

**DRIVER LICENCES (Hackney Carriage and Private Hire)  
Town Police Clauses Act 1847  
Local Government (Miscellaneous Provisions) Act 1976**

1. The Council issues dual drivers licences. That means that once you hold a drivers licence, you can drive any hackney carriage or private hire vehicle which is licensed by Herefordshire Council.
2. This reduces the burden on drivers who may wish to drive either type of vehicle, reduces the costs to the drivers and the Council, and as the criteria for issue and retention of both hackney carriage and private hire driver licences are identical, there is no practical or legal reason not to do so.
3. This document contains the policy, Code of Conduct and legislation relating to driver licences.
4. The Council has the power to make byelaws relating to hackney carriage drivers under the legislation, and it has done so. The byelaws only apply when you are using your licence to drive a hackney carriage.
5. There is also a power to attach conditions to private hire drivers licences, but the Council has decided not to attach standard conditions to these licences.
6. As it issues dual licences, the Council has a Code of Conduct for Drivers which applies to both hackney carriage and private hire activity. This Code is not a condition. It is a standard of behaviour which the Council expects drivers to maintain. Any failure to comply with the Code will lead to the Council questioning whether a licensee remains a safe and suitable person to drive a hackney carriage or private hire vehicle.
7. A dual driver licence can be referred to as a "licenced driver" within the Council and for the remainder of this document.

**INTRODUCTION**

8. The purpose of licensing drivers is to protect the public, including passengers and others who may otherwise be placed at risk from unlicensed and potentially dangerous drivers.

9. It is a privilege to hold a dual drivers licence and licensees have responsibilities to their passengers and customers, other road users and the public generally. The Council has been satisfied that when you applied for your licence you were a safe and suitable person to have that licence granted. In assessing that, the Council took into account your entire character and behaviour. This not only includes times when you are working as a licensed driver, but all other times as well. This can include your use of social media as well as other forms of communication. The requirement to satisfy the Council that you are a safe and suitable person continues throughout the duration of the licence.
10. If at any time you as a licensee fall below the standards expected of a new applicant, the Council will consider taking action against that licence. This could be suspension, revocation or refusal to renew that licence. It is no defence to argue that your actions took place when you are not working as a taxi driver. You should appreciate that under the Previous Convictions Policy, if the unacceptable or criminal behaviour took place whilst you were driving as a taxi driver that will be viewed as an aggravating feature by the Council.
11. In many cases a taxi driver is the first person that a visitor to the county will encounter following arrival at a railway or bus station. Licensed drivers are ambassadors for the county and that first impression can affect a person for their entire visit. Licensed drivers should be aware of this and act accordingly at all times.
12. Licensed drivers can also be the eyes ears of their communities. In addition to travelling far and wide around the area they also have close contact with people from every part of society. This means they can quickly establish when situations are not normal. That could be that a person has not made a booking that is expected which may be as a result of them falling ill. If they live alone the taxi driver may be the only person to have realised that there is a problem. Licensed drivers are also very aware of the movements of people. They are in a position to recognise where children may be being used for criminal purposes (for example County lines drug trafficking) or being moved for the purposes of abuse or exploitation. They may also recognise similar movements of adults in relation to modern slavery and other forms of abuse.
13. By working closely with the Council and other agencies the role of the licensed driver can be vital in protecting vulnerable people within the community.

14. Please note, this section reminds you of some of the important legal requirements with which you must comply. This is not a comprehensive list. You should familiarise yourself with the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 and all other relevant legislation.
15. You must understand and comply with the legal requirements relating to your Dual Driver Licence and the legal requirements and conditions attached to the hackney carriage or private hire vehicle licence of the vehicle you drive. Failure to comply with the requirements may result in your Dual Driver Licence being suspended or revoked.
16. The Council office for hackney carriage and private hire licensing purposes is The Licensing Section, Herefordshire Council, 8 St Owen Street, Hereford HR1 2PJ, telephone: 01432 261761.  
Email: [taxi-licensing@herefordshire.gov.uk](mailto:taxi-licensing@herefordshire.gov.uk).

**Power to take action against a taxi drivers licence**

17. Under section 61 of the Local Government (Miscellaneous Provisions) Act 1976, the Council may suspend or revoke or refuse to renew a dual driver licence on the following grounds:
  - (a) that the licensee has, since the date of the grant of the licence –
    - (i) been convicted of an offence involving dishonesty, indecency or violence; or
    - (ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act;
    - (iii) been convicted of an immigration offence or required to pay an immigration penalty; or
  - (b) any other reasonable cause.
18. The Council may suspend or revoke your licence with immediate effect where it is of the opinion that the interests of public safety require such a course of action under section 61(2A) of the 1976 Act. That power is delegated to an officer, the Head of Public Protection, or a service / corporate director in his absence. As this is likely to be an urgent situation, you will be contacted by telephone, text or email and notified of the time the decision will be made and your opportunity to make representations. If

you do not avail yourself of that opportunity, the decision will be taken in your absence.

19. Failure to comply with any hackney carriage or private hire legislation, or other road traffic legislation is an offence, and you may be liable to prosecution. In addition (irrespective of whether you were prosecuted or convicted of the offence(s), the Council may take action against your licence which may also result in your dual drivers licence being suspended or revoked.
20. If any information given by you on the application form for this licence proves to be false, or you fail to disclose any relevant information on your application form, the licence may be revoked, and you may also be prosecuted under s57(3) of the 1976 Act.
21. In the event that you lose your licence, badge or armband, or they are damaged or defaced, you must get a replacement on payment of a fee determined by the Council, and you cannot drive a hackney carriage or private hire vehicle until such a replacement is obtained.

### **Duration**

22. The dual driver licence usually expires 3 years (36 months) from the date of issue, unless a two or one year licence is applied for at the time of application. The cost of a one or two year licence will reflect the additional administration charge for shorter licences.

