

CONTENTS

This handbook is divided into 6 sections as follows:

Section	Subject	Page
A	Introduction	2
	General Statement of Policy	2
B	Disciplinary Code	3
	Scale of Penalty Points	4
C	Hackney Carriage Vehicle Licence Conditions	4
	Hackney Carriage Byelaws	8
D	Private Hire Vehicle Conditions	11
E	Private Hire Operators Licence Conditions	15
F	Guidance on relevance of convictions	18
	Hackney Carriage / Private Hire Vehicle	
	Drivers Licence Conditions	20

SECTION A

INTRODUCTION

Hastings Borough Council licenses the following:

Hackney Carriage Vehicles;

Private Hire Vehicles;

Private Hire Operators;

Hackney Carriage & Private Hire Vehicle Drivers. (Dual Licences)

The Council must be satisfied that the vehicle is **suitable** in type, size, design and condition for use as a hackney carriage or a private hire vehicle.

In the case of a private hire vehicle it is further required to be satisfied that they are not of such design or appearance as to lead any person to believe that the vehicle is a hackney carriage.

Any vehicle used as a hackney carriage or private hire vehicle must have in force a policy of **insurance** in relation to that use of that vehicle. (Hire & reward Insurance)

In respect of the issue of **driver's** licences the 1976 Act requires the Council to be satisfied that each applicant is a **fit and proper person** to hold such a licence prior to its grant and continues to be so after the issue of a licence.

With effect from the 1st December 2016 the provisions in the Immigration Act 2016 mandate all licensing authorities not to issue licences to illegal migrants and to discharge this duty through immigration checks. Therefore the Council will want to ensure that applicants for drivers licences have a right to reside and work in the UK before an application can be considered.

With effect from the 6th April 2017, Secs 165 and 167 of the Equalities Act 2010 came into force. This means that drivers of designated wheelchair accessible taxis and private hire vehicles will be required to transport wheelchair users in their wheelchair, provide passengers in wheelchairs with appropriate assistance and charge wheelchair users the same as non-wheelchair users.
www.gov.uk/government/publications/access-for-wheelchair-users-to-taxis-and-private-hire-vehicles

In producing this handbook **Hastings Borough Council** wishes to demonstrate its commitment to ensuring that both the hackney carriage and private hire trade maintain the highest possible standards.

In adopting the licence conditions and policies set out in this handbook the Council aims to ensure public confidence in a safe and high quality service, which presents a professional and positive image to both residents and visitors to the town.

Details held of drivers, vehicles or operators might be passed to those Authorised Agencies within the Data Protection Act for the Protection of the Public Purse.

GENERAL STATEMENT OF POLICY

Hastings Borough Council wholeheartedly supports the principle of equality of opportunity in employment and service delivery and opposes all forms of discrimination on the grounds of race, colour, nationality, ethnic origin, religion, gender, age, sexual orientation, marital status, disability or medical condition including people living with HIV/AIDS.

Hastings Borough Council welcomes and encourages applications from all sectors of society.

SECTION B

Disciplinary Code

Your attention is drawn to the Council's Disciplinary Code for the hackney carriage and private hire trade, details of which are set out in the handbook.

Without prejudice to any other course of action or remedy available to the Council in the event of any contravention of any relevant statute, byelaw or condition. The penalty point(s) applicable to the particular breach or contravention witnessed, will be imposed on licence holders in line with the following list. (The breach or contravention must be witnessed by an authorised officer of the Council, a police officer a PCSO or authorised civilian Sussex Police staff member.)

A breach of disciplinary code penalty notice will be issued to a driver/operator and a copy kept on the offenders file. Any offender under this scheme will be permitted to accumulate up to twelve (12) penalty points in any twelve (12) month period, and provided that no more than twelve (12) penalty points are accumulated within that period all penalty points will cease to apply at the end of that period.

Should the licence holder accumulate twelve (12) or more points within any twelve (12) month period the licence holder will be required to appear before the Environment & Safety Board and will be liable to any appropriate action taken by the Council, including suspension or revocation of, or refusal to renew, their licence.

1. Review Hearing.

Any licence holder aggrieved by the issue of a penalty notice may apply, in writing, within fourteen (14) days of the date of service of the penalty notice, to have their case reviewed by the Licensing Manager or in his absence his deputy who, after reviewing all the evidence, may uphold the notice, withdraw the notice or reduce or increase the number of penalty points issued. If a licence holder is aggrieved by the decision of the review they may within Twenty One (21) days from the date of the review decision, apply in writing to the Licensing Manager to have the matter heard by the next available Environment and Safety Board. After hearing all the evidence the Board may uphold the notice, withdraw the notice or reduce or increase the number of penalty points given. They may also suspend or revoke the licence.

Should the Board confirm the decision of the review and reduce, increase or withdraw the penalty notice, there is no further right of appeal.

Any queries regarding the disciplinary code should be made to the Licensing Officer.

SCALE OF PENALTY POINTS

Code	Breach	Penalty Points
A	Authorised officer refused access to operator/driver records	12
B	Failing to notify details of convictions since issue of last licence	12
C	Failing to produce MOT certificate, driving licence and/or insurance as requested	12
D	Carriage of Excess passengers	6
E	Hackney carriage roof sign licence plate, or door signs not fitted when working	4
F	Private hire plate/door signs not displayed when working	4
G	Licensed vehicle displaying unauthorised markings	4
H	Driver failing to wear HBC drivers badge	4
I	Offering an inducement or bribe to an officer of the council	12
J	No working compliant fire extinguisher	4
K	Failing to display fare card in vehicle	4

