

CARMARTHENSHIRE COUNTY COUNCIL

TOWN POLICE CLAUSES ACT 1847
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

**CONDITIONS OF LICENCE FOR HACKNEY CARRIAGE AND PRIVATE
HIRE VEHICLE DUAL DRIVERS**

General

1. No licence will be issued to any person who in the opinion of the Council is not considered fit and proper to act as the driver of a private hire vehicle of hackney carriage.
2. A driver's licence will remain in force until the expiry of one year from the last day of the month preceding the month of issue. Applications for renewal received after the relevant date of expiry will be considered to be, and treated as, new applications.
3. No driver's licence will be issued until the appropriate fee is paid. Where payment is made by cheque, which is subsequently dishonoured, any licence issued will be null and void.
4. The driver shall only drive a vehicle licensed by the Council as a Hackney Carriage or Private Hire Vehicle.
5. Private Hire Drivers shall only take passengers who have pre-booked their journey via a licensed operator. They shall not ply for hire in the same way as Hackney Carriages and shall be liable to prosecution if they do so. Private Hire Drivers shall not display signs, etc. in or on the car, which suggests the car is for hire.
6. A proprietor or driver of a hackney carriage, when standing of plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
7. If the driver is permitted or employed to drive a hackney carriage or private hire vehicle of which the proprietor is someone other than himself/herself, he/she shall before commencing to drive that vehicle deposit this licence with that proprietor for retention by him/her until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his/her.

Drivers Badge

8. The driver shall, when driving, wear his/her Hackney Carriage or Private Hire Vehicle Drivers Badge in a clearly visible position at all times.
9. The driver shall upon the expiry (without immediate renewal), revocation or suspension of this licence, forthwith return to the Council the driver's badge issued to him/her by the Council when granting this licence.

Conduct of Driver

10. The driver shall: -

- Convey a reasonable quantity of luggage
- Afford reasonable assistance in loading and unloading
- Afford reasonable assistance in removing luggage to or from the entrance of any building, station or place at which he/she may take up or set down such a person.
- At all times be clean and responsible in his/her dress and person and behave in a civil and orderly manner
- Take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him/her.
- Not without the express consent of the hirer smoke, drink or eat in the vehicle
- 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.
- At no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he/she is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

11. Every driver of a licensed vehicle shall not cause or suffer or permit to be conveyed in that vehicle a greater number of persons exclusive of the driver than the number of persons specified in the licence issued in respect of that vehicle.

12. The driver shall not allow to be conveyed in the front of a licensed vehicle:

- Any child below the age of ten years; or
- More than one person above that age.

13. The driver shall not without the consent of the hirer of a vehicle convey or permit to be conveyed any other person of that vehicle.

Change of Address

14. The driver shall notify the Council in writing of any change of his/her address during the period of the licence within seven days of such change taking place.

Notification of Convictions

15. The driver shall (within seven days of conviction) notify the Council, in writing of all and any convictions imposed upon him/her (including Road Traffic Acts and Regulations, dishonesty, indecency or violence)

Lost Property

16. The driver shall immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.

17. If any property is accidentally left by any person who may have been conveyed therein is found by or handed to the driver, he/she shall carry it as soon as possible and in any event within 48 hours (if not claimed sooner by or on behalf of its owner) to a police station in the district and leave it in the custody of the officer in charge upon his/her giving a receipt for it.
18. The driver shall be entitled to receive from any person to whom the property shall be re-delivered an amount equal to Five Pence in the pound of its estimated value or the fare for the distance from the place of finding to that police station whichever be the greater, but not more than Five Pounds.

Written Receipts

19. The driver shall, if requested by the hirer, provide him/her with a written receipt for the fare paid.

Carriage of Animals

20. The driver shall not convey in a licensed vehicle any animal belonging to or in the custody of himself/herself or the proprietor or operator of the vehicle, and any animal belonging to or in the custody of any passenger which in the driver's discretion may be conveyed in the vehicle shall only be conveyed in the rear of the vehicle.

Prompt Attendance

21. The driver of a 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/she 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.

Fares

22. If a private hire vehicle being driven by the driver is fitted with a taxi meter, the driver 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 (unless credit is to be given)
23. The driver shall not demand from any hirer 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 taxi meter and there has been no previous agreement as to the fare, the fare shown on the face of the taxi meter.

Offences

24. Any person who commits an offence against any of the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976, in respect of which no penalty is expressly provided, shall be liable on summary conviction to a fine not exceeding level 3.

Drivers Age/DVLA Licence

25. The driver shall be at least twenty-one years of age and must not be older than seventy years. The driver must also have held a full driving licence, issued under the Road Traffic Act 1972 authorising him/her to drive a motor car, for at least two years prior to the date of the application.
26. A drivers' licence may be issued to a part-time driver, but the Council reserves the right to refuse the issue of the licence where the applicant is already employed as a driver in some other activity e.g. Omnibus or transport driver.

Medical Examinations

27. Every applicant for a new driver's licence must produce to the Council's authorised Officer evidence of his/her having undergone a medical examination within four weeks before the date of application in the form of a certificate signed by his/her General Practitioner stating his/her fitness to drive a hackney carriage/private hire vehicle.
28. A Medical Certificate produced on application for a driver's licence shall on the grant of that licence remain valid for a period of three years for driver's aged between twenty-one and fifty-nine years, and for a period of one year for drivers aged sixty years and over.
29. If there is a break in the licence, upon re-application the medical certificate shall remain valid unless individual circumstances dictate that a second medical certificate is necessary.
30. The Council may deem it necessary on renewal of the licence for the applicant to undergo another medical examination.