsement within 7 days of such change-taking place.

19. Convictions

The driver shall within 14 days disclose to the Council in writing details of any convictions imposed on him during the period of the licence.

20. Loss of Licence or Badge

The driver shall report the loss of his licence or badge to the Council in writing as soon as the loss becomes known. A duplicate may be issued upon payment of a fee.

21. Return of Licence and Badge

The driver shall immediately return his licence and badge to the Council in the event of the suspension or revocation of the licence or if s/he ceases to be employed by an operator licensed by the Council.

22. Payment by Cheque

A licence in respect of which the fee has been paid by cheque shall be of no effect in the event of the cheque being subsequently dishonoured.

23. Change of Operator

The driver shall notify the Council in writing, within seven days, of any change of employer by whom s/he is or has been employed, or by whom s/he is or has been operated.

24. Driving Licence

The driver shall, upon the request of an authorised Officer of the Council, produce his/her current D.O.T. Driving Licence within five days of the request either to the Officer or at the Council's Licensing Office.

25. Licence Renewal

The driver must apply to the Council in writing on the appropriate application form at least 21 days before the expiry of the licence if s/he requires the licence to be renewed for a further period. **Failure to renew the licence by the renewal date will result in suspension of the licence until renewal is completed. If the renewal is not completed within 1 calendar month of the renewal date the licence will be revoked completely.**

26. Deposit of Licence

If the driver is employed by a licensed operator, s/he shall before commencing to drive, deposit his/her licence with that proprietor for retention by him/her until such time as the driver ceases to be permitted or employed to drive for the said operator.

27. Insurance

The driver shall ensure that there is a current Certificate of Insurance in being in respect of any vehicles s/he is employed to drive as a private hire vehicle.

28. Conditions of Licence

- (a) The driver shall at all times when driving a private hire vehicle carry with him/her a copy of these conditions and shall make them available for inspection by the hirer or any other passenger on request.
- (b) S/he shall also ensure that the conditions attached to the Private Hire Vehicle Licence in regard to a first aid kit, a fire extinguisher and spare wheel with an adequate tool kit are complied with.
- (c) The driver shall only discharge his/her duties for a person licensed by the Council as a private hire operator under the Act.
- (d) The driver shall only drive a vehicle, which has been licensed by the Council under the Act.

29. Private Hire Driving Test

All new applicants will be required to sit and pass a Driving Standards Agency examination driving test for Private hire / Hackney Carriage. All existing drivers will not need to sit such an examination unless they are convicted or receive a fixed penalty for a moving traffic offence.

30. Knowledge Test

All new applicants clearly need a good working knowledge of the area for which they are Licensed. No new private hire driver will be granted a licence unless the applicant has satisfied the authority that they have a knowledge of the highway code, relevant legislation, a fundamental knowledge of customer care, A non refundable fee will be levied for this test. A different examination will be undertaken for those drivers who drive specifically to destinations outside of the area.

31. Driving Licence Verification

All new applicants and each applicant on their yearly renewal of their licence will be Required to sign an authorisation under data protection law in order for this Authority to verify the particulars that are disclosed on an applicants driving licence with either the DVLA or other suitable body.

SOUTH DERBYSHIRE DISTRICT COUNCIL

PRIVATE HIRE OPERATOR'S LICENCE CONDITIONS

PART C

PRIVATE HIRE OPERATOR'S LICENCES ARE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS. YOU ARE ADVISED TO STUDY THESE CAREFULLY AS NON-COMPLIANCE WITH ANY CONDITION MAY RESULT IN A FINE AND/OR THE LICENCE BEING SUSPENDED OR REVOKED.