L - Failing to notify details of road accident within the prescribed time limit	3
M - Failing to notify change of address within prescribed time limit	3
N - Failing to notify transfer of vehicle within prescribed time limit	3
O - Using a mobile phone, radio hand set, eating or drinking whilst the vehicle is in motion	4
P - Operator/driver failing to keep proper records	3
Q - No spare wheel or tools for wheel changing (jack & wheel brace)	3
R - Driver smoking in the vehicle or using electronic cigarette.	4
S - Failure to comply with dress code/ Unsatisfactory appearance	4
T - Private hire vehicles parking on a taxi rank	2
U - Dirty vehicle (interior or exterior)	2
V - Contravention of any byelaw and/or condition not specified above	1 - 12
W - Minor vehicle faults	1 - 4
X - Contravention of any Road Traffic Act or other relevant Government Legislation	1 - 4
Y - Failing to present vehicle for inspection at required time/location	6
A1 - Carrying offensive weapon in a vehicle	12
A2 - Failure to carry assistance dog without requisite exemption.	12
A3 - Failure to notify, in writing, change in medical circumstances	6
A4 - Unsatisfactory behaviour or conduct of driver.	1 – 12
A5 - Failure to behave in a civil and orderly manner.	1 – 12
A6 – Failure to supply CCTV images within timescale.	6

Where Twelve (12) or more penalty points are imposed on a licensed driver/proprietor/operator within any Twelve (12) month period, a report will be submitted to the Environment & Safety Board which may consider suspension, revocation or refusal to renew such a licence.

If the Environment & Safety Board suspends, revokes or refuse to renew the licence, the licence holder has the right of appeal to the Magistrates Court within twenty one (21) days of the date of receipt of the written notice of the Environment & Safety Board decision.

SECTION C

Hackney Carriage Vehicle Licence Conditions

These conditions adopted by the Council under the provisions of the Local Government (Miscellaneous Provisions) Act 1976 S.47 are in addition to the Byelaws adopted by the Council under the provisions of the Town Police Clauses Act 1847 and the Public Health Act 1875, and should be read in conjunction with those Byelaws. Any requirement of legislation, which affects the operations being carried out under these conditions and Byelaws, shall be regarded as if they are conditions of the licence.

1. Vehicle Suitability (HC001 to HC048 inc)

A vehicle will not be deemed suitable for licensing as a hackney carriage vehicle unless

- a. It has at least four doors.
- b. It is capable of comfortably seating at least four passengers in addition to the driver.
- c. It has a separate compartment of adequate size for luggage.
- d. It has an engine capacity of not less than 1600cc unless specifically authorised.
- e. It is fitted with a seat belt for each passenger seat to conform with current British Standards.
- f. The steering wheel is located on the right side of the vehicle (off side).
- g. There is access to passengers from both sides of the vehicle
- h. Officers must be able to see clearly into the vehicle (No heavy tinting)
- i. The vehicle is Dark Blue in colour with the Coat of Arms on the bonnet.

(HC049 upwards following committee decision September 2016)

A vehicle will not be deemed suitable for licensing as a hackney carriage unless;

- a. It is a new (unregistered) vehicle
- b. It has at least four doors
- c. It is an 8/7/5 seat purpose built taxi
- d. It is fitted with a Euro VI emissions compliant engine (or a Hybrid/Electric with permission)
- e. It is fitted with a hearing loop
- f. It is fitted with an approved CCTV system from an approved supplier
- g. The vehicle is Dark Blue in colour (Pantone 8M4. Brand Code KJD6B) only, with the Coat of Arms on the bonnet.
- h. It is fitted with an integral roof pod.

2. Maintenance of the vehicle and safety equipment

The proprietor shall ensure that:

- a. No material alteration or change in the specification, design, condition, appearance or use of the vehicle is made without the approval of the Council at any time whilst the licence is in force. This includes the installation of safety screens or similar within the inside of the vehicle.
- b. Any CCTV or stills photographic equipment installed in vehicles will only be approved if it records encrypted images and the Council is satisfied that suitable arrangements are in place to restrict access to images and for the regular inspection of the equipment.
- c. "The licensee shall comply with all legislation and regulations from time to time regulating the use of CCTV or other surveillance device on or in the licensed vehicle and shall produce evidence of compliance to the Licensing Officer on request"
- d. There must be a sign informing passengers that the vehicle is fitted with surveillance equipment. This sign and its wording must be submitted for approval in conjunction with a system installation. The sign must be clearly legible to passengers without being intrusive or obstruct their vision forward.
- e. Any images requested by the police or licensing authority must be supplied (at the licensee's cost) within a 72hour timeframe.

The vehicle, its fittings and equipment must at all times when the vehicle is in use or available for hire be kept in a safe, tidy and clean condition, maintained in satisfactory mechanical order, it must comply with all relevant statutory requirements (including those contained in the Motor Vehicles (Construction and Use) Regulations.

3. Roof Sign

A Hackney carriage must display a roof sign fitted with a minimum base of 60 cms (24") and which is capable of being illuminated showing the word 'Taxi' facing forward. The rear face may be used to display the proprietor's name and/or telephone number.

If the company's name is displayed on the front of the roof sign this may be the same size as the word 'Taxi' but never larger. For London type taxis the company's name may be displayed on either side of the roof sign pod."

The illumination should automatically be extinguished when the taximeter is engaged. Purpose built vehicles with signs forming an integral part of the roof are exempt. Any illumination must not contravene any statutory requirement.

The roof sign fitted to HC 049 upwards is to be an integral fitted pod.

4. Vehicle Marking

A sign of a style approved by the council bearing the words "Licensed Hackney Carriage Hastings Borough Council" and including the licence number and licensed capacity must be displayed on each front door of the vehicle.

A Crest of Arms as approved by the Council shall be displayed on the bonnet.

The trade name and telephone number of the proprietor may be displayed on the rear passenger doors of the vehicle, (a size, format and style as authorised by Hastings Borough Council) and on the rear face of the roof sign. The trade name may also appear on the front of the roof sign in accordance with Condition 3. This information may not appear in any other position on the vehicle other than on business cards inside the vehicle.

A 'No Smoking' sign or pictogram must be on display in the passenger compartment of the vehicle.

5. Vehicle Age

No vehicle shall:

- a. on first application for a licence be older than five (5) years since the time of its first registration; (HCs 001 to 48), (HCs 049 onwards must be new) and,
- b. on submission for renewal of a licence be more than seven (7) years old since the time of first registration (ten (10) years for purpose built vehicles);

All vehicles over one year old shall be required to pass an MOT inspection each year until five years old when they are required to pass two vehicle MOT inspections each year.