### **Renewal**

23. Any application for renewal should be made at least one month before the licence expires. If a licensed driver does not apply to renew their licence in time, there may be a period when they will be unable to drive a hackney carriage or private hire vehicle. If the renewal application is not received before the expiry of the current licence, it will be treated as a new application rather than a renewal and the licensed driver will have to provide all the information that is required for the renewal application (e.g. a new DBS check, up-to-date medical etc.
24. The renewal of the licence will be at the Council's discretion.

### **Applications**

25. All applications must be made online via the Council's website or on the application form which is available to download from the Council's website. However, if you have no access to the internet please contact the licensing team so that they can assist you. Please note there is a 5 day response time for contacts so allow more time for your application if you require direct assistance as contacting the department will not be considered making a valid application.
26. An application will not be processed unless it is complete.

**Photographs**

27. All applications must be accompanied by a passport sized photograph of the applicant with the applicant's full name written in block capitals on the reverse.

**Age Restrictions**

28. Licences will only be granted to persons over the age of 21.

**Driving Licence**

29. Applicants must have held a full DVLA driving licence for a Category B vehicle for a period of at least 1 year. Where an applicant (or an existing licensed driver) has been disqualified from driving for any period, as a result of a conviction, a dual driver licence will not be granted to that applicant until the requisite period of time as detailed in the previous convictions policy has elapsed.
30. If an applicant does not hold a UK driving licence, an application can be made provided the applicant holds a Northern Ireland, European Economic Areas or a driving licence issued by a country which is defined as an "exchangeable" driving licence, and has done so for at least 1 year at the date of application. Countries which issue licences recognised as exchangeable are currently Gibraltar, Jersey, Guernsey, Isle of Man, Australia, Barbados, British Virgin Islands, Canada, Falkland Islands, Faroe Islands, Hong Kong, Japan, Monaco, New Zealand, Republic of Korea, Singapore, South Africa, Switzerland, Zimbabwe<sup>1</sup>. An applicant who does

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<sup>1</sup> This list may change as a result of changes to the legislation.

not hold an “exchangeable” driving licence will need to seek advice from the DVLA website.

31. The driving licence must be produced at the assessment interview and consent to access DVLA records must be given. A copy will be taken of the licence and retained together with the application form and all other supporting documents.

### **Immigration requirements**

32. An applicant for a dual driver licence must have the right to remain and work in the UK. This will be evidenced on application by the driver who must provide documentation which must comply with the Home Office guidelines. At the time this policy was adopted this detailed in Appendix 1 to the Home Office document *Guidance for Licensing Authorities to prevent Illegal Working in the Taxi and Private Hire Sector in England and Wales*<sup>2</sup>. The list of acceptable documents is also detailed on the Council's website.
33. You will be advised how to produce your original documents. They will then be inspected, verified and copied.
34. Where an applicant has an unqualified right to remain and work, that will be noted and this process will not be repeated on renewal.
35. However, where there is a qualification to either of the rights, the required documentation must be provided each time the licence is renewed. In those cases a licence for a shorter period than the usual 3 years may be granted.
36. If at any time during the duration of a licence, the right to remain or work is lost, that licence will cease to have effect and the licensed driver must immediately notify the Council and return the licence and badge.

### **Criminal Record Checks**

37. All applicants (new and on renewal) will be required to provide an enhanced Disclosure and Barring Service (DBS) check with a check of both the Adult and Children Barred Lists, at their own expense, as part of the application process. This is conducted via the Council, but the DBS Certificate is sent to the applicant's home address. Once a licence has been

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<sup>2</sup> available at  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/675533/A\\_Licensing\\_Authority\\_guide\\_to\\_right\\_to\\_work\\_checks\\_-\\_England\\_and\\_Wales.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/675533/A_Licensing_Authority_guide_to_right_to_work_checks_-_England_and_Wales.pdf)

granted, all licensees will be required to subscribe to the DBS Update Service. Once a licensed driver has subscribed to the update service then, provided the applicant maintains the subscription to the service and there are no changes to the DBS status, the applicant is not required to repeat the DBS application process, but instead merely provide the update service reference number and original DBS certificate. If at any time during the duration of a licence, the DBS Update Service is not maintained, that licence will be reviewed on the basis that the licence holder may not remain 'fit and proper'.

38. The application will then be considered in the light of the Council's Previous Convictions Policy.
39. Applicants who are foreign nationals and who have not been continuously resident in the UK for more than 5 years since the age of 18 must obtain and produce (at their own expense) a certificate of good conduct authenticated by the relevant embassy for each and every country in which they have resided for more than 3 months from the age of 18 until arrival in the UK. Such certificates must be less than 3 months old and the Council will verify the authenticity of any documentation that is provided.
40. UK citizens who have lived outside the UK for more than 3 months at a time since the age of 18 must obtain and produce (at their own expense) a certificate of good conduct authenticated by the relevant embassy for each and every country in which they have resided for more than 3 months from the age of 18 until arrival in the UK. Such certificates must be less than 3 months old, and the Council will verify the authenticity of any documentation that is provided.

**Provisional application**

41. An applicant can complete the steps to this point and the Council will then assess whether a licence could be granted in relation to the driving licence and immigration checks and whether it would be granted in relation to previous convictions. This will allow an applicant to reduce expenditure on a speculative application until such time as they have been informed that, subject to satisfactory results in the following requirements, a licence will be granted.

**Knowledge Test**

42. In order to establish that an applicant has reached an acceptable driving standard, working understanding of the conditions and awareness of the county, new applicants will be required to successfully undertake and pass a knowledge test before a licence will be granted. Applicants must arrange and pay for this test themselves. Existing licensed drivers are exempted from this requirement. There is no limit on the number of times a failed test can be re-taken but a period of 2 weeks between each test must elapse to allow the applicant time to revise the content before attempting the test again. The knowledge test can be taken at any time before or after an application has been made, however, it is advised that the applicant is certain before taking it that the DBS and medical will not preclude the application progressing to issue.
43. The knowledge test (driver skills assessment) will assess the following, although this is not an exhaustive list:
- a) geographic knowledge and navigational skills;
  - b) basic English communication skills;
  - c) Basic numeracy skills
  - d) hackney carriage and private hire law licence conditions knowledge;
  - e) child sexual exploitation awareness and
  - f) safeguarding awareness.

