**NOTTINGHAM CITY COUNCIL CONDITIONS**

**FOR COMBINED HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER’S LICENCE**

1. **DEFINITIONS**

“**Authorised Officer**” means an officer authorised in writing by the Council for the purposes of Part II of the Local Government (Miscellaneous Provisions) Act 1976

“**City**” means the City of Nottingham.

“**The Council**” means Nottingham City Council.

"**Driver**" means the holder of this licence.

“**Hackney Carriage**” means a hackney carriage licensed by the Council under section 37 of the Town Police Clauses Act 1847.

“**Operator**” means a person who makes provision for the invitation or acceptance of bookings for a Private Hire Vehicle licensed under section 55 of the Local Government (Miscellaneous Provisions) Act 1976 and “**Operation**” means in connection with the invitation, acceptance and carrying out of bookings by an Operator.

“**Plate**” means the plate issued by the Council for the purpose of identifying the Vehicle as a Private Hire Vehicle or hackney carriage.

“**Private Hire Vehicle**” means a Private Hire Vehicle licensed by the Council under section 48 of the Local Government (Miscellaneous Provisions) Act 1976.

“**Proprietor**” means the person(s) or body named on the licence for the Vehicle as the proprietor of the Private Hire Vehicle and includes part proprietors and, in relation to a Vehicle subject to a hiring agreement or a hire purchase agreement, means the person in possession of the Vehicle under that agreement.

“**Vehicle licence**” means a Hackney Carriage licence issued by the Council under section 37 of the Town Police Clauses Act 1847 or a Private Hire Vehicle licence issued by the Council under section 48 of the Local Government (Miscellaneous Provisions) Act 1976.

“**Vehicle**” means the Hackney Carriage or Private Hire Vehicle being driven by the holder of this licence

1. **CONDUCT OF DRIVER**

The Driver must:

1. Afford all reasonable assistance with passenger’s luggage.
2. Be clean and respectable in his/her dress and person and behave in a civil and orderly manner.
3. Take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the Vehicle driven by him.
4. Not smoke/vape/e-cig in the Vehicle at any time, nor allow any other person to do so, nor carry out or permit such conduct in such proximity to the Vehicle so as to permit smoke or vapour to enter it.
5. Not drink or eat in the Vehicle whilst it is hired.
6. Not, without the express consent of the hirer, play any radio or sound reproducing equipment in the Vehicle other than for the purpose of sending or receiving messages in connection with the Operation of the Vehicle.
7. At no time cause or permit the noise emitted be any radio or sound reproducing equipment in the Vehicle to be a source of nuisance or annoyance to any person, whether inside or outside the Vehicle.
8. Not use the horn to alert a customer on arrival.
9. Not use an electronic handheld device in the Vehicle whilst it is being driven.
10. Report all accidents involving the Vehicle to the Council by completing and lodging an accident form, within 72 hours of the accident.
11. The Driver shall not behave in any discriminatory or provocative manner and shall not engage in any conversation with their passengers of a private, personal or sexual nature.
12. The Driver shall when in another council’s area, answer any reasonable questions and/or produce documents in relation to the Driver and Vehicle as requested by an authorised officer of that council.
13. **LOST PROPERTY**

Any property left in the Vehicle shall if not reclaimed, be taken by the Driver to Central Police Station, Nottingham within 24 hours of being found.

1. **PASSENGERS**
2. The Driver must not convey or permit to be conveyed in a Private Hire Vehicle or a Hackney Carriage a greater number of persons than that prescribed in the licence for the Vehicle. (Children under the age of 3 years and seated on an adults’ lap in the rear of the Vehicle shall not be counted for this purpose).
3. The conveying of children under the age of 10 years shall only be permitted as follows: -
4. There must be sufficient room to allow each passenger to be seated.
5. No such child shall be conveyed in the front of the vehicle.
6. The Driver must not allow more than one passenger to be conveyed in the front of the Private Hire Vehicle, unless a seating plan has been obtained from the Licensing Department which permits the Vehicle to carry 8 passengers, 2 of which are in the front passenger seats.
7. . No passengers may sit in any front seats of a Hackney Carriage.
8. The Driver shall not without the consent of the hirer of the Private Hire Vehicle convey or permit to be conveyed any other person in the vehicle.
9. The Driver may, at his/her discretion, convey passengers’ animals or pets in the rear of the vehicle only, provided that this restriction does not apply to assistance dogs.
10. **WRITTEN RECEIPT**

Where a driver knows the fare being charged or has taken physical payment for the fare, the Driver must if requested by the hirer provide the hirer with a written receipt of the fare paid.