With the express permission of the Licensing Manager or in his absence his deputy, a vehicle may be considered for licensing as a Hackney carriage which would be outside the normal set age limits if it is considered to be in "Exceptional Condition".

6. Passengers

A vehicle must not:

- a. convey a greater number of persons than that prescribed in the license for that vehicle regardless of age or size.
- b. convey in a hackney carriage vehicle: -
 - i. any child below the age of fourteen years (14), other than in accordance with the Road Traffic Act 1988 and subsequent regulations; or,
 - ii more than one person of that age in any seat.
- c. without the consent of the hirer of the vehicle convey any other person in the vehicle at the same time.

7. Change of Address

In the event of the proprietor of a hackney carriage vehicle changing his address, he shall within Seven (7) days give notice in writing to the Council and shall produce the vehicle licence at the offices of the Council to enable it to be amended.

8. Change of Vehicle

In the event of the proprietor wishing to replace a hackney carriage vehicle they shall notify the Council of their wish and ensure that the replacement vehicle is made available (if required) for inspection by the Council before the vehicle is replaced.

9. Transfer of Ownership

If the proprietor of a licensed hackney carriage transfers their interest in the vehicle, they shall within Fourteen (14) days, give notice in writing of that transfer to the council specifying the name and address of the person to whom that interest has been transferred. Failure to do so is a criminal offence. The vehicle must be inspected, properly documented, application and fee paid before the vehicle can be used. If more than one person is registered as a proprietor or part proprietor of the vehicle ALL must sign the transfer documents.

10. Vehicle Damage

Any licensed vehicle damaged in an accident or otherwise must be presented for inspection by an authorised officer of the Council and an accident report submitted as soon as possible after such accident and in any case within Seventy Two (72) hours. Damaged vehicles may not continue to operate without the prior approval of the Council's authorised officer. On completion of the necessary repairs the vehicle must be available for inspection by an authorised officer of the Council (if required) prior to being returned into service.

11. Parking

In addition to the authorised taxi ranks described in the Byelaws certain other ranks operate for limited hours.

12. The Use of Trailers

- a. The use of trailers should only be permitted for private hire vehicles (or a Hackney Carriage acting as a Private Hire Vehicle) of the multi-passenger type and on pre-arranged journeys where passengers luggage cannot be safely accommodated within the vehicle.
- b. Trailers must be purpose built luggage trailers of commercial manufacture with a permissible maximum weight of 750 Kgs.
- c. Only trailers of a specification previously approved by the department.
- d. The contents of any trailer authorised must be secured and covered in a proper manner to protect them from the elements.
- e. Any trailer used and the licensed vehicle whilst towing it must comply with Road Traffic Regulations in all respects, including having specific insurance cover for the use of the trailer in such circumstances; and
- f. Any such trailers must undergo an annual safety inspection.

13. Taximeter

A Hackney Carriage may only use a Taximeter of a type approved by Hastings Borough Council and this shall be of the calendar type.

The Councils fare tariffs numbered one to four shall be the first four tariffs on the Taximeter and shall be numbered accordingly one to four. (Council tariffs **MUST** be loaded on the Taximeter)

14. Carriage of Wheelchairs

The guidance issued by ESCC for all school contracts is that wheelchairs must be forward facing and secured with 4 point webbing and a passenger restraint. Hastings Borough Council support this guidance, in addition vehicle operators should check their vehicle operating limits when carrying wheelchairs. (The Authority has published a list of wheelchair accessible vehicles on its website as a result of Sec 167 of the Equality Act 2010.)

Appeal against Conditions

If you are aggrieved by any of the conditions attached to the licence you may appeal to a Magistrates Court within 21 days of the service of the licence on you. (See section 47(3) of the 1976 Act and section 300 of the Public Health Act 1936).

SECTION C

The Council's Byelaws for Hackney Carriages have not been repealed but many requirements have now been superseded by new legislation or licence conditions.

Hackney Carriage Byelaws

Made under Section 68 of the Town Police Clauses Act, 1847 and Section 171 of the Public Health Act, 1875 by the Hastings Borough Council with respect to hackney carriages in the Borough of Hastings.

Interpretation

1. Throughout these byelaws:

- "the Council" means the Hastings Borough Council and
- "the District" means the Borough of Hastings.

Provisions regulating the manner in which the number of each hackney carriage, corresponding with the number of its licence, shall be displayed.

2.a. The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto,

- b. A proprietor or driver of a hackney carriage shall:-
- (i) not wilfully or negligently cause or suffer any such number to be concealed from the public view while the carriage is standing or plying for hire,
 - (ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided.

3. Every proprietor of a hackney carriage shall:

- a. cause the seats to be properly cushioned or covered,
- b. cause the floor to be provided with a proper carpet, mat or other suitable covering,
- c. cause the fittings and furniture generally to be kept in a clean condition and well maintained and in every way fit for public service,
- d. provide means for securing luggage if the carriage is so constructed as to carry luggage,
- e. provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver,
- f. provide sufficient means by which any person in any carriage may communicate with the driver,
- g. cause the roof or covering to be kept watertight,
- h. provide any necessary windows and a means of opening and closing, not less than one window on each side,
- i. provide an efficient fire extinguisher which shall at all times be carried in such a position on the carriage as to be readily available for use.

4. (This Byelaw has been superseded by Hackney Carriage Vehicle Licence Conditions)

5. The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed attached and maintained as to comply with the following requirements, that is to say:

- a. the taximeter shall be fitted with a key, flag, or other device the turning of which will bring the machinery of the taximeter into action and cause the word 'HIRED' to appear on the face of the taximeter;
- b. such a key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
- c. when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible letters a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the byelaw in that behalf;
- d. the word 'FARE' shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
- e. the taximeter shall be so placed that all letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;
- f. the taximeter and all fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

6. The proprietor of a hackney carriage provided with a taximeter not fitted with a flag or other device bearing the words 'FOR HIRE' shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say:-

- a. the sign shall bear the words 'FOR HIRE' in plain letters at least one and a half inches in height,
- b. the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire.

Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments, and determining whether such drivers shall wear any and what badges.