Conditions of Licence

1. General

- (a) An operators Licence is required for any person operating private hire vehicles as provided by the Local government (miscellaneous Provisions) Act 1976.**
- (b) The Licence is not transferable, and shall remain in force for a period not exceeding 12 months, unless suspended or revoked within that period.**
- (c) The operator must apply to the Council in writing on the appropriate application form at least 21 days before the expiry of the current licence if s/he requires the licence to be renewed for a further period.**

2. Disclosure of Information (To determine fit and proper person)

- (a) All new operators have to submit via a recognised body a Basic Disclosure of Information Form to the Criminal Records Bureau (CRB). It should be noted that new operators would be issued with a licence prior to the Disclosure of Information Form being returned to the Council Offices. The time taken for this search to return is not in Councils control. Operators who are also applying for a drivers licence will not need to supply separate Enhanced CRB checks but the drivers part of the licence will not be issued until the return of the CRB.**
- (b) Operators will not need to submit an additional CRB form, if they are already registered as a Driver of a Private Hire Vehicle, with South Derbyshire District Council or intending to operate as a private hire driver.**

3. Details of Vehicles

The operator shall keep and maintain at his premises in a suitable book the following details of all vehicles currently operated by him:-

- (a) the name and address of the proprietor;**
- (b) the vehicle licence holder;**
- (c) the vehicle licence expiry date;**
- (d) the vehicle registration number;**
- (e) the vehicle make, model and colour;**

- (f) the plate number;
- (g) a copy of the current Insurance Certificate and M.O.T. Certificate; and
- (h) maintenance records;

and all these details shall be produced on request to an authorised Officer or police constable.

4. Compliance with Private Hire Vehicle Licence Conditions

The operator shall take all reasonable steps to ensure that the vehicles operated by him conform to the private hire vehicle licence conditions and shall ensure that s/he only uses vehicles which are licensed under the Act by the Council.

5. Details of Drivers

The operator shall keep and maintain at his premises in a suitable book the following details of all drivers currently employed, used or controlled by him:-

- (a) name and address;
- (b) badge numbers;
- (c) driving licence number; and
- (d) expiry date of the private hire driver's licence;

and these details shall be produced on request to an authorised Officer or police constable. The operator shall ensure that s/he only uses drivers who are licensed under the Act by the Council.

6. Control of Drivers

The operator shall take all reasonable steps to ensure that drivers of vehicles employed, used or controlled by him observe and conform to the conditions attached to their private hire driver's licence and all other relevant statutory requirements, including Road Traffic legislation and in particular do not:-

- (a) ply for hire; or
- (b) pick up or set down passengers at hackney carriage stands or at any place that may cause a risk of accident or obstruction.

7. Record of Bookings

(a) The operator shall, before the commencement of each journey, record in a suitable book the following details of each booking:-

- (i) the time and date of the booking;
- (ii) *by what method the booking was received (phone or personal call)***
- (iii) the picking up and setting down points, by reference to street names;
- (iv) the date and time when the journey is to commence;
- (v) the name and address of the hirer;
- (vi) *Licence number of vehicle given the booking***

(vii) ***The Private Hire Vehicle Driver Licence number of the driver given the booking***

- (b) That a central record of the procedure outlined above be kept in relation to regular contract bookings
- (c) All records shall be kept at the premises for a period of not less than **18** months from the date of the last entry or such longer period as may be, by written notice, required by the Council.
- (d) These records shall be produced on request to an authorised Officer of the Council or police constable. If the records are not on the premises at the time of this request, then the operator should inform the officer or constable as to their whereabouts **and produce these records within 2 working days at an address indicated by the Authorised Officer or Police Officer.**

8. Prompt Attendance

The operator shall ensure that when a vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at the appointed time and place.

9. Fares

Where a request for a hiring is received and the vehicle to be used for that hiring is not fitted with a meter, the operator must so inform the person making the booking and shall not accept the booking without first telling that person the basis of the hire charge (and if requested shall put that information in writing).

10. Lost Property

- (a) The operator shall deliver any property left in the vehicle and handed to him by the driver to the local police station as soon as possible, and, in any event, within 48 hours if not sooner claimed by or on behalf of the owner and shall, so far as is reasonably possible, supply the police with all the relevant particulars concerning such property.
- (b) Should the police not accept any article of lost property, that article must be retained by the operator for a period of not less than three months, unless sooner claimed by or on behalf of its owner, and during that period the operators shall take all reasonable steps to return the item to its owner.
- (c) The operator shall keep a record of all lost property retained by him under (b) above.

