PRIVATE HIRE DRIVER CONDITIONS

The licensee shall at all times comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 and the conditions hereinafter provided.

Definitions

In this licence:

"the Act" means the Local Government (Miscellaneous Provisions) Act 1976.

"the Council" means Trafford Council

"the Operator" means a person holding a licence to operate private hire vehicles issued

pursuant to Section 55 of the Act.

"private hire vehicle" has the same meaning as in Section 80 of the Act.

"the proprietor" has the same meaning as in Section 80 of the Act.

"the meter" means any device for calculating the fare to be charged in respect of any journey in a private hire vehicle by reference to the distance travelled or time elapsed since the start of the journey or a combination of both.

“authorised officer” has the same meaning as in section 80 of the Act.

“licensee” means the person who holds the private hire drivers’ licence.

‘”hirer” means the customer that has made the booking, who could also be the passenger

“passenger” means the person(s) travelling in the booked vehicle. For the avoidance of doubt, all children (including babies) count as individual passengers.

‘Sexual Activity’ includes but not limited to touching, kissing, inappropriate comments or conversation or propositioning.

“Owner” means a person to whom any lost property belongs to

“Drivers badge” has the same meaning as in Section 80 of the Act.

Words importing the masculine gender such as "he" and "him" shall include the feminine gender and be construed accordingly.

Where any condition below requires the Licensee to communicate with the Council, all communication must be to the Council’s Licensing Department unless otherwise stated. Reference to the Council’s email address means the email address of the Council’s Licensing Department.

1. Licence Administration

1.1 The licensee shall notify the Council in writing of any change of their address and contact details during the period of the licence within 7 days of such change taking place.

1.2 The licensee shall notify the Council in writing within 7 days of commencing work with a private hire operator.

1.3 The licensee shall notify the Council in writing within 7 days of any subsequent change of operator.

1.4 The licensee shall provide a copy of his private hire driver's licence with the Operator through which the Private Hire Vehicle is being used.

1.5 The licensee shall ensure that relevant documentation (including DBS certificate/status, Medical Certificate, and right to work documentation) required by the Council to assess their fit and proper status, is kept up to date and remains 'valid' in line with the Council's policies.

1.6 For the duration of the licence, the licensee shall attend (as required) and pay the reasonable administration charge or fee attached to any requirement for training or to produce a relevant certificate (i.e. new medical certificate), assessment, validation check or other administration process.

1.7 The licensee will register and remain registered with the DBS Update Service to enable the Council to undertake regular checks of the DBS certificate status as necessary.

2. Convictions and Suitability Matters

2.1 The licensee shall notify the Council immediately in writing (or in any case within 24 hours) if they are subject to any of the following:

- arrest or criminal investigation,
- summons,
- charge,
- conviction,
- formal/simple caution,
- fixed penalty or speed awareness course,
- criminal court order,
- criminal behaviour order or anti-social behaviour injunction,
- domestic violence related order,

- warning or bind over
- any matter of restorative justice

and shall provide such further information about the circumstances as the Council may require.

3 Notifications of Medical Conditions

3.1 The licensee shall notify the Council of any newly diagnosed or change to a current medical condition which may restrict their entitlement to a driver's licence requiring a DVSA Group 2 medical standard. Notification must be sent to the Council's email address immediately (or in any case within 48 hours) of the relevant diagnosis or change to medical condition.

3.2 The licensee shall at any time (or at such intervals as the Council may reasonably require) produce a certificate in the form prescribed by the Council signed by an appropriate Doctor/Consultant who has access to the driver's full medical records to the effect that he/she is or continues to be fit to be a driver of a private hire vehicle.

4 Driver Badge

4.1 The licensee shall at all times when driving a private hire vehicle wear the driver's badge issued to them by the Council so that it is plainly and distinctly visible and show it to any passenger(s) if requested.

4.2 The badge shall be returned to the Council immediately upon request by an Authorised Officer (i.e. the licence is suspended, revoked or becomes invalid for any reason).

4.3 The licensee must wear any lanyard, clip or holder issued to them by the Council.

5 Driver Conduct and Dealing with Passengers

5.1 The licensee shall behave and drive in a civil, professional and responsible manner to passengers, other road users, members of the public Council officers and other agencies.

5.2 The licensee shall comply with any reasonable request made by an Authorised Officer, Testing Mechanic or Police Officer. The licensee will also comply with any reasonable request of the passenger regarding their comfort during the journey (e.g. heating/ventilation).

5.3 The licensee shall, unless delayed or prevented by some sufficient cause, punctually attend with the private hire vehicle at the appointed time and place as required by the operator booking or as instructed by an Authorised Officer.

5.4 The licensee shall stop or park the private hire vehicle considerately and legally (not in contravention of any road traffic orders) and shall switch off the engine if required to wait (no idling).

5.5 The licensee shall not use the vehicle's horn to attract customer attention. The horn must only be used in an emergency.

5.6 The licensee shall comply with the Council's Licensed Drivers Dress Code.

5.7 The licensee shall provide reasonable assistance to passengers as required by the hirer (e.g. mobility assistance and loading/unloading luggage). The licensee shall not provide mobility assistance to passengers by physically touching without consent to do so.

5.8 The licensee shall ensure that luggage (including shopping and other large objects) are safely and properly secured in the vehicle.

