

PRIVATE HIRE DRIVER AND VEHICLE CONDITIONS OF LICENCE

This licence is granted subject to the following conditions. Failure to comply with these conditions could lead to a criminal prosecution and/or your licence being suspended, revoked or not renewed.

If you are aggrieved by any of the conditions attached to this licence you may make an application for exemption from them and attend a hearing before the Licensing Sub Committee, alternatively you can appeal to a Magistrates Court within 21 days of the service of this licence on you.

If you have any difficulty in understanding or complying with of any of the conditions below, please let the Licensing Office know immediately so that arrangements can be made to assist you in that respect.

These conditions are attached to your licence in addition to any other legal requirements to which you are required to comply. These include, but are not restricted to, the Local Government (Miscellaneous Provisions) Act 1976, the Health and Safety at Work etc. Act 1974

GENERAL CONDITIONS

DETAILS TO BE REPORTED

1. You must notify the Licensing Office, in writing, within **7 days** if you,
 - a) are convicted of any criminal or motoring offence
 - b) are cautioned for any criminal or motoring offence (by the Police or any other agency)
 - c) receive a Magistrates' Court summons
 - d) receive a fixed penalty notice for any criminal or motoring offence
 - e) receive a police warning or court order in relation to harassment or any other form of anti-social behaviour
 - f) receive a civil or family law injunction
 - g) are arrested for any offence (whether or not charged)
 - h) are charged with any criminal offence.
 - i) are refused any type of licence by any other regulatory authority or any such licence is suspended, revoked or not renewed and provide the following information:
 - a. The name of the council.
 - b. The licence number(s) of the licence(s) suspended or revoked.
 - c. The date of the decision.
 - d. A copy of the decision notice issued by the other council giving the grounds for the action taken.
 - j) change your home address
 - k) keep the vehicle when it is not in use at an address that is not specified on your licence

So the Licensing service can be confident that those licenced remain fit and proper
2. If any of your vehicle's identity plates are lost or stolen you must report the loss or theft in writing to the Licensing Office within **3 days**.

It is an offence to use your vehicle without the required signage and so replacements will be needed as soon as practicable.

3. Mobile phones are not allowed to be used, installed, fitted to or carried in any private hire vehicle for the purpose of inviting or accepting bookings for that vehicle.

The only exception to this is where a phone is installed specifically to host an app designed for the acceptance of bookings from your operator.

In order to prevent drivers from making and accepting bookings direct from passengers

LOST PROPERTY

4. You must immediately after the termination of any hiring, or as soon as practicable thereafter, carefully search the private hire vehicle for any property which may have been accidentally left therein.

In order to ensure you cannot be accused of theft of that property

5. Any property accidentally left in a private hire vehicle must be handed in to a West Midlands Police Station as soon as possible, and in any event, within 72 hours of the property being found and a receipt for such property obtained. A copy of the receipt must be provided to the Licensing Office within 3 days of its issue.

To enable the return of any lost property to its rightful owner

CONDITIONS SPECIFIC TO DRIVERS

6. If you have any illness or medical condition that prevents you from driving or requires you to notify the DVLA, you must notify the Licensing Office, in writing, within **3 days**.

To ensure public safety by preventing drivers that are not medically fit to drive from carrying passengers.

7. If you decide to work for an operator different from that supplied at the time of your licence application, then before commencing work with the new operator, you must notify the Licensing Office, in writing, with details of your previous operator, new operator, new call sign and start date and provide a valid signed operators form.

So that if complaints are received about your behaviour we can contact your operator ascertain whether or not you were working at the time.

8. Your private hire driver's badge remains the property of the Council and should your licence expire, be suspended, revoked or not renewed, you must return your private hire driver's badge within **7 days**.

To ensure unlicensed drivers cannot impersonate those that are properly licensed.

9. You must not wilfully obstruct or refuse any person from viewing your private hire badge or taking the number of your badge.

This allows those being carried as passengers to identify you as a properly licensed driver.