11. Radio Equipment

The operator shall ensure that any radio equipment at his premises used in connection with his business shall:-

- (a) be kept in a safe condition and in proper working order;
- (b) comply with the requirements issued by the Home Office or other Government Department, the Post Office or British Telecom; and
- (c) not interfere with any radio or telecommunication equipment.

12. Waiting and Reception Room

The operator shall ensure that any rooms provided on the premises for the purpose of booking or waiting shall be kept clean, adequately lit, heated and ventilated at all times and be provided with adequate seating for customers. Where these facilities are provided then *the operator must ensure they have suitable Public Liability Insurance*

13. Drunk and Disorderly Persons

The operator shall not allow any person who is drunk, or is behaving in a disorderly manner, to remain on the premises.

14. Nuisance to Nearby Residents

The operator shall at all times carry out his business so as not to cause nuisance or annoyance to nearby residents.

15. Compliance with Other Legislation

The operator shall ensure that at all times his premises comply with the provisions of the Town and Country Planning Act 1971, the Health and Safety at Work etc. Act 1974 and all other relevant legislation.

16. Changes in Details

The operator shall notify the Council in writing within 7 days of any change in:-

- (a) his home address;
- (b) his premises address;
- (c) the name of his firm;
- (d) the licensed vehicles used or controlled by him; and
- (e) the name and address of any driver in his/her employment or under his/her control.

17. Convictions

(a) The operator shall within 14 days disclose to the Council in writing details of any Convictions *or pending convictions likely to be imposed on him* during the period of the licence.

(b) The operator shall within 14 days disclose to the Council in writing details of any pending or imposed convictions on any of his / her drivers

18. Loss of Licence

The operator shall report the loss of the licence to the Council in writing as soon as the loss becomes known. A duplicate licence may be issued on payment of a fee.

19. Return of Licence

The operator shall immediately return the licence to the Council in the event of the surrender, suspension or revocation of the licence.

20. Payment by Cheque

A licence in respect of which the fee has been paid by cheque shall be of no effect in the event of the cheque being subsequently dishonoured. *The local Authority may in future invoice the operator for the appropriate fee's.*

21. Licence

The licence shall remain the property of the Council at all times and shall be renewed annually.

22. Taxi Meters

The operator shall ensure that if s/he wishes to use tax meters in vehicles under his/her control, then all the vehicles must be fitted with taxi meters which are of the type approved and tested by the Council.

23. Premises

The operator's premises must be within the District of South Derbyshire and the operator must have obtained planning permission from the Local Planning Authority (if necessary) prior to commencing business.

24. Access

Access to premises must be given at all times to authorised officers of the Council.

25. Complaints

The operator shall (immediately, upon receipt) notify the Council in writing of any complaints concerning a contract for hire or purported contract for hire relating to or arising from his/her business and of the action (if any) s/he has taken or proposes to take in respect of such a complaint.

26. Signs

The operator shall not use the word "Taxi" or "Cab" or any combination of words which may include these words on any sign or notice displayed on or outside his/her premises, or on any stationery or business cards.

SOUTH DERBYSHIRE DISTRICT COUNCIL
PRIVATE HIRE VEHICLE LICENCE CONDITIONS

PART D

PRIVATE HIRE VEHICLE LICENCES ARE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS. YOU ARE ADVISED TO STUDY THESE CAREFULLY AS NON-COMPLIANCE WITH ANY CONDITION MAY RESULT IN A FINE AND/OR THE LICENCE BEING SUSPENDED OR REVOKED.

1. General Requirements & Maintenance of Vehicle

The vehicle and all its fittings and equipment shall at all times when in use or available for hire be kept in an efficient, safe, tidy and clean condition and be capable of satisfying the Council's authorised examiners at any time during the period of its licence in accordance with the Supplementary Testing Manual, a copy of which can be obtained from the Council.

