

# Report to Regulatory Panel

Agenda  
Item:

**A.2**

Meeting Date: 30th March 2016  
Portfolio: Finance, Governance and Resources  
Key Decision: Not Applicable:  
Within Policy and  
Budget Framework YES  
Public / Private Public

Title: HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER -  
DURATION OF LICENCE AND FEES  
Report of: Director of Governance  
Report Number: GD 19/16

## Purpose / Summary:

The De-regulation Act 2015 has amended Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 which amends the standard duration of hackney and private hire drivers' licences from 1 to 3 years, with only 'individual exceptional circumstances' negating the issue of a 'lesser' period of licence. Accurate calculation of fees has been undertaken and consultation on these have now concluded.

## Recommendations:

Members are requested to consider this report and agree the fee structure in 3.3 and recommendations in point 4.

## Tracking

Executive:	n/a
Overview and Scrutiny:	n/a
Council:	n/a

## 1. CURRENT POSITION

- 1.1 At present, Carlisle City Council issues one year licences to new and existing drivers and fees are calculated on this basis. At present we have 250 hackney carriage drivers and 90 private hire drivers, although this can fluctuate from month to month.
- 1.2 **New drivers** are required to pass a driving standards agency test, a local knowledge and language test, doctors medical, provide a criminal record disclosure as well as attend a disability awareness session.
- 1.3 Appropriate checks are also undertaken at **renewal** time, which include:
- A self-medical declaration (full Doctors' medical every 3<sup>rd</sup> year)
  - A signed statutory declaration from the driver to inform of any motoring and criminal convictions since the previous year
  - An updated photo of the driver
  - Their Operator, if any
  - Their consent to disclose their data at Regulatory Panel, court or tribunal in relation to their licence.
- 1.4 Hackney Carriage Driver renewal licences mainly fall due on 31<sup>st</sup> August each year, and Private Hire renewals on 31<sup>st</sup> January, which are busy times for the licensing office.
- 1.5 Checks are also undertaken every 3 years with external agencies to ensure all drivers pass the required standards to drive a taxi or private hire vehicle which include:
- A Doctor's medical examination – to determine the driver is fit to drive to DVLA group 2 standards
  - A criminal record check with the Disclosure and Barring Service to confirm if the driver has any undeclared criminal convictions
  - DVLA Driving Licence check to verify the driving status and any undeclared motoring convictions
- 1.6 All drivers over the age of 65, or drivers who have a pre-existing medical condition are required to undergo an annual medical check with their Doctor.

## **2. PROPOSALS**

- 2.1** Although the legislation states that a driver's licence should be granted for 3 years, there may be circumstances in which it may be appropriate to grant a licence for a shorter period.
- 2.1** Advice from the Institute of Licensing and the Council's Legal section is that each driver's request for a shorter period of licence should be considered on its own merits. Examples of circumstances where it may be appropriate to grant a shorter licence period could be:
- Drivers who are intending to retire within the next three years
  - Drivers who are required to undergo an annual doctors medical check
  - New drivers who have a conviction or an amount of motoring points on their licence
  - Drivers who are being phased into a 3 year licence as explained in 3.4 below
- 2.2** Delegated Authority will be sought to enable the Licensing Manager to grant or refuse a licence for a lesser period, in circumstances which she considers appropriate, and to charge the proportionate fee. If a request is refused, the applicant would have appeal rights to the Panel.
- 2.2** In order to streamline administration both for the driver and the licensing office it is proposed that licence renewal dates are brought into line with the DBS renewal date, as well as align with a driver's medical and DVLA licence check. This would be an instance when a 'lesser period' licence will be issued until all dates align and then a 3 year licence can be issued/offered (an example of this would be where a drivers licence expires 31/9/16 and DBS does not expire until 31/12/17 – a 15 month licence would be issued, then a 3 year on 31/12/17)
- 2.3** In doing this, the renewal of licences would be more evenly spread throughout the year, rather than at concentrated times and would also reduce administration costs for both the licensing office and drivers
- 2.5** Taxi licence fees are levied under the Local Government Miscellaneous Provisions Act 1976, s53 (2) in respect of drivers licences. This section is very descriptive in relation to what expenditure can be recovered and states '*Notwithstanding the provisions of the Act of 1847, a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or private hire vehicle, as the case may be, such a fee as the consider reasonable with a view to recovering the cost of issue and administration and may remit the whole or part of*