7. The driver of a hackney carriage shall:-

- i. if the taximeter is fitted with a flag or other device bearing the words 'FOR HIRE':-
 - a. when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible,
 - b. when the carriage is hired by distance, at the commencement of the journey bring the machinery of the taximeter into action by moving the flag or other device so that the words are conveniently legible and keep the machinery of the taximeter in action until the termination of the hiring,
- ii. if the taximeter is not fitted with a flag or other device bearing the words 'FOR HIRE':-
 - a. when standing or plying for hire keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of byelaw 6 so that the words 'FOR HIRE' are clearly and conveniently legible by persons outside the carriage,
 - b. when the carriage is hired whether by distance or by time, operate the said sign so that the words 'FOR HIRE' are conveniently legible by persons outside the carriage,
 - c. when the carriage is hired by distance at the commencement of the journey, bring the machinery of the taximeter into action by moving the key or other device fitted for the

purpose so that the work 'HIRED' is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of hiring,

- iii. cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972 or any statutory re-enactment thereof and also at any other time at the request of the hirer.

8. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.

- 9.** The driver of a hackney carriage shall, when plying for hire in any street and not actually hired,
- a. proceed with reasonable speed to one of the stands fixed by the byelaw in that behalf,
 - b. if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand,
 - c. on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction,
 - d. from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward,
 - e. if his carriage is the first carriage on the stand remain with the carriage ready to be hired at once.

10. A proprietor of a hackney carriage, when standing or 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.

- 11.** The driver of a hackney carriage shall,
- a. behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle,
 - b. not at any time when driving for hire smoke tobacco or like substance

12. A driver of a hackney carriage who knowingly conveys in the carriage the dead body of any person shall immediately thereafter, notify the fact to the Borough Environmental Health Officer.

13. The driver of a hackney carriage when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.

14. If a badge has been provided by the Council and delivered to the driver of a hackney carriage, either with the licence granted to him by the Council or afterwards, he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.

- 15.** The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage,
- a. convey a reasonable quantity of luggage,
 - b. afford reasonable assistance in loading and unloading,
 - c. afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.

Local Government (Miscellaneous Provisions) Act 1976 S63

Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages, and fixing charges to be made in respect thereof.

16. The driver of a hackney carriage shall immediately after the termination of any hiring carefully search the carriage for any property which may have been accidentally left therein.

17. The driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him,

- a. carry it as soon as possible and in any event within 24 hours, if not sooner claimed by or on behalf of its owner, to a Police Station within the district of Hastings, and leave it in the custody of the officer in charge thereof on their giving a receipt for it.
- b. 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 the said station, whichever be the greater) but no more than ten pounds.

SECTION D

Private Hire Vehicle Licence Conditions

LICENCE CONDITIONS

1. General

- a. It is the responsibility of the Proprietor and any driver employed or engaged by them to drive a private hire vehicle to ensure that it complies with the following conditions.
- b. Throughout these conditions "Proprietor" includes a part-proprietor and, in relation to a vehicle which is the subject of a hiring agreement or a hire purchase agreement, means the person in possession of the vehicle under that agreement.
- c. No vehicle shall be used unless it is operated on a Private Hire Operators circuit and covered by that Operators Licence.

2. Vehicle Suitability

A vehicle may be deemed suitable for licensing as a private hire vehicle to carry less than four (4) passengers, with the express permission of the licensing Manager, or in his absence his deputy, and will not be subject to sub sections (a) to (h) below.

A vehicle will not normally be deemed suitable for licensing as a private hire vehicle unless

- a. It has at least four doors.
- b. It is capable of comfortably seating at least four passengers in addition to the driver.
- c. It has a separate compartment of adequate size for luggage.
- d. The engine capacity shall be not less than 1298cc unless specifically authorised.
- e. It is not of the TX (London Cab) Metro Cab type of construction or similar.
- f. The steering wheel is located on the right side of the vehicle (off side). Except stretch limousines, when left hand drive vehicles will be accepted, subject to additional specialist inspections to confirm structural safety, being undertaken.
- g. No vehicle may have heavily tinted windscreens/windows. (Officers must be capable of seeing into vehicle)
- h. The vehicle can be any colour except Blue.

3. Vehicle Age

No vehicle shall:

- a. on first application for a licence be older than 5 years since the time of its first registration; and,
- b. on submission for renewal of a licence be more than 7 years old since the time of first registration (ten(10) years for purpose built vehicles);

All vehicles over one year old shall be required to pass an MOT inspection each year until 5 years old when they are required to pass two vehicle MOT inspections each year.

With the express permission of the licensing Manager or in his absence his deputy, a vehicle may be considered for licensing as a private hire vehicle which would be outside the normal age limits if it is considered to be in "Exceptional Condition".

4. Vehicle Maintenance and Safety Equipment

The proprietor shall ensure that:

- a. the seats are properly cushioned and covered;
- b. the floor is provided with a proper carpet, mat or other suitable floor covering;
- c. the fittings and furnishings are kept clean and well maintained and in every way fit for public use;
- d. adequate means are provided for securing luggage;
- e. at least three doors in addition to the driver's door are provided for passengers;
- f. the roof and covering are watertight;
- g. there is on each side of the vehicle at least one window accessible to and which can be readily opened and closed by the passengers;
- h. an efficient fire extinguisher is provided and maintained in such a position as to be readily available for use.
- i. A first aid kit is no longer a mandatory requirement but is recommended.
- j. No material alteration or change in the specification, design, condition, appearance or use of the vehicle is made without the approval of the Council at any time whilst the licence is in force. This includes the installation of safety screens or similar within the inside of the vehicle.
- k. Any CCTV or stills photographic equipment installed in vehicles will only be approved if it records encrypted images and the Council is satisfied that suitable arrangements are in place to restrict access to images and for the regular inspection of the equipment.
- l. The licensee shall comply with all legislation and regulations from time to time regulating the use of CCTV or other surveillance device on or in the licensed vehicle and shall produce evidence of compliance to the Licensing Officer on request.
- m. There must be a sign informing passengers that the vehicle is fitted with surveillance equipment. This sign and its wording must be submitted for approval in conjunction with a system installation. The sign must be clearly legible to passengers without being intrusive or obstruct their forward vision.
- N. Any CCTV images requested by the police or licensing authority must be supplied (at the licensees cost) within a 72 hour time frame
- O.. The vehicle, its fittings and equipment must at all times when the vehicle is in use or available for hire be kept in a safe, tidy and clean condition, maintained in satisfactory mechanical order, it must comply with all relevant statutory requirements (including those contained in the Motor Vehicles (Construction and Use) Regulations.