5.9 The licensee and passengers are not permitted to smoke in the vehicle. The licensee also must not:

a) vape or use an e-cigarette in the vehicle
b) drink or eat whilst driving
c) use any hand held device whilst driving or allow themselves to be distracted in any other way
d) display any moving images or have any form of visual display screen fitted to the licensed vehicle other than satellite navigation
e) conduct lengthy telephone conversations whilst driving passengers
f) play a radio or sound reproducing instrument or equipment in the vehicle (other than for communicating with the operator) without the express permission of the passenger(s)
g) cause or permit the noise emitted from any radio or sound reproducing instrument or equipment in the private hire vehicle to cause nuisance or annoyance to any person

5.10 The licensee when hired shall, (subject to any directions given by the passenger), take the shortest route bearing in mind likely traffic problems and known diversions and explain to the passenger any diversion from the most direct route. Alternative routes must be discussed with the passengers before being taken.

5.11 The licensee shall at all times when a vehicle is hired take all reasonable steps to ensure the safety of the passengers within, entering or alighting from the vehicle.

5.12 The licensee shall report immediately to the operator any incident of concern including accidents where hurt or distress has been caused, customer disputes or passenger conduct concerns.

5.13 The licensee shall be vigilant regarding vulnerable passengers and safeguarding concerns when carrying out his duties and shall report any concerns immediately or in any event within 24 hours in accordance with Council guidance.

5.14 The licensee shall report (on the conclusion of the booking) to the operator any complaints a passenger/member of the public has made to the licensee regarding their conduct or the conduct of other personnel/drivers.

5.15 The licensee shall not engage in any sexual related activity in a licensed vehicle, even if consensual.

5.16 The licensee shall not, except with the express consent of the hirer/passenger or approved ride share journey, carry any person (other than the hirer/passenger) in the private hire vehicle.

5.17 The licensee shall not carry a greater number of passengers than is prescribed on the vehicle licence and shall not allow any unaccompanied child to be carried in the front seat of the vehicle.

5.18 The licensee will ensure that the vehicle is clean for passengers and the plate clearly visible at all times he is on control of the vehicle.

5.19 The licensee will ensure that he is aware of all the workings and mechanics of the vehicles before undertaking bookings.

5.20 The licensee shall report any accidents involving a licensed vehicle they are driving within 72 hours to the Licensing Department and must comply with any requests thereafter by an Authorised Officer.

5.21 The licensee shall ensure that a daily vehicle check log has been completed (either by himself or the vehicle proprietor) at the beginning of each shift. The checks to be carried out are as follows:

- lights and indicators
- tyre condition, pressures and tread
- Wipers, washers and washer fluid levels
- Cleanliness inside and out
- Bodywork – no dents or sharp edges
- Licence plates present and fixed in accordance with these conditions
- Any internal discs on display and facing inwards so customers can see
- Door and bonnet stickers on display
- Tariff sheet on display
- Horn in working order

The licensee shall ensure a record of the above information is kept in the vehicle at all times and will ensure the information is available to an Authorised Officer or Police Officer upon request.

6 Assistance Dogs

6.1 The Licensee shall carry a disabled passenger's assistance dog with the passenger. The licensee will follow the advice of the passenger as to the exact position and location for the assistance dog to travel, to best suit their needs.

6.2 Where the licensee has been granted a medical exemption so as to exempt them from any requirement under the Equality Act 2010; the notice of exemption must be displayed in the vehicle so that it is visible by fixing it in an easily

accessible place (for example on the dashboard) or as prescribed by the Council.

6.3 The licensee must notify their operator of any medical exemption they hold in relation to the requirements under the Equality Act 2010.

7 Fares

7.1 If the vehicle is fitted with a meter the licensee shall ensure it is always visible. The licensee shall ensure it is not cancelled or concealed until the passenger has paid the fare.

7.2 The licensee shall ensure a copy of the current fare table is always displayed and visible in the vehicle.

7.3 The licensee shall not demand from any passenger a fare in excess of that previously agreed, displayed on a fare card, or if the vehicle is fitted with a meter the fare shown on the face of the taximeter.

7.4 The licensee shall, if requested by the passenger, provide a written receipt for the fare paid.

8 Conduct relating to illegally plying or standing for hire

8.1 The licensee shall ensure that the passenger(s) entering the vehicle is/are the correct person(s) for whom the vehicle has been pre-booked.

8.2 The licensee must take precautions against behaviour that may be deemed to be standing or plying for hire, by not plotting or waiting without a booking:

a) in high footfall /high visible locations
b) outside busy venues/businesses or in close proximity to events
c) at the front or back of designated hackney ranks
d) in groups or lines that present as a ‘rank’
e) in contravention of road traffic orders

8.3 The licensee shall not while driving or in charge of a private hire vehicle:

(a) Tout or solicit any person to hire or be carried for hire in any private hire vehicle.

(b) Cause or allow any other person to tout or solicit any person to hire or be carried for hire in any private hire vehicle.

(c) Offer any Private Hire vehicle for immediate public hire (whether the journey was undertaken or not)

(d) Accept, or consider accepting, an offer for the immediate hire of that vehicle, including any such hire that is then communicated to the Operator to be recorded on the Operator’s booking system. For the avoidance of doubt, bookings can only be undertaken when first communicated to the licensee by the operator.

9. Responsibility for lost property

9.1 The driver must immediately after the end of every hiring or as soon as is practical thereafter, search the vehicle for any property which may have been accidentally left there.

9.2 If any property accidentally left in a private hire vehicle is found by or handed to the licensee then all reasonable steps must be taken to return the property to its rightful owner. If the property cannot be returned to the owner, then the property should be reported to the Operator through whom the passenger booked the vehicle at the earliest opportunity and handed to the Operator as soon as is practical and in any case within 24 hours of the property being found.