*the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so ‘*

Fees have been calculated for the various licence periods. The methodology used to calculate the fees is summarised below and is based only on the costs incurred in the issue and administration of a licence

The proposed fees take account of the cost of:

- Initial enquiries from new drivers
- Local knowledge and language tests for new drivers and re-tests
- Disability Awareness training for new drivers
- External agency checks
- Processing and administration
- Monitoring costs
- Committee hearings apportioned across all taxi and private hire drivers
- Legal advice apportioned across all drivers
- Complaints received and investigated apportioned across all drivers
- Issuing and producing of badges and licences
- Annual administration check
- Training of staff
- Recharges to Licensing by other council Departments

**2.6** It is proposed that we will no longer accept Cumbria County Council's DBS disclosures from 1<sup>st</sup> April 2016, due to their driver disclosures being of a lower level of check and their expiry dates not in line with our licence renewal dates.

**2.7** It is proposed that we no longer use an external agency to check DVLA driving licence information as this is now available through the government's digital checking service and providing a driver gives authority to check their information, this will be the quickest and cheapest process. If a driver does not give the Council authority, it will be up to them to provide us with a driving licence summary that is currently available to them on the same website.

**2.8** It is proposed that an annual administration check will be carried out after year 1 and 2 in respect of 3 year licences, to ensure:

- A self-medical declaration is completed
- A statutory declaration to confirm all convictions
- A DVLA driving licence check

An up to date photo if the identity of the driver has significantly changed from previous year.

**2.9** 3 year licence fees will be reviewed annually along with all other fees.

### **3. CONSULTATION**

**3.1** Consultation with trade and the public commenced on 12<sup>th</sup> February and concluded on 10<sup>th</sup> March 2016.

**3.2** No responses were received from the public or trade.

**3.3** Fees proposed from 1<sup>st</sup> April 2016, are as per report of 20<sup>th</sup> February 2016:

	Existing fee – 1 year	Proposed fee – 1 year	Proposed fee 3 year
New driver	110.00	115.00	235.00
Renewal	70.00	75.00	185.00

### **4. RECOMMENDATIONS**

**4.1** To align renewal licence dates with DBS & medical expiry dates over a 3 year period

**4.2** To delegate authority to the Licensing Manager to enable the grant or refuse a 'lesser period licence', in circumstances which she considers appropriate, and to charge the proportionate fee.

**4.3** If decision to refuse of a lesser period of licence is made, a driver will have appeal rights to the Regulatory Panel and a report submitted for their casting decision

**4.4** To no longer accept Cumbria county council DBS certificates

**4.5** To check DVLA licences annually through the DVLA Government digital system, with the permission of each driver.

**4.6** To carry out an annual administration check as in 2.8

**4.7** Agree fees as detailed in 3.3

**4.8** To review fees on an annual basis in line with the charging report.

### **5. CONCLUSION**

**5.1** To comply with Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 and De-Regulation Act 2015 Chapter 10, which details that duration of drivers' licences for hackney and private hire drivers are provided for a 3 year period, or lesser only where the Council think appropriate in individual cases with effect from 1<sup>st</sup> April 2016. **Appendix A** and to amend HD driver codes of practice and PH driver terms of conditions to reflect the new three year period. **Appendix B**

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Licensing Manager**

**Ext: x7029**

**Appendices  
attached to report: Appendix A – Legislation  
Appendix B – HC Driver codes of practice and PH Driver terms  
and conditions**

**Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:**

- **None**

**CORPORATE IMPLICATIONS/RISKS:**

**Chief Executive's – N/A**

**Deputy Chief Executive – N/A**

**Economic Development – N/A**

**Governance – N/A**

**Local Environment – N/A**

**Resources – N/A**



# Local Government (Miscellaneous Provisions) Act 1976

## 1976 CHAPTER 57

### PART II

#### HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

#### **53 Drivers' licences for hackney carriages and private hire vehicles.**

(1) (a)

Every licence granted by a district council under the provisions of this Part of this Act to any person to drive a private hire vehicle shall remain in force for three years from the date of such licence or for such lesser period as the district council may specify in such licence.

(b) Notwithstanding the provisions of the <sup>M1</sup>Public Health Act 1875 and the <sup>M2</sup>Town Police Clauses Act 1889, every licence granted by a district council under the provisions of the Act of 1847 to any person to drive a hackney carriage shall remain in force for three years from the date of such licence or for such lesser period as they may specify in such licence.

(2) Notwithstanding the provisions of the Act of 1847, a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration and may remit the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so.

(3) The driver of any hackney carriage or of any private hire vehicle licensed by a district council shall at the request of any authorised officer of the council or of any constable produce for inspection his driver's licence either forthwith or—

(a) in the case of a request by an authorised officer, at the principal offices of the council before the expiration of the period of five days beginning with the day following that on which the request is made;

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*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government (Miscellaneous Provisions) Act 1976. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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(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 area of the council and is nominated by the driver when the request is made.

(4) If any person without reasonable excuse contravenes the provisions of this section, he shall be guilty of an offence.

**Annotations:**

**Modifications etc. (not altering text)**

**C1** S. 53: functions of local authority not to be responsibility of an executive of the authority (E.)  
(16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), Sch. 1 Table B4

**Marginal Citations**

**M1** 1875 c. 55.

**M2** 1889 c. 14.



**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government (Miscellaneous Provisions) Act 1976. Any changes that have already been made by the team appear in the content and are referenced with annotations.

**Changes and effects yet to be applied to :**

- s. 44(1C) inserted by S.I. 2013/755 Sch. 2 para.153
- s. 48-54 modified by S.I. 2009/2863 reg. 4 Table
- s. 65(7A) inserted by 2012 anaw 2 Sch. 2 para. 10(3)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 55A 55B inserted by 2015 c. 20 s. 11

**Commencement Orders yet to be applied to the Local Government (Miscellaneous Provisions) Act 1976**

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2009/3318 art. 2-4 commences (2009 c. 20)
- S.I. 2011/2329 art. 2 3 commences (2011 c. 5)
- S.I. 2011/3019 art. 3 Sch. 1 commences (2011 c. 13)



# Deregulation Act 2015

## 2015 CHAPTER 20

*Measures affecting business: particular areas*

### **10      Taxis and private hire vehicles: duration of licences**

- (1) The Local Government (Miscellaneous Provisions) Act 1976 is amended as follows.
- (2) In section 53 (drivers' licences for hackney carriages and private hire vehicles)—
  - (a) in subsection (1)(a), for “for such lesser period as the district council may specify in such licence” substitute “for such lesser period, specified in the licence, as the district council think appropriate in the circumstances of the case”;
  - (b) in subsection (1)(b), for “for such lesser period as they may specify in such licence” substitute “for such lesser period, specified in the licence, as the district council think appropriate in the circumstances of the case”.
- (3) In section 55 (licensing of operators of private hire vehicles), for subsection (2) substitute—
  - “(2) Every licence granted under this section shall remain in force for five years or for such lesser period, specified in the licence, as the district council think appropriate in the circumstances of the case.”

## CITY OF CARLISLE

### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

#### CODE OF PRACTICE FOR HACKNEY CARRIAGE DRIVERS

The holder of a Hackney Carriage driver's licence (hereinafter called the driver) shall observe and perform all the following codes of practice which shall be attached to and form part of his Hackney Carriage driver's licence.