- (a) The vehicle shall have a minimum of 4 doors to facilitate easy access and egress to and from the vehicle.
- (b) Every proprietor of the vehicle shall keep records of servicing frequency for the vehicle including dates and mileage and shall make these records available for inspection by an officer of the Council

2. Age Restriction of Vehicles

- (a) A Vehicle licence will not be renewed when a vehicle, has reached the age of 8 years (taken from the date of first registration in the Vehicle Registration Document).
- (b) On special application only, will any vehicle be allowed to be operated as a Private Hire Vehicles if it is older than 8 years old. This will normally be for specialist vehicles.
- (c) If Approved Vehicles which are presently registered with this Authority as a Private Hire Vehicle should be allowed to continue until replaced, by their existing drivers. Any transfer of a vehicle will need to comply with the 8 year rule.

3. Alteration of Vehicle

(a) No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the written approval of the Council.

(b) Seats may be removed from the vehicles temporarily to facilitate comfort of passengers but no seats may be added to the vehicle in excess of the licensed number.

4. Damage to Vehicle

Any damage to the vehicle affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers carried therein shall be reported to the Council as soon as is reasonably practical and in any event within 72 hours of the occurrence and until such damage is repaired to the satisfaction of the authorised Officer or the Council's authorised examiners, the vehicle shall not be used for private hire purposes.

5. Inspection and Testing

The proprietor shall:-

(a) present the vehicle and any meter affixed to it for inspection and testing by or on behalf of the Council within such period and at such place within the District as the Council requires on up to two separate occasions during any period of 12 months; and

(b) take all reasonable steps to ensure that the vehicle is presented for test on the date and time arranged with the Council's authorised examiners. Failure to present the vehicle will result in a charge against the proprietor unless written notice of cancellation has been received by the Council giving 24 hours clear notice of the cancellation.

6. Identification Plates

(a) The plate identifying the vehicle as a licensed Private Hire Vehicle shall be securely affixed to the exterior rear of the vehicle. All licences must be displayed in a conspicuous position on the outside rear of the vehicle. Special licence plate holders are available from the Council if drivers do not wish to screw or bolt their licence plates directly to the body work of the vehicle

(b) Vehicles which are used solely for contract work / limousine work may on written request have this requirement amended in order that the plates may be securely affixed in the boot compartment. Suitable alternative signage as directed by the Licensing section will be affixed in the vehicle as an alternative. Refusal by the Licensing section for this requirement will result in the matter being referred to the Licensing and Appeals Sub Committee for determination.

(c) Licence plates must be returned to the Council forthwith upon termination of the licence, which may be due to suspension, surrender, revocation, or normal expiry.

7. Vehicle Insurance

The vehicle must be insured throughout the licence period and it must comply with the requirements of the Road Traffic legislation and kept up to date. The insurance must cover the vehicle for use as a Private Hire Vehicle and must insure all drivers of the vehicle for that purpose.

8. Inspection by Authorised Officer

- (a) The proprietor of the vehicle shall at all reasonable times permit an authorised Officer or Police Officer to inspect the vehicle or any meter affixed to it for the purpose of ascertaining its fitness.
- (b) Should the authorised Officer or police constable not be satisfied as to the fitness of the vehicle or its meter, the proprietor shall make the vehicle available for further inspection and testing at such reasonable time and place as is specified by notice in writing given by the Council or Police Officer.
- (c) If the Authorised Officer or Police Officer is not satisfied with the condition of the vehicle in regard to its safety or roadworthiness the proprietor shall forthwith at the request of the authorised officer or Police Officer surrender the licence certificate and licence plate to the officer. The licence will only be released once the vehicle has been inspected and tested in accordance with condition 5 above.
- (d) The proprietor shall comply with any notice given by the Council or Police Officer suspending the vehicle licence until such time as s/he is satisfied as to its fitness or the fitness of any meter affixed to it.
- (e) The Driver of a Vehicle shall at the request of an authorised officer of the Council or Police Officer produce for examination the following documents:-
- The Drivers Current DVLA driving licence
 - Vehicle Registration Documents
 - Vehicle Insurance Documents
 - MOT certificate for the Vehicle
 - Private Hire Drivers Badge
 - Private Hire Vehicle Licence

These documents shall be produced forthwith or at SDDC offices within 7 days or Local Police Station if requested by a Police Officer.