**Medical Requirements**

44. Applicants are required to pass a medical examination (at their own expense) and provide a Council issued medical certificate completed by their own GP who must have full access to their medical records, or by a medically qualified medical practitioner who has access to a full summary print out from the GP surgery with whom the applicant is registered, to meet PSV/HGV Group 2 (vocational licence) medical standards of fitness, as defined and updated by the DVLA.
45. An applicant can also provide a PSV/HGV Group II medical certificate which has been completed within the previous four months. This must be produced on a Council issued medical certificate.



46. Medical certificates are required at the initial application; thereafter every 5 years until the age of 65; and every year from the age of 65, or more frequently as advised by Occupational Health.
47. The Council reserves the right to seek a second opinion (at the expense of the applicant) in any case where it has any concerns about the medical fitness of an applicant, both on application and at any time during the duration of the licence. Any fee required for a referral will need to be paid to licensing by the applicant before the issue is raised with a Medical Practitioner. The Council may revoke or suspend a licence if any information raises concerns as to the applicant's fitness to carry out their duties as a licensed driver or if requested information is not submitted within 4 weeks of the request. Occupational Health trained Medical Practitioners will be used when a second opinion is required. If a satisfactory medical certificate is provided by an Occupational Health trained Medical Practitioner there will not usually be a need to refer to the Council's Occupational Health Specialist.

**Driver Licence and Badges**

48. Successful applicants will be issued with their licence, one licence for display in the vehicle and 1 armband or lanyard style badge on receipt of the licence fee.
49. These must be worn and copies lodged with the operator or hackney carriage proprietor (as applicable) in accordance with the code of conduct.

**Equality Act Exemption Certificates**

50. Licensed drivers must carry assistance dogs and, when driving a listed wheelchair accessible vehicle, provide mobility assistance to wheelchair-bound passengers (detailed below).
51. Applications can be made to the Council for exemption from the 'assistance dogs' requirements under sections 169 and 171 of the Equality Act 2010. Similar applications for exemptions from the requirement to provide mobility assistance can also be made under section 166 of the 2010 Act.
52. Application forms are available from the Licensing Section together with details of the criteria that will be used to determine whether or not any such exemption certificate should be issued, and if so on what terms.

53. Where a driver is medically exempt from the above requirements, the driver must notify the Council in order to obtain the necessary exemption certificate. This certificate will then last until the driver is required to provide their next general medical certificate. This means that an exemption certificate will last for a maximum of 5 years, but if it is being granted subsequent to the last medical, it will not run beyond the renewal date for the general medical certificate.

**Seat belts**

54. The law relating to seat belts, as it applies to drivers and passengers in hackney carriages and private hire vehicles, is different from non-licensed passenger vehicles.
55. When driving a hackney carriage, the driver does not need to wear a seatbelt when seeking hire (plying), answering a call for hire (travelling to a pre-booked hiring) or when a commercial or fare paying passenger is being carried (this does not apply to the vehicle being used for private/domestic use). However, the Council advises strongly that a seatbelt should be worn by drivers of hackney carriages at all times, unless they feel that this compromises their personal safety.
56. When driving a private hire vehicle, the driver does not need to wear a seatbelt when a commercial or fare paying passenger is being carried (this does not apply to the vehicle being used for private/domestic use). However, the Council advises strongly that a seatbelt should be worn by drivers of private hire vehicle at all times, unless they feel that this compromises their personal safety.
57. In relation to commercial or fare paying passengers in hackney carriages and private hire vehicles (except when the vehicle is being used for private/domestic use) the rules relating to seat belts are as follows:

## Section 4 of Taxi Policy

<b>Commercial or fare paying passengers</b>	<b>Front seat</b>	<b>Rear seat</b>	<b>Who is responsible?</b>
Children under three years' old	Correct child restraint MUST be used.	Correct child restraint MUST be used  If one is not available in a hackney carriage or private hire vehicle, the child may travel unrestrained.	Driver
Child Aged 3–11 and under 135cms in height (about 4.5 Feet)	Correct child restraint MUST be used	Correct child restraint must be used if seat belts are fitted.  If a child seat is not available, a child may travel using just the seat belt in these situations:  - In a hackney carriage or private hire vehicle - For a short distance if the journey is unexpected and necessary - There is not room to fit a third child seat	Driver
Child Aged 12 or 13 years or younger child 135 cms or more In height	Adult seat belt must be worn if fitted	Adult seat belt must be worn if fitted	Driver
Passengers aged 14 years and over	Must be worn if fitted	Must be worn if fitted	Passenger

58. Children can be carried lawfully in hackney carriages and private hire vehicles without the correctly sized child restraints. In these circumstances, the driver must make the parent, carer or other responsible adult accompanying the child aware of the potential dangers of carrying a child who is not correctly restrained in motor vehicles. It will remain the parent's, carer's or other responsible adult's decision as to whether they are prepared to accept those risks.

**Sanctions against breaches of the Code of Conduct and for acquiring driving licence points**

59. It must be understood that a decision to grant a licence was made on the basis that the applicant was a safe and suitable person to drive a hackney carriage and private hire vehicle on the particular facts of the case on the day of the decision. That status can be lost at any time in the future and licensees must ensure that their behaviour remains of the highest standard to protect their driver licence and therefore their livelihood.
60. Any behaviour which would lead to a licence not being granted under this policy, where a driver acquires penalty points on their DVLA licence for serious motoring offences, or any breach of any legislation, byelaw or requirement of the Code of Conduct, may lead to the driver being subject to enforcement action.
61. The Council also runs its own Penalty Points Scheme as a method of enforcing the requirements for taxi drivers.
62. The Council has a range of options open to it including suspension or revocation of the licence, refusal to renew the licence, the imposition of penalty points or the issue of warnings.
63. Suspension or revocation of a driver licence can be with immediate effect where the Council is of the opinion that the interests of public safety require such a course of action (section 61(2A) of the 1976 Act).