1. This Licence is personal to the driver named herein and the driver shall not in any circumstances assign it or in any way part with the benefit thereof to any other person.
2. The driver shall at all times when acting as a driver of a Hackney Carriage, wear or display the driver's current year identity card issued by the Council **in such a position and manner as to be plainly and distinctly visible to the hirer.**
3. The driver's identity card issued by the Council remains the property of the Council and shall be returned to the Council by the driver or a person appointed by them within seven days of the date of the suspension or revocation of or refusal or failure to renew this Licence.
4. The driver shall not, at any time whilst driving or in charge of any Hackney Carriage (the Hackney Carriage):-
  - (a) station the Hackney Carriage on any place which is marked out as a bus stop or loading bay, or on any length of highway during times when a prohibition on loading and unloading is in operation;
  - (b) station the Hackney Carriage on a public highway in such a manner so that it is double parked or otherwise obstructing the free flow of traffic and this condition shall apply at all times and including whilst and before and after the hirer is boarding or alighting from the Hackney Carriage;
  - (c) station the Hackney Carriage so as to obstruct the exit or fire exits of any place licensed for regulated entertainment or to station the Hackney Carriage in such a way that a condition attached to the premises licence as to access for emergency vehicles cannot be complied with;
  - (d) leave the Hackney Carriage parked and unattended on any taxi rank.
5.
  - (a) The driver shall not permit or cause or suffer to be carried in any licensed Hackney Carriage, a greater number of persons than that specified in the licence for that Hackney Carriage and shall provide that the seating arrangements are as specified in the licence for that Hackney Carriage.
  - (b) The driver shall not allow there to be conveyed in the front of a Hackney Carriage beside him:-

(1) any child below the age of ten years; or

(2) more than one person.

unless the Hackney Carriage has been specifically designed to provide more than one passenger seat in the front, in which case the above rules apply to each seat.

(c) The driver shall not without the consent of the hirer of a Hackney Carriage convey, or permit to be conveyed, any other person or animal in that Hackney Carriage.

6. The driver shall not demand from any hirer of a Hackney Carriage a fare in excess of any previously agreed for that hiring between himself and the hirer or in excess of the fare shown on the face of the taximeter.
7. The driver of a Hackney Carriage shall not cause the fare recorded on the meter to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare.
8. The driver, except where he is the proprietor of the Hackney Carriage, shall report to the Proprietor of any Hackney Carriage as soon as practicable and in any case within 24 hours of its occurrence, details of any accident in which such Hackney Carriage has been involved.
9. The driver of a Hackney Carriage which has been hired to be in attendance at an appointed time and place shall unless delayed or prevented by some sufficient cause punctually attend at the appointed time and place.
10. The driver shall when requested by the hirer convey a reasonable quantity of luggage and afford reasonable assistance in loading and unloading, including assistance in removing to and from the entrance of any house or other place where he collects or sets down his passengers. The driver shall not accept a hiring if the hirer abandons a shopping trolley on a road or public place unless the driver first returns such a trolley to the store from which it was brought. He shall also provide all reasonable assistance with wheelchair bound, disabled, elderly and vulnerable passengers.
11. The driver shall not refuse to carry within the vehicle any household pets providing they are accompanied by an adult and providing such pets are suitably restrained or contained so as not to cause a nuisance or damage.
12. At the end of each hiring and before commencing any further hiring the driver shall search the vehicle for any property accidentally left by the immediately preceding hirer. It is the drivers legal obligation to try and reunite all lost property with the owner and shall as soon as practicable and in any case within 48 hours after the discovery of property, attempt to return it to the owner. Failing that and still within 48 hours, all identifiable property shall be handed into the Police Station within the Council's area and a receipt obtained, which must be kept by the proprietor of the vehicle. Identifiable property can range from purses, bank cards, driving licences, mobile phones, laptops, cameras, i.e anything that can identify the owner.  
ALL unidentifiable property shall be kept by the proprietor for a minimum of 28 days and a record kept of the description.