1. **CHANGE OF ADDRESS**

The Driver shall notify the Council in writing as soon as reasonably practicable but in any event within 7 days of any change of his/her address.

1. **CONVICTIONS**

The holder of this licence shall as soon as reasonably practicable but in any event within 7 days of the occurrence of any of the events listed below notify and provide full details of the event to the Council in writing: -,

1. Any conviction
2. Receipt of any caution (issued by the police or any other agency).
3. Receipt of a Magistrate’s Court summons or other form of charge.
4. Receipt of a fixed penalty notice for any matter.
5. Receipt of a formal warning, order or injunction, including Criminal Behaviour Orders or similar.
6. Arrest for any offence (whether or not charged).
7. **MEDICAL CONDITIONS**
8. Where the Driver is under a duty to notify DVLA of any medical condition which may affect safe driving, or where their GP has advised them not to drive the Driver shall notify the Council, of such condition as soon as reasonably practicable and in any event within seven days.
9. The Driver shall comply with any request of an Authorised Officer to undertake a medical examination with the Council’s occupational health representative in order to satisfy the Council that they are safe to undertake public transport duties. An original copy of the medical examination certificate shall be presented to the Council as soon as reasonably practicable and in any event within seven days of such examination.

9**. DISPLAY OF INFORMATION**

1. The Driver shall not obscure any information and signage required to be displayed in the Vehicle.
2. The driver shall ensure that their dashboard badge is clearly displayed in clear view of passengers at all times when working.
3. **METERS**

If the Private Hire Vehicle being driven is fitted with a meter

1. The Driver must ensure that when the Vehicle is not undertaking a hired journey, no fare is recorded on the face of the meter.
2. On commencement of the journey, the Driver must bring the meter into action and keep the meter in action until the termination of the hiring.
3. The Driver must cause the meter to be properly illuminated throughout any part of the hiring, which is during the hours of darkness, and at any other time, if requested to do so by the hirer of the vehicle.
4. The Driver must not charge a fee higher than that displayed on the meter at the termination of the journey.
5. **WORKING FOR MULTIPLE OPERATORS**

Where the Driver proposes to operate for more than one Operator, they shall;

i)  provide the Council with a signed offer of work letter from each Operator they propose to work for prior to the commencement of such work with the Operator.

ii) give 7 days prior notification to the Council when

1. commencing work as a Private Hire Vehicle Licensed Driver for the second or subsequent Operator
2. ceasing work as a Private Hire Vehicle Licensed Driver for an Operator

  but if such work is commenced or ceased on fewer than 7 days’ notice the driver shall comply with i) or ii) above within 24 hours of commencing/ceasing such work.

iii) provide each operator they work for with copies of their Private Hire Driver Licence together with the Private Hire Vehicle Licence certified by the Council. The costs of the Council in providing certified copies shall be borne by the driver.

iv) ONLY display the side panel for one Operator on the vehicle at any given time that being the Operator with whom the specific hiring is booked.

**NOTE**

These conditions are additional to the statutory requirement imposed upon proprietors by the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976, and byelaws made by the Council.

A copy of the Town Police Clauses Act 1847 byelaws is attached for hackney carriage drivers

**PENALTIES**

The Local Government (Miscellaneous Provisions) Act 1976 provides that any person who acts in contravention of the provisions of Part II of the Act, shall be guilty of an offence and liable on summary conviction to a fine. In addition, such action whether or not resulting in criminal proceedings being taken may lead to the suspension or revocation of an existing licence or the failure to renew such a licence.

**DRIVERS RESPONSIBILITY**

**YOU ARE RESPONSIBLE FOR THE REASONABLE PROTECTION OF YOUR DRIVERS BADGE AND THE PERSONAL INFORMATION WHICH IS CONTAINED ON IT.**

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