10. If your private hire driver's badge is lost or stolen, you must inform the Police and obtain a Police report number, which must be reported to the Licensing Office within **3 days**.

It is an offence to not have your badge on whilst working and so a replacement will be needed as soon as practicable.

11. The operator identification door signs must be displayed on the two front doors of the vehicle.

To enable members of the public to correctly identify the vehicle they have booked.

12. Your private hire vehicle must **display** the Fare Table issued by the private hire operator in a prominent position inside the vehicle so as to be clearly visible to any passenger.

To enable passengers to check they are being charged the correct fare.

13. You must not respond to any booking from your operator unless you are given:

- a) The passenger's name.
- b) The time and point of pick up.
- c) The destination.
- d) The fare (if applicable).

To enable you to be able to correctly identify your passenger, turn up on time and guard against unintentional plying for hire.

14. You must not, via any means, pass details of any booking or passenger you have agreed to carry to your operator.

As you are not an operator you cannot make provision for the acceptance of bookings

15. You must not accept a return booking directly from a passenger.

As you are not an operator you cannot make provision for the acceptance of bookings

16. You must not park in such a position or location to be in the vicinity of premises such as bars, restaurants, takeaways, public houses, clubs, hotels, casino's, gaming and amusement arcades, which could give the appearance of being available for hire unless you have been allocated a booking by your operator.

To ensure you are not approached by members of the public for immediate hire

17. You must:-

- a) Have a good standard of personal hygiene, be clean and respectable in your appearance and behave in a civil and orderly manner at all times whilst your vehicle is in use or available for hire.
- b) Not congregate with more than 2 other private hire drivers/vehicles in residential areas and cause a nuisance by your parking, noise or activities whilst waiting to be allocated a booking.
- c) Convey a reasonable quantity of luggage and afford reasonable assistance in loading and unloading, including assistance in moving luggage to and from the entrance of any premises where you collect or set down your passenger(s).

- d) Take all reasonable steps to assist with and ensure the safety of your passenger(s) when entering, being conveyed in and alighting from your vehicle.
- e) Unless otherwise directed by your passenger(s), proceed to the destination by the shortest possible route.
- f) Not eat or drink in your vehicle whilst carrying a passenger.
- g) Not without the express consent of your passenger(s) play any radio or sound producing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
- h) Not cause or permit the noise emitted by any radio or previously mentioned equipment in the vehicle which you are driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- i) Not demand a fare in excess of any previously agreed for that hiring. If no fare has been previously agreed then you must not demand a fare in excess of that prescribed by your operator's fare table displayed in the vehicle. If the vehicle is fitted with a meter and no fare has been previously agreed then you must not demand a fare in excess of that shown on the meter.
- j) If requested to do so by your passenger(s), provide a written receipt for any fare paid, on stationery bearing the name of your operator, which includes your call sign, details of the journey and the fare paid.

In order to provide good customer service, raise the profile of your profession and not cause a nuisance to local residents.

CONDITIONS SPECIFIC TO VEHICLES

VEHICLE IDENTITY PLATES & SIGNAGE

18. The only plates and signs that may be displayed on or in a private hire vehicle are those prescribed by the City Council's Vehicle Signage Policy

To avoid confusion for members of the public

19. Vehicles granted exemption not to display an identification plate or sign must carry and be able to produce the letter confirming the exemption and the licence plate issued by the Licensing Office to an authorised officer of the Licensing Authority or a Police Constable on request.

In order to demonstrate at that moment that such an exemption exists.

20. The rear identity plate must be fitted externally on the rear of the vehicle in such a place and manner to ensure that all of the information displayed on the identity plate is clearly visible at all times.

It is a legal requirement to display a plate and this should be easily visible at all times.

21. The rear identity plate must be securely attached to the vehicle in such a manner so that it cannot be removed without the use of tools. It must not be affixed using string, tape, magnets, Velcro or any other similar material. If a securing bracket is not used the identity plate must be fixed to the vehicle using bolts, rivets or screws.