ALL found property must be reported to the Licensing Section, Civic Centre, Carlisle within 48 hours where a record will be taken ‘

13. The driver shall, every three years, submit via the Council which is a registered body, an application to the Disclosure & Barring Service (DBS) for an enhanced disclosure.
14. The driver shall, every three years, produce to the Council a certificate signed by his registered medical practitioner, to the effect that he is fit to be the driver of a Hackney Carriage. He should come to this decision using Group 2 standards for vocational drivers as laid down in the current issue of “At a glance guide to the current medical standards of fitness to drive” issued by the Drivers Medical Unit, DVLAS, Swansea. In addition he shall if so required, whether or not such medical certificate has been produced, submit to an examination by a registered medical practitioner selected by the Council as to his fitness to be such a driver.
15. The driver shall at the request of any authorised officer of the Council or any police constable produce for inspection his Hackney Carriage Driver's licence either forthwith or before the expiration of seven days beginning with the day following the date of the request:-
  - (a) in the case of a request of an authorised officer of the Council at the offices of the Council's Assistant Director (Governance), or
  - (b) in the case of a request of a police constable at any police station within the Council's area which is nominated by the driver when the request is made.
16. The driver shall: -
  - (a) if requested by the hirer of a Hackney Carriage provide him with a written receipt for the fare paid;
  - (b) at all times be clean and respectable in his 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;
  - (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 is driving, to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle;
  - (g) at all times when driving a Hackney Carriage carry with him a copy of these codes of practice and shall make it available for inspection by the hirer or any other passenger on request;

(h) at all times ensure that the Hackney Carriage lights are fully operative, the tyres are within the legal limits, the Hackney Carriage is clean and tidy and that it has a serviceable fire extinguisher and fully stocked first aid kit readily available.

17. This licence may be suspended, revoked, not renewed or the holder may be required to undertake a Driving Standards Agency "Taxi" test by the Council:-

(a) if the driver commits an offence or otherwise fails to comply with any of the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976, or the Town Police Clauses Act 1847.

(b) if the driver has been convicted of an offence involving dishonesty, indecency or violence;

(c) if the driver becomes disqualified from driving under any of the Road Traffic Acts, in which case the licence shall be automatically revoked;

(d) on any other reasonable grounds;

18. The driver who as a result of any Court decision or other administrative or judicial process, is convicted, sentenced or receives any penalty in respect of any offence or other decision of the Court during the currency of this licence, shall within 7 days inform the Council in writing of such decision. Such notification may not be delayed until the next application for renewal of the licence is due.

19. The Council may at any time add to, delete or alter any of the foregoing code of practice and upon notice thereof having been served upon the Driver such additions, deletions or alterations shall as from the date of such service be deemed to be incorporated herein.

20. Any notice required to be served by the Council under this Licence or under any of the provisions of the Local Government (Miscellaneous Provisions) Act 1976, or Town Police Clauses Act 1847, shall be deemed to have been properly served if sent by them by prepaid post to or left at the last known address of the driver.

21. This Licence shall continue in force until the expiry date specified unless previously suspended or revoked pursuant to any statutory or other provisions.

22. If the driver is permitted or employed to drive a Hackney Carriage of which the proprietor is someone other than himself, he shall before commencing to drive that vehicle, deposit his Hackney Carriage Driver's Licence with that proprietor for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle operated by that proprietor.

23. If during the currency of this Licence any of the particulars supplied in the driver's application shall change, details of the change shall be notified in writing to the Licensing Manager, Civic Centre Carlisle within seven days. Such notification may not be delayed until the next application for renewal of the Licence is due.

24. The driver shall not drive any wheelchair accessible Hackney Carriage, unless he has passed the wheelchair element of the Driving Standards Agency test, or was granted

grandfather rights by the Council and has been issued with the appropriate licence and identity card.

25. In the interpretation of these codes of practice the masculine gender shall be deemed to include the feminine and the singular shall be deemed to include the plural.