5. Identification Plate

The yellow identification plate issued by the Council indicating the vehicle licence number and the number of passengers for which the vehicle is licensed shall at all times be displayed in a vertical position, fixed firmly to the outside of the vehicle close to the rear number plate.(Unless issued with an exemption certificate)

6. Interior Marking

The fare card issued by the Council indicating the number of the vehicle licence and the number of passengers prescribed in the licence shall be displayed in the vehicle in a position where it is visible at all times to persons conveyed therein. (Unless issued with an exemption certificate)

7. Signs Notices etc

- a. The display of roof signs of any description or the display of the word "TAXI" or "CAB" whether in the singular or plural and whether alone or as part of another word or the words "FOR HIRE" or any form of wording which in any way suggests that the vehicle on which it is displayed is presently available to take up by any passengers wishing to hire it, or would be so available if not already hired, such as strips displayed in the front or rear windscreens is not permitted.
- b. A sign of a style approved by the Council bearing the words "Licensed Private Hire Vehicle Hastings Borough Council" and including its licence number and licensed capacity shall be displayed on each front door of the vehicle. The sign shall also bear the words "This Vehicle must be pre-booked".
- c. The trade name and telephone number of the proprietor must be displayed on the rear passenger doors (a size, format and style as authorised by Hastings Borough Council) and in no other position on the vehicle other than business cards inside the vehicle.(unless the vehicle is issued with an exemption certificate)
- d. A notice must be prominently displayed in the vehicle at all times stating that the hire charges are not prescribed by the Council but are a matter for negotiation with the hirer. The sign must include the vehicle licence number and the number of passengers permitted to be carried.
- e. A "No Smoking" sign or pictogram must be on display in the passenger compartment of the vehicle, if the vehicle is fitted with a bulkhead partition, a sign must be displayed in both areas.
- f. No other signs/notices are to be displayed in or on the vehicle without the consent of the Council.

8. Taximeter

Private Hire vehicles fitted with a "taximeter" may not operate unless the meter is in working order and has been checked and sealed by the Council's authorised officer. In the event of the seal being broken the driver shall notify the Council immediately and arrange for the meter to be retested and resealed.

A Private Hire vehicle may only use a Taximeter of a type approved by Hastings Borough Council The Councils fare tariffs numbered one to four shall be the first four tariffs on the Taximeter and shall be numbered accordingly one to four.

9. Passengers

A vehicle must not:

- a. Convey a greater number of persons than that prescribed in the licence for that vehicle regardless of age or size,
- b. convey in a private hire vehicle:
 - (i) any child below the age of fourteen years (14), other than in accordance with the Road Traffic Act 1988 and subsequent regulations; or,
 - (ii) more than one person of that age in any seat.
- c. without the consent of the hirer of the vehicle convey any other person in the vehicle at the same time.

10. Change of Address

In the event of the proprietor of a private hire vehicle changing their address, they shall within seven (7) days give notice in writing to the Council and shall produce the vehicle licence at the offices of the Council to enable it to be amended.

11. Change of Vehicle

In the event of the proprietor wishing to replace a private hire vehicle they shall notify the Council of their wish and ensure that the replacement vehicle is made available for inspection by the Councils Officer before the change takes place, (if required).

12. Transfer of Ownership

If the proprietor of a licensed private hire vehicle transfers their interest in the vehicle, they shall within fourteen (14) days, give notice in writing of that transfer to the council specifying the name and address of the person to whom that interest has been transferred. Failure to do so is a criminal offence. The vehicle must be inspected, properly documented, application and fee paid before the vehicle can be used. If more than one person is registered as a proprietor or part proprietor of the vehicle ALL must sign the transfer documents.

13. Convictions

The proprietor shall, within seven (7) days, disclose to the Council in writing any motoring or criminal conviction imposed on them (or if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence, giving particulars of the date and place of conviction, the nature of the charge and the penalty imposed together with such further information concerning the offence as the Council may require.

14. Vehicle Damage

Any licensed vehicle damaged in an accident or otherwise must be presented for inspection by an authorised officer of the Council and an accident report submitted as soon as possible after such accident and in any case within seventy-two (72) hours. Damaged vehicles may not continue to operate without the prior approval of the Council's authorised officer. On completion of the necessary repairs the vehicle must be presented (if required) for inspection by an authorised officer of the Council prior to being returned into service.

15. Deposit of Licence

If the driver is permitted or employed to drive a private hire vehicle by an operator he shall, before commencing to drive that vehicle, deposit his HBC driver's licence with that operator for retention by him until such time as the driver ceases to be permitted or employed to drive for that operator when the private hire drivers licence must be returned to the driver.

Proprietors must ensure that all drivers are in possession of a current Driver's licence issued by the DVLA - The DVLA Licence must show the drivers current home address.

16. The Use of Trailers

- a. The use of trailers should only be permitted for private hire vehicles of the multi-passenger type and on pre-arranged journeys where passengers' luggage cannot be safely accommodated within the vehicle.
- b. Trailers must be purpose built luggage trailers of commercial manufacture with a permissible maximum weight of 750 Kgs.
- c. Only trailers of a specification previously approved by the department.
- d. The contents of any trailer authorised must be secured and covered in a proper manner to protect them from the elements.
- e. Any trailer used and the licensed vehicle whilst towing it must comply with Road Traffic Regulations in all respects, including having specific insurance cover for the use of the trailer in such circumstances; and
- f. Any such trailers must undergo a safety inspection.

General Conditions

These conditions are in addition to the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

If you are aggrieved by any of the conditions attached to the licence you may appeal to a Magistrates Court within Twenty One (21) days of the service of the licence on you. (See sections 48(7) and 77 of the 1976 Act and section 300 of the Public Health Act 1936).