To ensure it is not easily removed, lost or stolen.

MAINTENANCE OF VEHICLES

22. The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition. In particular all data boxes, radios, PDA's or any other equipment installed in the vehicle must be affixed to the vehicle by use of secure fittings so they cannot be easily removed, to prevent injury or harm to the driver or passengers.

To ensure both passenger and driver safety

23. Once a vehicle has been inspected by one of the Licensing Office's approved MOT stations and a licence has been granted it must be maintained in that form and condition. No change in the specification, design or appearance of the vehicle or addition of any body work accessories shall be made within the duration of the licence without the prior written approval from the Licensing Office.

To ensure both passenger and driver safety

24. Only tinted and anti-glare windows fitted by the vehicle's manufacturer are acceptable.

To ensure both passenger and driver safety

25. No private hire vehicle licensed by this authority may be licensed in any other authority as a private hire or hackney carriage vehicle.

To prevent any potential conflict in conditions of licence.

DOCUMENTATION TO BE MAINTAINED FOR VEHICLE & DRIVER(S)

26. Only a licensed private hire driver can drive a licensed private hire vehicle. If you propose to allow someone else to drive your vehicle at any time, before doing so you must obtain from the driver the following documents:

- a) A copy of their current Birmingham City Council Private Hire Driver's Licence, and
- b) A copy of their insurance documentation covering them to use the vehicle for the purpose of private hire.

You must ensure that the driver's Private Hire Driver's Licence and insurance remain current for the duration of the period they have your vehicle.

To ensure that vehicles and drivers are properly licensed and insured.

27. If there are exceptional reasons which prevent you from maintaining or ensuring continuous insurance cover, for whatever reason, throughout the duration of the licence you must attend and notify the Licensing Office, in writing, within 72 hours following the insurance cover expiring or lapsing. At the same time you must return the vehicle identification plates as the vehicle will be liable to suspension until insurance cover is produced.

To ensure that vehicles and drivers are properly licensed and insured.

28. You must retain the above documents for a period of 12 months following their expiry and these documents must be available for inspection at any time to an authorised officer.

To assist in the apprehension of offenders; this is not restricted to licensing offences hence the requirement for 12 months.

TAXIMETERS

29. Should a taximeter be fitted to any private hire vehicle, you must ensure that it has been tested, sealed and certified to have been calibrated and set to your operator's tariff(s) before it can be used for calculating fares for passengers.

To ensure that those carried in private hire vehicles are not overcharged

30. A copy of the taximeter calibration certificate shall be kept in the vehicle at all times and shall be made available for inspection on request by an authorised officer of the Licensing Authority or a Police Constable

To ensure that any taximeter fitted into the vehicle is calibrated and certified for that use.

31. If technology is provided by the operator to enable route planning and fare calculation they should ensure that drivers proceed to the destination by shortest possible route, through the programming of any technology provided by the operator, which is designed to assist drivers in route planning and calculation of fares.

Deviating from the shortest possible route is only allowed when the driver obtains the agreement of the passenger to do so.

As a general rule the route taken shall be the shortest. However new technology can provide benefits to customers, in terms of cost, where journeys are calculated including a time element. The journey undertaken should be that which provides the greatest benefit to the passenger in terms of price unless specifically told to do otherwise by the passenger.

32. You must not tamper with or permit any other person to tamper with the meter, its fittings, connections or seal without the written approval of the Licensing Office.

To ensure the calibration and certification of the taximeter remains valid.

ADVERTISING

33. No advertisement may be placed upon a private hire vehicle unless in accordance with Birmingham City Council's Vehicle Signage Policy.

To avoid confusion for members of the public

MISCELLANEOUS

34. A copy of these conditions must be kept in the vehicle at ALL times and shall be made available for inspection on request by an authorised officer of the Licensing Authority or a Police Constable.

To enable you to keep yourself any driver of the vehicle up to date with conditions placed on the appropriate licence.