

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 or three year(s) 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 a copy 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 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.
 - The driver shall keep the licensed vehicle clean for passengers and luggage use.
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 without the consent of the hirer of a vehicle convey or permit to be conveyed any other person of that vehicle.

Change of Address

13. 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

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

Lost Property

15. 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.
16. 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.
17. 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

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

Carriage of Animals

19. The driver shall not convey in a licensed vehicle any animal belonging to or in the custody of himself/herself or the proprietor of 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

20. 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

21. 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)
22. 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

23. 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

24. The must also have held a full driving licence, issued under the Road Traffic Act authorising him/her to drive a motor car, for at least One year prior to the date of the application.
25. 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

26. Every applicant for a new driver's licence must produce to the Council's authorised Officer evidence of his/her having undergone a Group 2 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 or a GP at a Private Medical Practice who has access to the applicants your full summary medical records.

27. The local authority approved medical report and certificate will be produced every 5 years for drivers between the age of 45 and 64. An annual medical report and certificate will be required annually for drivers 65 years of age or older. The certificate must be completed by his/her General Practitioner stating his/her fitness to drive a hackney carriage/private hire vehicle or a GP at a Private Medical Practice who has access to the applicants your full summary medical records. The local authority may request a licensed driver to complete a medical report at any other time during the licence period.
28. Unless a relevant medical exemption certificate is obtained, the driver must offer reasonable assistance to passengers including the lifting of reasonable goods or luggage to be carried with the passenger from the collection point to the destination. Any bulky items should be transported in the luggage compartment whenever possible.
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.

DBS.

31. The driver must remain registered with the DBS Update Service allowing the local authority to conduct a DBS update check every 6 months or when required due to any relevant information received. If the certificate is removed from the update service or the update service registration is no longer valid, a replacement DBS certificate will be required
32. Drivers must handle passenger booking information with care, ensuring passenger personal data, such as name and address details are not announced within the vehicle when carrying other passengers.
33. A driver must receive permission from the vehicle proprietor who holds the hackney carriage or private hire vehicle licence, before installing a dashcam or CCTV device.
34. When a CCTV device is installed, the driver must ensure that the vehicle's CCTV system is operational before commencing taxi or private hire activity each day, the driver must check the monitor

display to ensure the image displayed is clear and the CCTV device is not faulty. If the system is not operational the vehicle must not be used for hire or reward until repaired and fully operational in accordance with the specifications required, or the CCTV device and signage are removed from the vehicle with the consent of the vehicle proprietor/s and **[insert council name]** are informed immediately (only applicable when CCTV is not mandatory).

35. When CCTV or a dashcam is installed, the driver must not tamper or otherwise interfere with the system or the footage that is contained within it, nor must the driver allow the system to be tampered or interfered with by any person that does not have the authority to do so, except as would be expected in order to operate the system or perform maintenance in accordance with the manufacturer or suppliers instructions.