**CITY OF CARLISLE**  
**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**  
**TERMS AND CONDITIONS ATTACHED TO**  
**PRIVATE HIRE VEHICLE DRIVER'S LICENCES**

The holder of a private hire vehicle driver's licence (hereinafter called the driver) shall observe and perform all the following terms and conditions which shall be attached to and form part of his private hire vehicle driver's licence.

1. This Licence is personal to the driver named herein and the driver may not in any circumstances assign it or in any way part with the benefit thereof to any other person.
2. The driver shall at all times when acting as a driver of a private hire vehicle wear or display the driver's current year identity card issued by the Council in such a position and manner as to be plainly and distinctly visible.
3. The driver's identity card issued by the Council remains the property of the Council and shall be returned to the Council by the driver or a person appointed by him within seven days of the date of the suspension or revocation of or refusal or failure to renew this Licence.
4. The driver shall not, at any time whilst driving or in charge of a vehicle licensed for private hire :-
  - (a) station his vehicle on any place provided as a stand for hackney carriage vehicles or which is marked out as a bus stop or loading bay or on any length of highway during times when a prohibition on loading and unloading is in operation.
  - (b) station his vehicle for hire or ply for hire or solicit any person to hire or to be carried for hire or reward on any road or in any public place or in any place readily accessible and visible from a road;
  - (c) cause or procure any person to tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle or offer that vehicle for immediate hire while the driver or that vehicle is on a road or other public place; or
  - (d) accept an offer for the hire of the vehicle whilst the driver of that vehicle is on a road or other public place except where such offer is first communicated to the driver by or on behalf of the licensed Operator for that vehicle by use of a telephone or by a two way radio system (other than C.B. radio) fitted to that vehicle.
  - (e) station the vehicle on a public highway in such a manner so that it is double parked or otherwise obstructing the free flow of traffic and this condition shall apply at all times and including whilst and before and after the hirer is boarding or alighting from the vehicle;
  - (f) station the vehicle so as to obstruct the exit or fire exits of any place licensed for regulated entertainment or to station the vehicle in such a way that a condition attached to the premises licence as to access for emergency vehicles cannot be complied with.



5. (1) The driver shall not permit or cause or suffer to be carried in any vehicle licensed for private hire a greater number of persons than that specified in the licence for that vehicle the seating arrangements must be as provided in the licence.  
  
(2) The driver shall not allow there to be conveyed in the front of a private hire vehicle beside him:-  
  
(a) any child below the age of ten years; or  
  
(b) more than one person.  
  
unless the vehicle has been specifically designed to provide more than one passenger seat in the front, in which case the above rules apply to each seat.  
  
(3) 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.
6. 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.
7. The driver of a private hire vehicle fitted with a taximeter shall not cause the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare.
8. The driver if he is not the Proprietor of the vehicle shall report to the Proprietor of any vehicle licensed for private hire as soon as practicable and in any case within 24 hours of its occurrence details of any accident in which such vehicle is involved.
9. The driver of a private hire vehicle which has been hired to be in attendance at an appropriate time and place shall unless delayed or prevented by some sufficient cause punctually attend at the appointed time and place.
10. The driver shall when requested by the hirer convey a reasonable quantity of luggage and afford reasonable assistance in loading and unloading, including assistance in removing to and from the entrance of any house or other place where he collects or sets down his passengers. He should also provide all reasonable assistance with wheelchair users, disabled, elderly and vulnerable passengers. Provided that the drivers shall not accept a hiring if the hirer abandons a shopping trolley on a road or public place unless the driver first returns such a trolley to the store from which it was brought.
11. The driver shall not refuse to carry within the vehicle any household pets providing they are accompanied by an adult and providing such pets are suitably restrained or contained so as not to cause a nuisance or damage.
12. At the end of each hiring and before commencing any further hiring the driver shall search the vehicle for any property accidentally left by the immediately preceding hirer. It is the drivers legal obligation to try and reunite all lost property with the owner and shall as soon as practicable and in any case within 48 hours after the discovery of property, attempt to return it to the owner. Failing that and still within 48 hours, all

identifiable property shall be handed into the Police Station within the Council's area and a receipt obtained, which must be kept by the proprietor of the vehicle. Identifiable property can range from purses, bank cards, driving licences, mobile phones, laptops, cameras, i.e anything that can identify the owner.