10. Signs / Notices / Advertisements

The proprietor is permitted to display signs identifying the private hire firm, the services offered and its telephone, fax numbers, **web site etc**

- (a) on the side and/or rear panels of the vehicle in letters not larger than 150mm or 6" in height;

or

- (b) on the front and rear windscreens with a maximum depth of 75mm or 3", a width not exceeding that of the windscreen and with the bottom edge abutting the lower edge of the windscreen in the case of rear windscreens and lower or upper edge in the case of front windscreens.
- (c) No such sign shall include the words "TAXI" or "CAB" whether in the singular or plural or the words "FOR HIRE" or any other word or words of similar meaning or appearance likely to cause a person to believe the vehicle is a hackney carriage or is presently available to carry any passengers wishing to hire it.
- (d) No other externally visible sign, notice, advertisement, plate, mark, number, letter, figure, symbol or emblem shall be displayed on, in or from the vehicle except as may be required by legislation or approved by the Council in writing.
- (a) **Any operator wishing to vary any signs notices advertisements different to these conditions must apply in writing to the Council for variation of these conditions, and certainly for any commercial advertisement**

Commercial Advertising on Vehicles

- (b) **Advertisements will be allowed with prior approval of the Council. It will be allowed only affixed to the rear doors of the vehicle and not exceed 600mm x 450mm (24 inches x 18 inches approx). The Local Authority reserve the right to reject any advertisements which is considered to be likely to cause offence, or political in nature.**

11. Meter

Should a vehicle be fitted with a meter it shall:-

- (a). be maintained in a sound mechanical condition at all times;
- (a) be securely affixed to the vehicle in such a position that all letters and figures on the face of it are at all times clearly visible to any passenger and for this purpose the letters and figures shall be capable of being suitably illuminated.
- (b) have the word "FARE" printed on the face of it so as to clearly apply to the fare recorded thereon;
- (c) when in operation, record on the face of it in figures clearly legible and free from ambiguity, the appropriate fare;
- (d) when the vehicle is not on hire, show no fare by the proprietor keeping the key or other device locked and the machinery inactive; and
- (e) be affixed to the vehicle with seals or other appliances so that it is not practicable for any person to tamper with except by breaking, damaging or permanently displacing the seals or other appliances.

- (f) be submitted by the proprietor to an authorised supplier/fitter for annual inspection at his/her cost and s/he shall provide the Licensing Authority with a copy of the testing certificate confirming that the meter is in good order and fit for the purpose (including details of any recalibration or adjustment which may have been carried out) and confirm that the tamper proof seals are intact.

12. Radio / Telephone Equipment

Any radio equipment fitted to the vehicle shall:-

- (a) be kept in a safe condition and proper working order;
- (b) comply with the requirements issued by the Home Office or other Government Department, the Post Office or British Telecom; and
- (c) not interfere with any radio or telecommunication equipment.
- (d) Any mobile telephone must be fitted on a hands free basis and comply with Current Road Traffic Act Legislation. Vehicles should not be in motion even on hands free systems if messages are being taken down in writing.

13. Passengers

- (a) **Every Private Hire vehicle shall have fitted on all forward and rearward facing seats, a suitable seat belt or other restraining device being either a 3-point belt or lap belt.**
- (b) No greater number of passengers than that specified in the licence shall be carried in the vehicle.
- (c) The number of passengers must not exceed the number of restraints available in the vehicle.
- (d) Only one passenger shall be conveyed in the front passenger seat of the vehicle unless the vehicle is adapted to carry more.