**BYELAWS****COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL BYELAWS RELATING TO HACKNEY  
CARRIAGES**

**BYELAWS** made under section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act 1875, by the County of Herefordshire District Council with respect to hackney carriages in the County of Herefordshire.

**INTERPRETATION**

1. Throughout these byelaws "the Council" means the County of Herefordshire District Council and "the district" means the County of Herefordshire.

**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, in respect of the carriage, to be displayed on the outside and the inside of the carriage only by means of the plates supplied by the Council. .
- (b) A proprietor or driver of a hackney carriage shall not:
  - (i) wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
  - (ii) cause or permit the carriage to stand or ply for hire with any such plate so defaced that any figure or material particular is illegible.

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

3. The proprietor of a hackney carriage shall:
  - (a) provide sufficient means by which any person in the carriage may communicate with the driver;
  - (b) cause the roof or covering to be kept watertight;
  - (c) provide any necessary windows and a means of opening and closing not less than in window in each side;
  - (d) cause the seats to be properly cushioned or covered;
  - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering;
  - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
  - (g) provide means for securing luggage;
  - (h) provide an efficient fire extinguisher to be carried in such a position as to be readily available for use; and
  - (i) 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.
4. 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 operation 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 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 figures 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 time as well as for distance in pursuance of the tariff fixed by the Council;
- (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly apply to the fare recorded thereon;
- (e) the taximeter shall be so placed that all letters and figures on the face thereof are 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; and
- (f) the taximeter and all the 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.

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

5. The driver of a hackney carriage shall:
- (a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;
  - (b) before beginning a journey for which a fare is charged for distance and time bring the machinery of the taximeter into action by operating the said key, flag or other device, 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;
  - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of the hiring which is between half-an-hour after sunset and half-an-hour before sunrise and also at any other time at the request of the hirer.

6. 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 the seals affixed thereto.
7. 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 appointed by the Council;
  - (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, other than an angled parking 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 so as to face in the same direction; and
  - (d) from time to time when the 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.
8. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.
9. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of every person conveyed in or entering or alighting from the vehicle.
10. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at the appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
11. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such a carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
12. A driver shall when standing or plying for hire and when hired wear the badge provided by the Council in such position and manner as to be plainly and distinctly visible.
13. The driver of a hackney carriage 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; and
- (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.

**Provisions fixing the rates or fares to be paid for hackney carriages within the district, and securing the due publication of such fares.**

14. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council, the rate or fare being calculated by distance and time, unless the hirer expresses at the commencement of the hiring a desire to engage by time.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance and time the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.

15. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by Council resolution to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- (b) The proprietor or driver of a hackney carriage bearing a statement of the fares in accordance with the byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

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

16. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring, or as soon as practicable thereafter, carefully search the carriage for any property which may have been accidentally left therein.
17. The proprietor or 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 48 hours, if not sooner claimed by or on behalf of its owner, to the offices of the Council, and leave it in the custody of the officer in charge of the offices on his giving a receipt for it; and
  - (b) be entitled to receive from any person to whom the property shall



be redelivered 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 ten pounds.

**Penalties**

18. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 and, in the case of a continuing offence, to a further fine not exceeding two pounds for each day during which the offence continues after conviction therefore.

**Repeal of Byelaws**

19.

- (a) The following byelaws are hereby repealed:

The byelaws relating to hackney carriages which were made by the Hereford City Council on the 21<sup>st</sup> day of July 1997 and which were confirmed by one of the Majesty's Principal Secretaries of State on the 26<sup>th</sup> day of August 1997.

The byelaws relating to hackney carriages which were made by the South Herefordshire District Council on the 17<sup>th</sup> day of December 1986 and which were confirmed by one of her Majesty's Principal Secretaries of State on the 18<sup>th</sup> day of February 1987.

- (b) The following byelaws inasmuch as they relate to the County of Herefordshire only are hereby repealed:

The byelaws relating to hackney carriages which were made by the Malvern Hills District Council on the 6<sup>th</sup> day of March 1987 and which were confirmed by one of her Majesty's Principal Secretaries of State on the 27<sup>th</sup> day of April 1987.

**TAXI DRIVERS CODE OF CONDUCT**

64. This Code of Conduct relates to you as a licensed taxi driver. It outlines the standards of behaviour which are expected of you whilst you hold a dual driver's licence. Failure to comply with these requirements may lead to enforcement action being taken. This could be by way of penalty points attached to your dual driver licence, suspension, revocation or refusal to renew your licence.

65. You are a licensed driver for the duration of the licence and at all times you should ensure that your conduct and behaviour is that of a safe and suitable person. You must ensure that you do not act in any way at any time that might affect that. The Council will consider all your behaviour and that is not limited to the times when you are driving a hackney carriage or private hire vehicle.
66. When you are driving a hackney carriage or private hire vehicle, that remains a Council licensed vehicle and you remain a Council licensed dual driver wherever you may be located, and for whatever purpose you are using the vehicle (this includes social and domestic use). This Code of Conduct applies across the whole of the United Kingdom.

**Your taxi drivers Licence and Badge**

67. You have been issued with 1 copy of your driver's badge and a coloured armband/or badge to be worn around the neck. You must wear the driver's badge in the armband on your left upper arm, or the badge around the neck at all times when you are driving or working with a private hire vehicle or hackney carriage and failure to do so is a criminal offence (under section 54 of the 1976 Act when using a private hire vehicle and Byelaw 12 when using a hackney carriage). You must display the second copy of your badge in a position which is plainly and clearly visible to your passengers at all times whilst you are working as a licensed driver.
68. You must return your licence, badge and armband to the Licensing Section within 48 working hours if:
- a) you change your home or business address
  - b) the licence expires, is suspended or revoked
  - c) you lose the right to work in the UK, or the right to remain in the UK
  - d) you wish to surrender your dual driver licence
  - e) the DBS Update Service has not been maintained
  - f) your medical fitness has changed and you may no longer be medically fit to drive a licensed vehicle
  - g) required to do so by an "Authorised Officer of the Council".
69. In the event of the loss of your licence, badge or armband you must report the loss to the Licensing Section immediately.