SECTION E

Private Hire Operators Licence Conditions

Licence Conditions

1. Records

Bookings

(a) The record required to be kept by the operator under the 1976 Act shall be kept in suitable form in order to facilitate inspection by any authorised officer of the Council or by any constable and the operator shall take details before the commencement of each journey and keep the following particulars of every booking of a vehicle invited or accepted by him for the purposes of private hire.

- (i) The date and time of booking.
- (ii) The method and source by which the booking was taken
- (iii) The point of pick-up.
- (iv) The destination
- (v) The time at which a driver was allocated the booking.
- (vi) Identification of the vehicle and driver allocated for the booking.
- (vii) The records of bookings (or duplicate) shall be kept at the premises where the booking was taken

(b) (i) If an operator is unable to provide a vehicle at the pre-booked time, they shall: as soon as they are aware of this, contact the customer, if the vehicle is delayed they shall ring the customer to keep them up dated at ten minute intervals, and log any action taken.

(ii) If an Operator is unable to supply a vehicle they should contact the customer as soon as this information comes to their notice. If a booking is transferred to another operator the original operator shall contact the customer and provide details of the new vehicle provider.

Vehicle Details

(a) The records required to be kept by the operator under the 1976 Act shall be kept in a suitable form in order to facilitate inspection by any authorised officer of the Council or by any constable and shall show the following particulars with respect to each private hire vehicle operated by him:

- (i) The registration number of the vehicle.
- (ii) The number of the identification plate provided by the Council pursuant to Section 48(5) of the 1976 Act.
- (iii) The name and addresses of all proprietors of the vehicle.
- (iv) The names and addresses of all the drivers of the vehicle.
- (v) The number of passengers permitted to be carried in the vehicle.
- (vi) Any radio call sign used in connection with the vehicle.

- (vii) The date on which he commenced operating the vehicle and, if appropriate, the date on which he ceased operating the vehicle.
- (viii) Remarks.

(b) All records kept by the operator, as above, shall be preserved for a period not less than six months following the date of the last entry.

(c) Private Hire Operators shall maintain a written or computer record for each vehicle operating under their auspice and enter into this record information, which will include such information as: renewal dates for Insurance, MOTs, DVLA car tax, also details of accidents etc. The vehicle will be inspected a least once a week by the operator or a member of their staff and any defects or damage noted on the record, the remedial action required, date HBC was informed and date the action was completed.

2. Standard of Service

The operator shall provide a prompt, efficient and reliable service to members of the public at all times and for this purpose shall in particular -

- (a) Ensure that when a vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place.
- (b) Keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting.
- (c) A Private Hire Operator shall have a published complaints procedure that has been approved by the council and deals with Customer & Employee complaints. Copies of this document shall be held on the Private Hire Operator's file at the council offices, copies shall be also available at the Operators office for use of customers and staff. The complaints procedure shall be used when dealing with any complaint and a member of staff (that may be the operator themselves) shall be named as the complaints officer.

(d) All operators shall have suitable insurance policies in place to allow them to carry out their business legally.

(e) All operators shall have carried out a Health & Safety risk assessment, this risk assessment shall be published and a copy supplied to the council, the policy must be reviewed on a regular basis or when there are significant changes in the operators business.

(f) A copy of the Hastings Borough Council Operators Licence shall be displayed in a prominent position at the operating premise.

3. Change of Address

The operator shall notify the Council in writing of any change of their address (including any address from which they operate or otherwise conduct their business as an operator) during the period of the licence prior to such change taking place.

4. Convictions

The operator shall within seven (7) days notify the Council in writing of convictions of any kind imposed on him/her (or if the operator is a company, any convictions imposed on the company) during the period of the licence, giving particulars of the date and place of conviction, the nature

of the charge and penalty imposed together with such further information concerning the offence as the Council may require.

5. Drivers & Other staff

(a) If a driver is permitted or employed to drive a Hackney Carriage or Private Hire vehicle by an operator he shall, before commencing to drive that vehicle, deposit his dual driver's licence with that operator for retention by him until such time as the driver ceases to be permitted or employed to drive for that operator when the private hire drivers licence must be returned to the driver. Operators shall ensure that all drivers are licensed and comply with the conditions of the licence

(b) Proprietors must ensure that all drivers are in possession of a current Driver's licence issued by the DVLA - The DVLA Licence must show the drivers current home address.

(c) The Operator shall ensure that any Hackney Carriage or Private Hire Vehicle parked on a public highway at or in the vicinity of the operators premises shall do so in a legal manner, vehicles shall not be left unattended on yellow lines or other restrictive road markings when those restrictions are in force. Vehicles shall not cause an obstruction or cause a nuisance in the vicinity of the operating base. Operators without off road parking or unrestricted parking outside their office shall discourage drivers from returning to the premises between fares.

(d) Every employee, contracted worker, casual worker and driver, shall have a written contract of employment, a copy of which must be handed to him or her, or a copy of the company policy. This document should include: details of work hours, any fees charged by the operator and for what purpose.

(e) (i) Private Hire Operators shall encourage control room & office staff to undertake training in customer handling.

(ii) Private Hire Operators shall carry out sufficient checks on the background of their control room staff to ensure they are a fit and proper person to carry out their tasks and duties in a professional and confidential manner.

(f) (i) No alcohol shall be consumed by control room, office staff or drivers whilst on duty.

(ii) No alcohol shall be consumed by ANY person on the operator's premises.

(iii) If it comes to the notice of an operator or his staff that a driver of one of the operator vehicles may be under the influence of alcohol, illegal substances or abusing prescription drugs, they shall not allow the driver to continue on duty and shall inform the driver accordingly. The operator must inform the council's licensing department within Seventy Two (72) hours of the incident.

The Operator shall ensure that they comply with all legislation regarding the employment of staff, Health & Safety etc, and provide adequate staff facilities.

6. Vehicles

Operators shall ensure that all vehicles operating on their circuit comply with the conditions of their licence, are properly insured and will notify the Council of any damage to vehicles howsoever occurring.

7. Advertising

No advertising material, letter headings or other stationary, or any business name used by the operator, shall include the words "taxi" or "cab" whether in the singular or plural and whether they form part of another word or not, unless the vehicle used is a licensed Hackney Carriage.