14. Children

New Regulations came into force in September 2006 the following is an extract from guidance issued by the Department of Transport.

It is impracticable to expect the right child seat or booster to be available in a taxi unless parents have brought one with them. Therefore, there is an exception so that if child seats or boosters are not available in a taxi:

- ***under 3s must travel unrestrained in the rear only;***
- ***those 3 years and above must use an adult belt in the rear seat only.***
- ***Remember that a child up to 135 cm's in a front seat of any vehicle must use the correct child seat or booster.***

15. Animals / Guide Dogs

- (a) No animal belonging to the proprietor or driver of the vehicle shall be conveyed in the vehicle without the consent of the hirer.
- (b) Any animal belonging to a passenger must be conveyed in the rear seating area of the vehicle and shall, when necessary, be contained so as not to present a nuisance or hazard to the occupants of the vehicle.
- (c) **Private Hire vehicles must carry a guide dog or assistance dog belonging to a passenger free of charge unless the driver has a proven medical condition that would preclude such action. Operators have the responsibility to ensure that their drivers / employees are aware of such condition when they are first employed.**

16. Luggage

- (a) The Private Hire Vehicle must have sufficient space for luggage commensurate with the number of passengers it is authorised to carry.
- (b) No luggage may be carried on the roof unless carried in an approved enclosed securely fitted device or secured to factory fitted roof rails with adequate protection for such luggage from inclement weather.
- (c) If the vehicle is an estate car then whilst carrying luggage a grill or securely fitted net or manufacturers fitted parcel shelf must be fitted to prevent luggage coming into contact with passengers in the event of an accident.

17. Change of Address

The proprietor shall: -

- (a) notify the Council in writing of any change of his address within 7 days of such change;
- (b) notify the Council in writing within 7 days of any change of the address from which he carried on the business in connection with the vehicle if different from his home address;
and
- (c) within 7 days of a change of either of the addresses referred to in (1) or (2) above, return the licence to the Council for endorsement.

18. Convictions

The proprietor shall within 14 days disclose to the Council in writing details of any convictions imposed on him/her (or if the proprietor is a company, on the company or directors of the company or if a partnership of any of the partners) during the period of the licence.

19. **Loss of Licence**

The proprietor shall report the loss of the licence to the Council in writing as soon as the loss becomes known. A replacement licence may be issued upon payment of a fee.

20. **Return of Licence**

The proprietor shall immediately return the licence **and vehicle plate** to the Council in the event of the Suspension or revocation of the licence.

21. **Payment of Licence Fee**

A licence in respect of which the fee has been paid by cheque shall be of no effect in the event of the cheque being subsequently dishonoured.

22. **Renewal and Intermediate Vehicle Inspection**

All vehicles on the renewal and after 6 months of their annual licence will be required to undertake a full vehicle inspection at the designated garage appointed by the Council.

23. **Licence Renewal**

A proprietor of the vehicle must apply to the Council in writing on the appropriate application form at least 21 days before the expiry of the current licence if s/he requires the licence to be renewed for a further period. Failure to renew the licence by the renewal date will result in suspension of the licence until renewal is completed. If the renewal is not completed within 1 calendar month of the renewal date the licence will be revoked completely.

24. **Conditions of Licence**

(a) The proprietor of the vehicle shall at all times when the vehicle is being used for private hire purposes carry in the vehicle a copy of these conditions for inspection by fare paying passengers.

(b) This licence shall remain the property of the Council and shall be renewed annually.

25. **TRAILERS / MINIBUSES / PEOPLE CARRIERS** - See special conditions.

26. **Liquid Petroleum Gas Vehicles**

A Private Hire Proprietor converting their licensed vehicle to run on Liquid Petroleum Gas (LPG) must notify the Council of such change and comply with the following conditions - these conditions will also apply to proprietors purchasing new or used vehicle that runs on LPG.