**Deposit of Taxi Driver Licence when working for others**

70. You must show your dual driver licence to the private hire operator when driving any private hire or hackney carriage vehicles, which you will be using. They will then keep a copy of your licence while you are driving for them, although you will retain the original at all times whilst working.

**Production of Documents**

71. If an Authorised Officer of the Council, an Authorised Officer of another Council with which the Council has a reciprocal arrangement with or a police constable or PCSO asks you, you must produce:
- a) Your DVLA driving licence;
  - b) Your dual driver licence;
  - c) The vehicle registration document and/or
  - d) A valid certificate of insurance

Within **five days** of the request being made at the location that they specify.

**Medical condition**

72. You must notify the Council, in writing within 48 working days of any change in your medical condition including any treatments or medications (prescription or otherwise) that may adversely affect your ability to drive private hire or hackney carriage vehicles.
73. You must ensure that when you are working you are sober and not under the influence of any illegal drugs. If you are taking any prescription medication, you must ensure that it does not impair your driving ability.
74. If at any time you feel unwell or are in any doubt regarding the above, you must discontinue work until such time as you have had advice from a medical practitioner and/or Council officers that you are able to return to work.

**Declaration of conviction / caution / penalty / criminal investigation**

75. You must declare all convictions, cautions, arrests, being charged with a criminal offence, being subject to a criminal investigation, fixed penalty notices, CBOs (Criminal Behaviour Orders) CPNs (Community Protection Notices), , injunctions, restraining orders to the Council on your initial application form.
76. If you are convicted of any offence, or accept a formal caution for an offence, or receive a fixed penalty notice for any offence or receive and accept an endorsable fixed penalty notice, or are made the subject of a CBO or CPN, are required to attend a speed awareness course, are made the subject on any injunction or restraining order, or you are arrested for any matter, you must give the Council details, in writing and within 48 working hours of the event.

**Driving**

77. You must comply with all road traffic regulations at all times.
78. You must comply with all legislation and conditions relating to the hackney carriage or private hire vehicle that you are driving at all times. Those conditions are available on the Council's website.
79. You must not use a hand-held mobile telephone or any other handheld device (apart from a two-way radio which is firmly placed in a cradle) whilst driving.
80. You must not sound your vehicle horn:
- a) unnecessarily, i.e. unless in an emergency or to let other road users or pedestrians know you are there.
  - b) when your vehicle is stationary on a road, at any time, other than at times of danger due to another moving vehicle on or near the road.
  - c) on any road in a built up area between 11.30 pm and 7.00 am.
81. Your vehicle horn must not be used to signal your arrival to collect any pre-booked passenger.
82. You must not drive any hackney carriage or private hire vehicle in a dangerous or inconsiderate manner and in addition to complying with all road traffic regulations you must ensure that the driving and behaviour on is of the highest standard.

83. When parking, or otherwise waiting for either a hiring (hackney carriage), a booking to be communicated to you (private hire and hackney carriage) or attending for a pre-booked hiring (private hire and hackney carriage) you must ensure that you do not obstruct other road users including pedestrians on pavements and in pedestrianised streets. You must also ensure that you do not block vehicle entrances or any emergency exits for buildings.
84. When stopping to set passengers down you must do so in a manner which minimises the risk to those passengers as they alight from the vehicle. You must warn passengers clearly of any unusual or unexpected dangers within the vicinity.
85. When driving a hackney carriage, you must not demand a fare greater than that shown on the meter for a journey within the Council's area, other than in accordance with the tariff sheet.
86. When driving a private hire vehicle you must not demand a fare greater than that shown on the meter (if that is how your operator calculates fares) unless agreed between the hirer and the operator.
87. You must stop the engine of the vehicle at all reasonable times when the vehicle is stationary otherwise than through the necessities of traffic.
88. It is a criminal offence to hold and use a mobile phone or other handheld device whilst driving. In addition this will be regarded as a serious breach of the Code of Conduct.

**Conduct and Behaviour**

89. You must be honest and trustworthy at all times.
90. You must be polite and courteous to your passengers, other road users and the public generally.
91. You must not use abusive or foul language, spit or smoke in or near the vicinity of your vehicle.
92. You must not use aggressive language or behaviour, or engage in any violent conduct.
93. You must not carry any form of weapon on your person or in your vehicle at any time and under no circumstances must you ever take the law into your own hands.

94. If the hirer requests, you must provide a written receipt for the fare paid for the hiring, including the amount of VAT (if applicable) shown separately if so requested. That receipt must also contain details of the journey including the date, pick up point and destination, vehicle licence number, operator's name and driver name or licence number. You must then sign the receipt.
95. You must not cause or allow noise emitted by any radio or sound equipment in the vehicle which you are driving to be a source of nuisance or annoyance to any person or persons, whether inside or outside the vehicle.
96. If a passenger objects, you must not play any radio or sound reproducing instrument or equipment in the vehicle.
97. You must treat everybody decently, equally and fairly.
98. You must at all times treat people, with courtesy and respect.
99. You must not discriminate against any person because of their race, colour, creed, age, gender, sexuality, or disability.
100. You must not use abusive, racist, sexist, or any other offensive language or terms with passengers or other members of the public (remember that not everybody shares your sense of humour, or views).
101. You must protect passengers and yourself. Be wary about entering any premises, especially domestic premises unless you know the person as an established customer. Even then make sure that you take all steps to minimise any risk to yourself or your reputation.
102. You must not obtain the telephone numbers of, or engage on any form of social media with anybody under the age of 18.
103. You must not engage in any kind of sexual activity within or in the vicinity of your licensed vehicle.
104. You must behave in a civil and reasonable manner at all times and must comply with any reasonable request made by the hirer.
105. You must always pick up your passengers on time unless unavoidably delayed.