These conditions are in addition to the provision of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

The requirements of this legislation which affect the operations being carried out under the terms of this licence shall be regarded as if they are conditions of this licence.

If you are aggrieved by any of the conditions attached to this licence you may appeal to a Magistrates Court within Twenty One (21) days of the service of the licence on you. (See Sections 55 and 77 of the 1976 Act and Section 300 of the Public Health Act 1976).

SECTION F

Guidelines on the Relevance of Convictions when determining applications for Drivers Licences, including already licensed drivers.

NB Drivers are advised to discuss any previous convictions with officers prior to applying for their licence.

1. General Principles

The following guidance is intended to give applicants and existing licensed drivers an indication of how offences will be viewed by the Council. The general principles are that;

- a. each application will be considered on its own merits,
- b. a person with a conviction for serious crime need not be permanently barred from obtaining a licence but should be expected to remain free of conviction for 3 to 5 years, according to the circumstances, before the application is entertained. However persons with convictions for offences of a sexual nature, child related nature or other serious violent crime will not normally be issued with a licence,
- c. some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. However, the overriding consideration must be the protection of the public.

2. General Policy

In respect of convictions when determining applications for hackney carriage / private hire vehicle drivers licences.

If an applicant has:-

- a. during the previous three years been convicted of endorsable motoring offences where the current penalty points exceed six or has any current endorsement under the following categories:-
 - (i) manslaughter or culpable homicide whilst driving a vehicle
 - (ii) causing death by reckless driving
 - (iii) driving or attempting to drive with alcohol level above limit
 - (iv) driving or attempting to drive whilst unfit through drink or drugs
 - (v) driving or attempting to drive then failing to supply a specimen for analysis
 - (vi) motor racing on the highway; or,
 - (vii) dangerous driving,
- or*
- b. been convicted of a criminal offence for which they have been sentenced to a term of imprisonment.
- or*
- c. been convicted of any motoring offence resulting in disqualification under S.35 of the Road Traffic Offenders Act 1988 or subsequent legislation.
- or*
- d. been convicted of an offence relating to drugs, violence, dishonesty or of a sexual nature.

The application will normally be referred to the Licensing Board of the Council for them to consider the applicant's suitability to hold a hackney carriage/private hire vehicle drivers licence.

3. Minor Motoring Offences

A single conviction for minor traffic offences, e.g. obstruction, waiting in a restricted area, speeding etc, should not prevent a person from proceeding with an application. Any new applicant must have held a full driving licence as issued by the DVLA for a period of twelve months without any period of suspension during those twelve months. Licence holders convicted during the period of licence of such offences may be warned as to future conduct or have their licence reviewed by the Environment & Safety Board and any disqualification may lead to revocation of any hackney carriage/private hire vehicle drivers licence held with the Council.

4. Major Traffic Offences

An isolated conviction for driving without due care and attention etc, will merit at least a warning as to future driving and advice on the standards expected of hackney carriage/private hire drivers. More serious convictions and those with more than one conviction for these types of offences within two years will merit revocation, or refusal in the case of new applicants, and no further application will then be considered until a period of at least three years free from convictions has elapsed. Drivers committing a major traffic offence(s) may have their driving skills reviewed by an authorised officer of the council, who may recommend revocation of the licence, or a remedial course of action which may include undertaking an approved Taxi Drivers test.

5. Drunkenness or under the influence of drugs (With a motor vehicle)

- a. A serious view will be taken of convictions of driving or being in charge of a vehicle under the influence of alcoholic drink. An isolated incident in the past will not necessarily debar an applicant provided he has been free of conviction for at least three years, but strict warnings will be given as to future behaviour. More than one conviction for these offences will raise grave doubts as to an applicant's fitness to hold a hackney carriage/private hire vehicle driver's licence. At least three years should elapse (after restoration of the DVLA licence), before an applicant is considered for a hackney carriage/private hire vehicle driver's licence. If the applicant is considered to be an alcoholic a minimum period of five years after treatment is completed should elapse before an application is considered.
- b. A driver found guilty of driving passengers for hire and reward whilst under the influence of alcohol or drugs will have his hackney carriage/private hire vehicle drivers licence revoked immediately and be barred from holding such a licence for a minimum period of five years.

(Not in a motor vehicle)

- c. An isolated conviction for drunkenness need not debar an applicant from obtaining a licence, however, a number of convictions for drunkenness could indicate a medical problem requiring further medical examination.

6. Insurance offences

- a. A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily debar an applicant provided there has been three years free of conviction, but strict warning will be given as to future conduct. More than one conviction for these offences will raise grave doubts about the applicant's fitness to hold a hackney carriage/private hire vehicle drivers licence. At least three years should elapse (after restoration of the DVLA licence), before an applicant is considered for a hackney carriage/private hire vehicle driver's licence.

- b. A driver found guilty of driving passengers for hire and reward whilst without insurance will have his hackney carriage/private hire vehicle drivers licence revoked and be barred from holding such a licence for a minimum period of five years.
- c. Any applicant with three insurance offences or more will not be considered a fit and proper person to hold a hackney carriage/private hire vehicle drivers licence with the Council.

7. Drugs

An applicant with a conviction for a drug related offence should be required to show a period of at least three years free of conviction before any application is entertained, or a minimum of five years after detoxification treatment.

8. Violence/Sexual Offences

As hackney carriage and private hire vehicle drivers maintain close contact with the public a firm line will be taken with applicants who have convictions for grievous bodily harm, wounding, battery, assault or any offence of a sexual nature. A minimum of three years free of convictions should be shown before an application is entertained and even then a strict warning will be administered. An existing licence holder could expect their licence to be suspended or revoked if convicted of one of these offences.

9. Dishonesty

Licence holders are expected to be persons of trust. A serious view will be taken of any convictions involving dishonesty. In general a period of three years free of any convictions will be required before entertaining an application for a hackney carriage/private hire vehicle drivers licence. Any existing driver convicted of offences of dishonesty may expect any licence held to be suspended or revoked.

