



HACKNEY CARRIAGE DRIVERS LICENCE

CONDITIONS

INTRODUCTION.

In order that a reliable Hackney Carriage service of an acceptable standard is provided under a Rochford District Council licence, the following conditions will apply. These conditions may be amended or varied by the Council at any time.

1 Pre-Licensing Conditions.

In order that licensed drivers are reliable and of a good standard, a person being considered for a Hackney Carriage Drivers Licence shall satisfy all aspects of the Council's Pre-Licensing Conditions.

2 Conduct of Driver.

- 2.1 The Driver of a Hackney Carriage shall, when requested by the person who has hired the vehicle:
 - 2.1.1 Convey a reasonable quantity of luggage.
 - 2.1.2 Afford reasonable assistance in loading and unloading such luggage.
 - 2.1.3 Afford reasonable assistance in removing such luggage to or from the entrance of any building, station or place at which he/she may take up or set down such person.
- 2.2 The Driver of a Hackney Carriage when hired to drive to any particular destination shall, subject to any direction given by the Hirer, proceed to such destination by the shortest possible route.
- 2.3 The driver shall be clean, respectable and act with civility towards every person travelling in the vehicle and shall comply with his or her reasonable requirements.
- 2.4 The driver will take all reasonable precautions to ensure the safety of persons travelling in or alighting from such vehicle.
- 2.5 The driver shall not at any time, when driving for hire, smoke tobacco or any other like substance without permission of the person travelling in the vehicle.
- 2.6 The driver of a Hackney Carriage shall not by calling out or otherwise, importune any person to hire the vehicle and shall not make use of the service of any other person for the purpose.

- 2.7 The person authorised by the proprietor of a Hackney Carriage to act as the driver of the vehicle shall not permit any other person to act as driver of the vehicle without consent of the proprietor.
- 2.8 The driver of a Hackney Carriage shall not tamper with or permit any person to tamper with the taximeter with which the vehicle is provided.
- 2.9 The driver shall comply with Rochford District Council's Byelaws as to Hackney Carriages.

3 Passengers.

- 3.1 The driver shall not convey or permit to be conveyed in a hackney carriage vehicle a greater number of persons than that prescribed in the licence for the vehicle.
- 3.2 No person shall be carried in a Hackney Carriage when hired without the express consent of the person hiring the vehicle.

4 Lost Property.

- 4.1 The Driver of a Hackney Carriage shall immediately after termination of the hiring carefully search the vehicle for any property that may have been accidentally left in the vehicle.
- 4.2 The Driver of a Hackney Carriage shall, if any property accidentally left in the vehicle, is found by or handed to him.
 - 4.2.1 Deposit the property with Rochford District Council as soon as possible and in any event within 48 hours, unless it is claimed by or on behalf of its owner.
 - 4.2.2 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 Office of the Council, whichever be the greater) but not more than five pounds.

5 Written Receipts.

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

6 Animals.

- 6.1 A driver of a Hackney Carriage is required to carry a Guide, Hearing or Assistance Dog free of charge unless the driver has a proven medical condition that would preclude such action.
- 6.2 A driver who has a proven medical condition that prevents him/her carrying a Guide, Hearing or Assistance Dog when driving a Hackney Carriage must obtain a Driver Exemption Certificate and DISPLAY IT CLEARLY at all times when driving the vehicle. A driver is responsible for informing his employer of such a condition when first employed or, if such condition occurs subsequently, at that time.

7 Prompt Attendance.

The driver of a hackney carriage vehicle shall, punctually attend a hiring at the appointed time and place unless unavoidably delayed or prevented.

8 Documents.

8.1 The driver shall at all times when driving a hackney carriage vehicle, carry with him/her a copy of:

8.1.1 These conditions and make them available for inspection by the hirer or any other passenger on request.

8.1.2 Rochford District Council Byelaws as to Hackney Carriages.

9 Use of Unlicensed Drivers.

The use of an unlicensed driver is strictly forbidden. If a driver wishes to be employed in such a capacity, then he/she must deposit with the proprietor a copy of his licence which authorises him to drive, as well as a Hackney Carriage driving licence issued by Rochford District Council. The proprietor will retain that copy until such time as the driver ceases to be permitted or employed to drive a hackney carriage vehicle.

10 Change of Address.

Changes of address must be notified within seven days.

11 Convictions.

Convictions recorded since the completion of the Application Form for this Licence shall be reported to the Council within seven days of the event.

12 Accidents.

The driver shall notify the Rochford District Council in writing of any vehicle accident in which the driver is involved, whilst driving a Hackney Carriage vehicle. The notification must be received within 72 hours of such an accident.

13 Wearing of Badge.

The driver shall at all times when acting in accordance with his/her licence wear the badge issued by Rochford District Council in a conspicuous position.

14 Return of Badge.

The driver shall upon the expiry (without immediate renewal); revocation or suspension of his/her licence return the drivers badge issued to him by Rochford District Council.

15 Display of Plate.

The driver shall ensure that the hackney carriage licence plate is displayed in the correct position and is clear and legible at all times.

16 Fare to be Demanded.

16.1 The Driver of a Hackney Carriage shall:

- 16.1.1 When the vehicle is not hired keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter.
- 16.1.2 At the commencement of the journey when the vehicle is hired bring the machinery of the taximeter into action so that the word "hired" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring.
- 16.1.3 Be entitled to demand and take for the hire the displayed rate of fare approved by Rochford District Council or, by negotiation, a lesser fare.
- 16.1.4 Ensure that during the time the vehicle is hired the digital display of the taximeter is plainly visible to any person travelling in the vehicle and is properly illuminated.

17 Physical and Mental Fitness.

The driver shall during the period of the licence report to Rochford District Council as soon as practicable any disability, physical or mental medical condition which develops or worsens and may effect his/her ability to drive safely.

18 Medical Evidence.

A Licensee who has reached the age of 45 Years shall submit himself or herself for a Medical Examination every five years until the age of 65 years and thereafter every year (as in 1.1.5 above).

19 Certificate of Insurance.

The driver will be responsible for ensuring that any vehicle in his/her charge is insured for use as a hackney carriage vehicle. The conditions relating to insurance of motor vehicles are contained in part 6 of the Road Traffic Act 1988.

20 Penalties.

Rochford District Council may suspend or revoke the licence granted if any of the above conditions are not complied with.

21 Appeals.

- 21.1 An Appeal may be brought against the Licensing Conditions within 21 days from the date on which Notice of the Condition is served on the Applicant to the Magistrates Court (situated at 80, Victoria Avenue, Southend-on-Sea, Essex SS2 6EU).
- 21.2 An Applicant disappointed by the decision of the Authority in respect of an Application also has a right of Appeal to the Magistrates Court.