106. You must always assist your passengers with their luggage. If they do not request this, you must ask whether they need help. This includes picking it up from the point of booking, removing it from your vehicle at the end of the journey and setting it down.
107. You must maintain a record of any serious complaints that are made to you as a driver. All complaints must be recorded promptly to the Council or Police with as much detail as possible (date, time, location, nature of the complaint, names of the parties (if known) and identifying features). When you are driving a private hire vehicle all such complaints must also be reported to your operator as soon as possible. If you are driving a hackney carriage that has been booked via a booking agent, all such complaints must be also be reported to that agent as soon as possible.

**Personal Appearance and Dress Code**

108. You must maintain good standards of personal hygiene at all times.
109. You must always be clean and respectable in your dress and present a professional image. To achieve this you must comply with the following dress code which will also ensure that public and driver safety is not compromised

**Acceptable standards of dress**

110. Collared shirts, blouses, polo shirts, or sweat shirts must cover the shoulders and be capable of being worn tucked inside trousers, shorts or skirts.
111. Shirts or blouses may be worn with a tie or open necked.
112. All clothing must be clean, of smart appearance and in good condition.

**Trousers, shorts and skirts**

113. Trousers can be either full length or shorts.
114. Skirts must be no shorter than 5 cm above the knee (when standing) and can be of any longer length, but must not impede the safe operation of the pedals
115. Trousers, shorts or skirts must be tailored.

**Footwear**

116. Footwear for all drivers must fit around the heel of the foot. Wooden soled footwear is not permitted.

**Unacceptable standards of dress**

117. Anything not conforming to the above, including:

- a) Clothing not being kept in a clean and fresh condition or any items which have holes or rips.
- b) Words or graphics on any clothing that is of an offensive or suggestive nature.
- c) Sportswear e.g. football or rugby kits, track suits, beach wear, etc.
- d) Sandals with no heel straps, flip flops or any other form of footwear not secured around the heel.
- e) Not having either the top or bottom half of their bodies suitably clothed.
- f) No baseball caps or hoods worn up whilst in the vehicle.

**Use of the Vehicle**

118. Private hire vehicles and hackney carriages are smoke free vehicles at all times under the Health Act 2006. It is a criminal offence to smoke in a private hire vehicle at any time (section 7) or to allow a person to smoke in a private hire vehicle (section 8) and you can be prosecuted for either or both offences. In addition this will be regarded as a serious breach of the Code of Conduct.

119. You must not eat in the vehicle whilst carrying passengers, or allow passengers to eat in the vehicle at any time.

120. Animals must not be carried in private hire vehicles or hackney carriages other than those belonging to or in the care of passengers. You may refuse to carry a hirer's animal at your discretion. However, you must not refuse to carry an assistance dog, unless you have a valid Exemption Certificate issued by the Council. Any animal must be kept under the hirer's control, and must be carried in the rear of the vehicle (except assistance dogs). No animals can be carried in the luggage compartment of a vehicle unless the vehicle is an estate car or hatchback and the animal can be seen from outside the vehicle through a window.



- 121. You must not carry more passengers than the maximum number prescribed by the conditions attached to the hackney carriage or your private hire vehicle licence and displayed on the vehicle plate.
- 122. You must carry a reasonable amount of luggage and assist passengers in loading and unloading it from the vehicle.
- 123. You must not carry any additional passengers not already accompanying the hirer in the vehicle without the hirer's permission.
- 124. You must not carry more than one person in the front seat unless the vehicle is furnished with manufacturer fitted seats for more than one passenger in the front of the vehicle and provided with seat belts for all front seat passengers.
- 125. You must not carry any child below the age of ten years in the front of the vehicle.
- 126. Hackney carriages and private hire vehicles are not expected to carry a range of child seats. If you are carrying children under the age of 14 you must make any adult with responsibility for the child aware that the correct restraints may not be available and the carriage of the child in those circumstances is at the adult's own risk. Children under 3 years of age can travel unrestrained in a hackney carriage or private hire vehicle if the appropriate restraint is not available. Children over 3 years of age and below 11 years of age or shorter than 135cms (approx. 4ft 6in) can use adult seat belts if the appropriate restraint is not available. Children over 11 years of age or taller than 135cm (approx. 4ft 6in) must use adult seat belts.

### **Vehicle Checks**

- 127. It is your responsibility to ensure that the correct policy of insurance is in force for any hackney carriage or private hire vehicle that you are driving.
- 128. Before using a hackney carriage or private hire vehicle for the first time each day, you must undertake a "walk around check" and keep a note of this in a logbook kept for that purpose which must be available for inspection by the Council or a police constable. This requires that you ensure that the vehicle is roadworthy and fit for use as a hackney carriage or private hire vehicle. The check must include the tyres (pressure and tread depth), checking the lights are functioning (so far as is possible with one person – all

lights except brake lights), checking all glass (lights and windows) is intact and ensuring there is no obvious damage to the vehicle. Any defects that are detected must be rectified before the vehicle is used to carry passengers.

129. Every time you commence driving the vehicle you must ensure that the rear identification plate, supplied by the Council, is not missing and that it is securely fixed to the outermost rear of the vehicle, so that it can be clearly read by pedestrians and other road users. You must also ensure that any other identifying information (whether supplied by the Council or not) is correctly and securely attached to the vehicle.
130. If you have been issued a certificate of exemption from carrying assistance dogs or providing wheelchair assistance you must ensure that that notice is correctly placed on the nearside of the front windscreen.
131. You must not offer or accept any hire of the vehicle except where the hiring has been pre-booked via your private hire operator (this does not apply to hackney carriages).

### **Lost Property**

132. After every hiring, you must search the vehicle for any misplaced or lost property.
133. If any property is found or handed to you, you may agree to return the property personally to the owner, and charge the metered fare from your office/business premises (or home address where you do not have business premises) to an agreed meeting point, or £10, whichever shall be greater. If you cannot find the owner after taking steps to make enquiries, any lost property found must be retained for a period of 6 months.

### **Taximeters in Private Hire Vehicles (taximeter use in hackney carriages is governed by the Byelaws)**

134. You may use a meter in a private hire vehicle only if it is constructed, attached and maintained in compliance with the Private Hire Vehicle Licence Conditions.