- a) That the installation of a LPG tank be fitted by an LPGA approved installer, as recommended by the Liquid Petroleum Gas Association.
- b) That the proprietor produces a certificate of compliance by an approved LPGA Installer.
- c) That the LPG tank fitted must be a multi-valve tank and be fitted with a sealed tank box made from aluminium and vented to the atmosphere.
- d) That the vehicle displays on the front and rear screens a roundel sticker stating that the vehicle has been fitted with an LPG tank for the purpose of the emergency services in the event of an accident.

- e) That if a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely fixed in a position not obstructing the entire luggage space.
- f) That the proprietor of the vehicle must notify the DVLA Swansea of the change in fuel from petrol to LPG or vice versa.
- g) The vehicle be serviced by a person competent in LPG powered vehicles.

SOUTH DERBYSHIRE DISTRICT COUNCIL

PRIVATE HIRE VEHICLE LICENCE CONDITIONS

Special Additional Conditions in Relation to Minibuses

And People Carriers

PART E

1. All seats must be of high backed design or fitted with head restraints with soft covering and be fitted with the original seat belt fittings at the time of manufacture or fitted with approved seat belts. If wheelchair accessible they must be fitted with approved anchorage for the wheelchair.
2. Emergency doors must be of adequate size to allow passengers to exit the vehicle unimpeded and must be marked "Emergency Exit" in letters minimum 25mm (1") high. All emergency doors must be able of being opened in the case of emergency from the inside even when locked.
3. Doors must be fitted with a suitable grab handle and fitted with suitable step light.
4. Side bulkheads and roof covering must be of soft material
5. A clearly visible interior sign indicating the maximum number of passengers the vehicle is licensed to carry must be displayed.
6. Adequate interior rear lighting and heating must be fitted.
7. The vehicle must be fitted with an approved emergency fuel cut off device, clearly marked.

Tail Lifts if Fitted

- An annual weight test certificate must be produced, issued by an authorised tester.
- The tail lift must be easily moved manually if the vehicle power supply fail

Special Provisions for People Carriers

"That properly constructed people carrier vehicles be licensed to carry a maximum of 6 fare paying passengers subject to the following conditions:-

1. The Council's vehicle examiner being satisfied that adequate access and egress can be achieved through rear/side doors.
2. Suitable signs be displayed directing passengers to and instructing in the operation and use of exit points to the satisfaction of the Council's vehicle examiner.
3. That all seats, whether forward or rear facing, are properly constructed with adequate foot well space available to seat fare paying passengers comfortably and to which lap and/or diagonal seatbelts are fitted.
4. That, where the full passenger compliment of 6 fare paying passengers is carried, luggage, other than hand luggage, is carried properly loaded and secured as necessary in separate rear luggage area.
5. That, where luggage exceeds that which can properly and safely be carried in the luggage compartment, the operator/driver makes appropriate alternative arrangements for the carrying of luggage.

General requirements for both types of vehicle

1. That the conditions relating to the carriage of children and the use of child restraints be adhered to.
2. That a 2 kg dry powder fire extinguisher is carried in the vehicle at all times.
3. That a suitable first aid kit is carried designed for vehicles carrying 6 passengers or more."