ALL unidentifiable property shall be kept by the proprietor for a minimum of 28 days and a record kept of the description.

13. The driver shall at the request of any authorised officer of the Council or any police constable produce for inspection his Private Hire Driver's licence either forthwith or before the expiration of seven days beginning with the day following the date of the request:-

- (a) in the case of a request of an authorised officer of the Council at the offices of the Council's Licensing Section; or
- (b) in the case of a request of a police constable at any police station within the Council's area which is nominated by the driver when the request is made.

14. The driver shall:-

- (a) if requested by the hirer of a private hire vehicle provide him with a written receipt for the fare paid.
- (b) at all times be clean and respectable in his 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.
- (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 is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- (g) at all times when driving a private hire vehicle carry with him a copy of these conditions and shall make it available for inspection by the hirer or any other passenger on request.
- (h) at all times a Private Hire Driver should ensure that the vehicle lights are fully operative, the tyres are within the legal limits, the vehicle is clean and tidy and that it has a serviceable fire extinguisher and fully stocked first aid kit readily available.

15. This licence may be suspended, revoked not renewed or the holder may be required to undertake a Driving Standards Agency "Taxi/Private Hire" test by the Council:-

- (a) if the driver commits an offence or otherwise fails to comply with any of the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 including failure to comply with any part of these terms and conditions;

- (b) if the driver has been convicted of an offence involving dishonesty, indecency or violence;
  - (c) if the driver becomes disqualified from driving under any of the Road Traffic Acts in which case the licence shall be automatically revoked;
  - (d) on any other reasonable grounds;
16. The driver who as a result of any Court decision or other administrative or judicial process, is convicted, sentenced or receives any penalty in respect of any offence or other decision of the Court during the currency of this licence shall within 7 days inform the Council's Licensing Manager in writing of such decision. Such notification may not be delayed until the next application for renewal of the licence is due.
  17. The driver shall, every three years, submit an application to the Disclosure Barring Service (DBS) for an enhanced disclosure, via the Council, which is a registered body.
  18. The driver shall every three years, produce to the Council a certificate signed by his registered medical practitioner, to the effect that he is fit to be the driver of a Private Hire Vehicle. He should come to this decision using Group 2 standards for vocational drivers as laid down in the current issue of "At a glance guide to the current medical standards of fitness to drive" issued by the Drivers Medical Unit, DVLAS, Swansea. In addition he shall if so required, whether or not such medical certificate has been produced, submit to an examination by a registered medical practitioner selected by the Council as to his fitness to be such a driver.
  19. The Council may at any time add to delete or alter any of the foregoing conditions and upon notice thereof having been served upon the Driver such additions, deletions or alterations shall as from the date of such service be deemed to be incorporated herein.
  20. Any notice required to be served by the Council under this Licence or under any of the provisions of the Local Government (Miscellaneous Provisions) Act 1976 shall be deemed to have been properly served if sent by them by prepaid post to or left at the last known address of the driver.
  21. If the driver is permitted or employed to drive a private hire vehicle of which the operator is someone other than himself, he shall before commencing to drive that vehicle deposit his Private Hire Driver's Licence with that operator for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle operated by that operator.
  22. If during the currency of this Licence any of the particulars supplied in the driver's application shall change, details of the change shall be notified in writing to the Licensing Manager at The Civic Centre within seven days. Such notification may not be delayed until the next application for renewal of the licence is due.
  23. In the interpretation of the conditions the masculine gender shall be deemed to include the feminine and the singular shall be deemed to include the plural.