- 135. Unless the fare is agreed in advance, you must switch the meter on at the point the hirer's journey commences and keep the meter working until the termination of the hiring.
- 136. You must not cancel or conceal the fare recorded until the hirer has had a reasonable opportunity of examining it and has paid the fare (unless a lesser fare has been agreed).
- 137. You must ensure that the fare charged does not exceed the fare displayed on the meter at the end of the journey.
- 138. You must ensure that when the vehicle is not hired the key is to be locked and the machinery kept inactive and the meter must show no fare at any time.
- 139. You must ensure that the meter is sufficiently illuminated when in use and is visible to passengers.
- 140. You must not (nor may you allow anyone else) to tamper with the meter without lawful excuse, or alter any meter with the intent to mislead.

**Plying for hire when driving a private hire vehicle (does not apply when driving a hackney carriage)**

- 141. You must not pick up passengers who have not pre-booked with your operator.
- 142. You must not offer or accept an offer for the immediate hire of a vehicle while it is being used in a public place.
- 143. You must not park or wait on or near any hackney carriage rank, or drop passengers off on a hackney carriage rank.

**Fares when a hackney carriage is used for pre-booked work**

- 144. A hackney carriage can be used for pre-booked work both within the county of Herefordshire and elsewhere. When the journey is wholly within the zone/county, or commences or ends in Herefordshire, the fare charged cannot be greater than that displayed on the meter or in accordance with the table of fares. Where a pre-booked journey commences and ends outside Herefordshire the table of fares and the meter do not control the maximum fare that can be charged. In these circumstances the fare to be

charged must be negotiated between the hirer and the driver or booking agent.

## **LEGAL REQUIREMENTS (contained in national legislation) when driving a hackney carriage**

### **Your Taxi Driver Licence and Badge**

145. When driving a hackney carriage you must wear one copy of your badges in the issued armband on your left upper arm or on a lanyard around your neck at all times whilst you are working as a hackney carriage driver and you commit a criminal offence if you do not do so, for which you might be prosecuted (Hackney Carriage Byelaw 12). Another copy must be displayed in the vehicle in a place which is visible to passengers.

### **Disability Discrimination**

146. When driving a hackney carriage and requested by a passenger, you must carry an assistance dog and allow it to remain with their owner unless you have a certificate of exemption issued by the Council. You must not make any additional charge for doing so. When you are carrying an assistance dog you must allow it to be carried wherever the owner requires i.e. you cannot insist on the dog being separated from the owner or the owner and dog sitting in a particular seat (Section 168 of the Equality Act 2010).

147. When you are driving a hackney carriage that has been designated as a wheelchair accessible vehicle in a list maintained by the Council under section 167 of the Equality Act 2010, you must comply with the duties and provide mobility assistance to any passenger in a wheelchair as detailed in section 165 of the Equality Act 2010.

148. The duties are:

- a) to carry the passenger while in the wheelchair;
- b) not to make any additional charge for doing so;
- c) if the passenger chooses to sit in a passenger seat, to carry the wheelchair;
- d) to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort;
- e) to give the passenger such mobility assistance as is reasonably required.

149. Mobility assistance is assistance:

- a) to enable the passenger to get into or out of the vehicle;
- b) if the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;
- c) to load the passenger's luggage into or out of the vehicle;
- d) if the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

150. In vehicles equipped with a taximeter, the meter must not be activated until the wheelchair bound passenger has been properly loaded and secured for the journey, all loading ramps or other equipment have been properly stowed and the vehicle is ready to commence the journey. At the end of the journey the meter must be stopped before any unloading activity commences.

## **Conduct**

151. You must not drive a hackney carriage at any time if you do not hold a dual driver licence, or if your licence has been suspended with immediate effect or any appeals process has been exhausted (section 47 of the 1847 Act).

152. You must not lend your taxi driver licence to anybody else (section 47 of the 1847 Act).

153. When driving a hackney carriage you must accept a hiring from a hackney carriage rank (taxi rank) or when you are stationary on the highway for a journey within the Council's area unless you have a "reasonable excuse" to refuse (section 53 of the 1847 Act).

154. When driving a hackney carriage if you agree to charge a fare lower than that shown on the meter for a journey in a hackney carriage then you cannot charge more than that agreed fare (section 54 of the 1847 Act).

155. When driving a hackney carriage if you have agreed to accept a fixed amount of money for a journey, you must ensure that the journey lasts until that amount is shown on the meter, unless the destination is reached before that amount is registered on the meter in which case the difference must be refunded to the hirer (section 56 of the 1847 Act). This excludes any tip the passenger may wish to pay by way of keeping any change due.

156. When driving a hackney carriage if you have been hired and are asked to wait, and either a deposit has been paid or the meter is running, you must wait until that hirer returns to your hackney carriage or until such time as it is reasonable to assume the hirer is not returning (section 57 of the 1847 Act).
157. When driving a Hackney Carriage you must not charge more than the fare shown on the meter for a journey within and/or outside the County, irrespective of how the journey was arranged (sections 55, 58 & 66 of the 1847 Act).
158. When driving a hackney carriage you must not carry anyone apart from the hirer and their companions without the express consent of that hirer (section 59 of the 1847 Act).
159. You must not drive any hackney carriage without the consent of the hackney carriage proprietor (if that is not yourself) (section 60 of the 1847 Act).
160. You must not leave a hackney carriage unattended at a hackney carriage rank (section 62 of the 1847 Act).
161. You must not prevent any other driver of a hackney carriage from taking a fare, or obstruct them in picking up or sitting down passengers (section 62 of the 1847 Act).
162. When driving a hackney carriage you must produce your taxi driver licence if requested to do so by an Authorised Officer of the Council (or another council with whom a reciprocal arrangement exists) or any police constable (section 53(3) of the 1976 Act).
163. You must return your driver licence, driver badge(s) to the Council within 48 working hours if you lose the right to remain or work in the UK (section 53A (9) of the 1976 Act).
164. You must not make any false statement or withhold any information when applying to renew your taxi driver licence (section 57(3) of the 1976 Act).
165. You must return your licence, driver badge(s) to the Council within 48 working hours of any suspension, revocation or refusal to renew your licence (section 61(3) of the 1976 Act).