10. Scanners

Anyone convicted of the use of a radio scanner may be banned from holding any licence for a minimum period of five years.

SECTION G

Hackney Carriage / Private Hire Vehicle Drivers Licence Conditions

LICENCE CONDITIONS

1. Conduct of the Driver

The Driver shall at all times:

- a. Be of smart clean appearance and shall not dress in a manner likely to embarrass or offend passengers. Shorts, sleeveless T shirts, tracksuits, short skirts above the knee, sandals and flip flops will not be regarded as suitable attire.
- b. Maintain a high standard of personal hygiene,
- c. Take all reasonable steps to ensure the safety of passengers conveyed in or entering or alighting from the vehicle,

- d. May not **eat** or **drink** whilst driving. Drivers must not **smoke or use an electronic cigarette device** whilst in the vehicle. Drivers must request passengers not to smoke in the vehicle.
- e. If so requested offer reasonable assistance with the loading and unloading of passengers luggage and in removing the luggage to or from the entrance of any building, station or other place at which he may take up or set down such person.
- f. Not drive a hackney carriage or private hire vehicle for hire or reward without a driving licence issued by Hastings Borough Council for the purpose. The holder shall also produce that licence for examination by his proprietor, both at the commencement of his employment and immediately after its renewal.
- g. Behave in a civil and orderly manner.

2. Passengers

The driver shall not:

- a. Convey or permit to be conveyed in any licensed vehicle a greater number of persons than that prescribed in the licence for that vehicle regardless of age or size,
- b. Allow there to be conveyed in a private hire / hackney carriage vehicle:
 - (i) any child below the age of fourteen (14) years, other than in accordance with the Road Traffic Act 1988 and subsequent regulations; or,
 - (ii) more than one person of that age in any seat.
- c. Without the consent of the hirer of the vehicle convey or permit to be conveyed any other person in the vehicle at the same time.

3. Lost Property

- a. The driver shall immediately after the termination of any hiring of a private hire vehicle or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left therein.
- b. If any property accidentally left in a private hire vehicle by any person who may have been conveyed therein is found or handed to the driver it shall, unless it is claimed sooner, be taken to the nearest police station within twenty four (24) hours and left in the custody of the officer in charge after a receipt is obtained.

4. Animals

- a. The driver shall not convey in any licensed vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle.
- b. Any animal belonging to or in the custody of any passenger, which in the drivers discretion may be conveyed therein, shall only be conveyed in such a way as to avoid any distraction to the driver.
- c. No guide dog may be refused, unless the driver can produce medical evidence of an allergy to such dogs.

5. Prompt Attendance

The driver of any licensed vehicle shall, if he is aware that the vehicle has been hired 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.

6. Touting and Soliciting

The driver shall not whilst driving or in charge of a private hire vehicle;

- a. Tout or solicit any person to hire or be carried for hire in any vehicle (now a criminal offence),
- b. Cause or procure any other person to tout or solicit any person to hire or be carried for hire in any vehicle,

- c. Allow a private hire vehicle to stand on a road in such a manner as to suggest that it is standing or otherwise plying for hire or that it is a hackney carriage,
- d. In particular under no circumstances allow a private hire vehicle to wait, set down or pick up fares on or adjacent to any hackney carriage stand at any time.
- e. Sound the vehicles horn to attract a fares attention or announce the arrival at a particular location.

7. Deposit of Licence

If the driver is permitted or employed to drive a private hire vehicle by an operator he/she shall, before commencing to drive that vehicle, deposit his/her HBC driver's licence with that operator for retention until such time as the driver ceases to be permitted or employed to drive for that operator when the private hire drivers licence must be returned to the driver.

All Drivers should ensure that they are covered by a current operator's licence.

8. Taximeter

Hackney Carriage/ Private Hire vehicles fitted with a "taximeter" may not operate unless the meter is in working order and has been checked and sealed by the Council's authorised officer. If the vehicle being driven by the driver is fitted with a taximeter;

- a. the driver shall not cause the fare recorded thereon to be cancelled or concealed until the hirer has had reasonable opportunity of examining it and has paid the fare.
- b. the driver shall not tamper with or permit any person to tamper with the meter, it's fittings or the seals affixed to it.
- c. in the event of the seal being broken the driver shall notify the Council immediately and arrange for the meter to be retested and resealed.

9. Fare to be Deemed

The driver shall not demand from any hirer of a vehicle a fare in excess of any previously agreed for the 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.

10. Change of Address

The driver shall notify the Council in writing within seven (7) days of any change of his address during the period of the licence and shall submit the licence to the Council for amendment.

11. Convictions

The driver shall, within seven (7) days, disclose to the Council in writing any motoring (including fixed penalty notices) conviction, criminal conviction or caution imposed on him/her during the period of the licence, giving particulars of the date and place of conviction or caution, the nature of the charge and the penalty imposed together with such further information concerning the offence as the Council may require.

12. Badges

The Driver's badge must be worn, on the person, in a position where it may be seen at all times whilst the driver is engaged in driving for hire or reward (unless the vehicle is operating under an exemption certificate). The driver shall, upon expiry (without immediate renewal), revocation or suspension of his/her licence, return the licence to the Council forthwith. The badge remains the property of the Council. A lost drivers badge must be reported to the Council immediately and a replacement ordered (There is a charge for this).

13. Illness or Injury

The driver shall notify the Council in writing as soon as possible and in any event, within seven (7) days of any illness or injury affecting his/her fitness to drive in any way. All drivers must undertake full Group 2 medicals with their own GP or a Dr with access to their current medical records and submit them to the Council, any medical disputes will be settled by an independent medical advisor contracted by the Authority. Medicals will be required at Application, then every 6 years to 45 yrs of age, then every 3 yrs to 60 yrs of age and thereafter yearly.

14. Mobile Telephones

Any mobile telephone used in a licensed vehicle must be capable of hands free operation. Drivers must not use a mobile telephone hand set whilst the vehicle is in motion.

15. Directions by an officer of the council

The driver of any Hackney Carriage or Private Hire vehicle must:

- (i) Stop the vehicle, obey any instruction relating to the destination or route the vehicle may take, when instructed to do so by an authorised officer of the council.