SOUTH DERBYSHIRE DISTRICT COUNCIL

PRIVATE HIRE VEHICLE LICENCE CONDITIONS

Special Additional Conditions in Relation to Trailers

PART F

Trailers

A licensed vehicle will be permitted to tow a trailer provided that:-

- (a) The proprietor presents the trailer for inspection at the Council Depot prior to its use and again at each inspection of the vehicle on which the trailer is to be towed.
- (b) The trailer must only be used on pre-booked journeys when excess luggage is to be carried and not for general use.
- (c) The trailer may only be used on the specific vehicle that it was presented with at the Council Depot.
- (d) The trailer complies with all aspects of current legislation and is of a type recommended by the vehicle manufacturer as being suitable for the intended towing vehicle.
- (e) That the vehicle must be suitable for towing the intended trailer.
- (f) That the trailer be in good condition and no older than ten years old, of which proof of age must be provided.
- (g) That the trailer must be purpose built and manufactured for the purpose for which it was intended.
- (h) That the trailer must be plated by the manufacturer specifying the maximum load to be Carried.
- (i) Must comply with current lighting regulations.
- (j) No advertising to be permitted on any part of the trailer.
- (k) That the trailer be fitted with securely fastened covers, which can be hardtop or canvas tarpaulin type.
- (l) When the trailer is used with the vehicle, the licence plate issued by the Council, specifically for that trailer and vehicle, shall be displayed on the rear of the trailer. An additional charge will levied for additional licence plate.
- (m) That a spare wheel for the trailer be carried whilst the trailer is in use and for inspection purposes.
- (n) The tow bar used must be of a type approved by the manufacturer of the vehicle and fitted by an approved agent.
- (o) The vehicle insurance must cover the use of the trailer with the vehicle and proof of cover must be provided.

- (p) That a charge will be made for the inspection of the trailer, which will be recouped, from the proprietor of the vehicle.

That a licensed driver be permitted to tow a trailer whilst driving a licensed vehicle providing that :

- (a) The driver holds appropriate category on his / her DVLA licence, which must be produced to the Council.
- (b) It is the proprietors responsibility to ensure that the driver towing the trailer holds appropriate category DVLA licence.

SOUTH DERBYSHIRE DISTRICT COUNCIL

PRIVATE HIRE VEHICLE LICENCE CONDITIONS

Special Additional Conditions First Aid and Fire Extinguishers

PART G

Safety Equipment

1. Fire Extinguisher

- (a). All Private Hire Vehicles must carry a dry powder extinguisher/s as follows:-
- (i) Vehicles licensed to carry 4 or less passengers must carry a minimum of 1 x 1kg dry powder extinguisher.
 - (ii) Vehicles licensed to carry 5 or more passengers must carry a minimum of 1 x 2kg dry powder extinguisher.
- (b) Fire extinguishers must be readily visible, kept in brackets which are permanently fixed to the vehicle and available for immediate use in a emergency. The preferred location is in the main body of the vehicle, but if this is not possible, the fire extinguisher may, as a last resort, be stored in the boot, provided that a notice stating the location of the extinguisher is clearly displayed for the benefit of passengers.
- (c) All extinguishers must be maintained in good working order, tested annually by an authorised dealer and display a legible, dated test label.
- (d) Operating instructions must be legible at all times and the driver must be familiar with the use of the extinguisher.
- (e) Extinguishers should be permanently, legibly marked with the plate number of the vehicle.

2. First Aid Kits

There is no standard list of items to put in a first-aid box. It depends on what you assess the needs are. However, as a guide, and where there is no special risk in the workplace, a minimum stock of first-aid items would be:

- (a) a leaflet giving general guidance on first aid, e.g. HSE leaflet *Basic advice on first aid at work* (see 'Where can I get further information?');
- (b) 20 individually wrapped sterile adhesive dressings (assorted sizes);
- (c) two sterile eye pads;
- (d) four individually wrapped triangular bandages (preferably sterile);
- (e) six safety pins;

- (f) six medium-sized (approximately 12 cm x 12 cm) individually wrapped sterile unmedicated wound dressings;
- (g) two large (approximately 18 cm x 18 cm) sterile individually wrapped unmedicated wound dressings;
- (h) one pair of disposable gloves.

You should not keep tablets or medicines in the first-aid box.

The above is a suggested contents list only; equivalent but different items will be considered acceptable, if an appropriate risk assessment is undertaken and it can be shown that the list above is unsuitable for the specific needs of the vehicle.

A sign indicating the location of the first aid box be displayed in the vehicle for the benefit of passengers.

This equipment is to be carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency. If the design of the vehicle is such that a first aid kit cannot be carried in a position where it is easily visible, a sign shall be displayed on the vehicle dashboard indicating the position of the kit.