166. You must use the shortest available reasonable route for all journeys by hackney carriage, subject to any directions given by the hirer (section 69 of the 1976 Act).
167. You must not tamper with any seal on a taximeter, or alter the taximeter with any intent to mislead (section 71 1976 Act and Hackney Carriage Bylaw 6).
168. You must not obstruct, fail to comply with any requirement made by, or fail to give any information to, an Authorised Officer of the Council, an Authorised Officer of another council with which there is a reciprocal enforcement arrangement, or a police constable (section 73 of the 1976 Act).
169. When driving a hackney carriage you must not conceal or obscure the number of the hackney carriage whilst standing or plying for hire, or use any vehicle where any part of the plate is illegible (Hackney Carriage Bylaw 2).
170. When driving a hackney carriage you must not activate the taximeter when standing or plying for hire, but you must activate the meter before the journey commences but not until passengers are properly seated and secured. At the end of the journey you must stop the meter. This should be before passengers alight from the vehicle. (Hackney Carriage Bylaw 5).
171. When driving a hackney carriage and you are plying for hire you must proceed to a hackney carriage stand and if that stand is full, proceed to another stand. When you arrive at a stand that is not full you must position the vehicle behind the rearmost vehicle on the stand and move forward as space becomes available (Hackney Carriage Bylaw 7).
172. You must not use the services of any other person to forcefully encourage anyone to hire your hackney carriage (Hackney Carriage Bylaw 8).
173. When driving a hackney carriage you must behave in a civil and orderly manner and take all reasonable precautions to ensure the safety of persons entering, carried in or alighting from the hackney carriage (Hackney Carriage Bylaw 8).
174. When driving a hackney carriage if you have been pre-booked you must attend at the appointed time and place (Hackney Carriage Bylaw 10).

- 175. When driving a hackney carriage you must not carry more passengers in the hackney carriage than the conditions attached to the vehicle licence permit (Hackney Carriage Bylaw 11).
- 176. When driving a hackney carriage you must carry a reasonable quantity of luggage for the hirer and assist them in loading and unloading, including taking it from or to any building (Hackney Carriage Bylaw 13).
- 177. When driving a hackney carriage you must search the vehicle for lost property after every hiring (Hackney Carriage Bylaw 16).
- 178. When driving a Hackney Carriage you must take any lost property which is not been claimed within 48 hours to the Council's offices (Hackney Carriage Bylaw 17).

#### **LEGAL REQUIREMENTS (contained in national legislation) when driving a private hire vehicle**

##### **Your taxi Driver Licence and Badge**

- 179. When driving a private hire vehicle you must wear one copy of your badge in the issued armband or lanyard, on your left upper arm or around your neck at all times whilst you are working as a private hire driver and you commit a criminal offence if you do not do so, for which you might be prosecuted (section 54 of the 1976 Act). The second badge must be displayed in a place within the vehicle which is visible to passengers.

##### **Disability Discrimination**

- 180. When your operator has accepted a booking for a passenger with an assistance dog (whether or not the existence of the dog has been communicated to you), you must carry that assistance dog and allow it to remain with their owner unless you have a certificate of exemption issued by the Council. When you are carrying an assistance dog you must allow it to be carried wherever the owner requires i.e. you cannot insist on the dog being separated from the owner or the owner and dog sitting in a particular seat (section 170 of the Equality Act 2010).
- 181. When you are driving a private hire vehicle that has been designated as a wheelchair accessible vehicle in a list maintained by the Council under section 167 of the Equality Act 2010, you must comply with the duties and



provide mobility assistance to any passenger in a wheelchair as detailed in section 165 of the Equality Act 2010.

182. The duties are:

- a) to carry the passenger while in the wheelchair;
- b) not to make any additional charge for doing so;
- c) if the passenger chooses to sit in a passenger seat, to carry the wheelchair;
- d) to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort;
- e) to give the passenger such mobility assistance as is reasonably required.

183. Mobility assistance is assistance:

- a) to enable the passenger to get into or out of the vehicle;
- b) if the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;
- c) to load the passenger's luggage into or out of the vehicle;
- d) if the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

184. In vehicles equipped with a taximeter, the meter must not be activated until the wheelchair bound passenger has been properly loaded and secured for the journey, all loading ramps or other equipment have been properly stowed and the vehicle is ready to commence the journey. At the end of the journey the meter must be stopped before any unloading activity commences.

185. You must not drive a private hire vehicle at any time when your dual driver licence has been suspended (section 46(1) (b) of the 1976 Act).

186. When driving a private hire vehicle you must produce your dual driver licence if requested to do so by an Authorised Officer of the Council (or another council with whom a reciprocal arrangement exists) or any police constable (section 53(3) of the 1976 Act).

187. You must return your dual driver licence, driver badge(s) and armband to the Council within 48 working hours if you lose the right to remain or work in the UK (section 53A (9) of the 1976 Act).

- 188. You must not make any false statement or withhold any information when applying to renew your dual driver licence (section 57(3) of the 1976 Act).
- 189. You must return your licence, dual driver badge(s) and/or armband to the Council within 48 working hours of any suspension, revocation or refusal to renew your licence (section 61(3) of the 1976 Act).
- 190. When driving a private hire vehicle you must use the shortest available reasonable route for all journeys by private hire vehicle, subject to any directions given by the hirer (section 69 of the 1976 Act).
- 191. You must not tamper with the taximeter with any intent to mislead (section 71 of the 1976 Act).
- 192. You must not obstruct, fail to comply with any requirement made by, or fail to give any information to, an authorised officer of the Council, an authorised officer of another Council with which there is a reciprocal enforcement arrangement, or a police constable (section 73 of the 1976 Act).
- 193. You must not drive any private hire vehicle with any roof sign which includes the words "taxi", "cab" or "hire", any similar words or anything which would indicate the vehicle is a hackney carriage (section 64 of the Transport Act 1980).

**Penalty Points Scheme**

- 194. Please see the separate document.