

**PRIVATE HIRE VEHICLE LICENCE CONDITIONS.
(Proposed Conditions)**

Epping Forest District Council is the licensing authority in respect of Private Hire Vehicles. On granting a licence it will impose the following conditions which it considers are reasonably necessary for the regulation of Private Hire Vehicles in its district. All applications that fall outside these conditions will be referred to the licensing sub-committee for determination and may incur additional costs to be paid by the applicant.

VEHICLE LICENCE

Term of Licence

1. A Private Hire Vehicle licence shall be renewed annually.

Signs

2. A plate, bearing the number of the license and the number of passengers for which the vehicle is licensed, shall be displayed in a vertical position, and fixed firmly to the outside of the vehicle close to the rear number plate. The vehicle shall not be used to convey a greater number of passengers than shown on the plate and license. The plate must be returned on the termination of the licence.
3. Window signs, as supplied by the Council, shall be displayed on each passenger window of the vehicle.
4. A driver shall not conceal from public view or deface the Private Hire Vehicle plate. The plate shall be kept clean.
5. The trade name, address and telephone number of the operator may be displayed on the doors of the vehicle and/or on a maximum three inches depth advertisement panel in the rear window in a position not restricting rearward vision.
6. There shall be **no** 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 part of another word nor the word "FOR HIRE" in any form of wording which in any way suggests that the vehicle on which it is displayed is presently available to take up passengers wishing to hire it or would be available if not already hired.

Vehicle Specification

7. All vehicles shall be in satisfactory mechanical order and body condition and in operational order in every respect. Vehicles shall have:
 - a) A minimum of four doors, each adjacent to a seat and capable of being opened from the inside of the vehicle.
 - b) Seats with a minimum width of not less than 43cm per person.

- c) Accommodation for not less than four passengers.
- d) Be capable of carrying a wheelchair in a reasonable manner.
- e) The vehicle shall have a minimum headroom of five feet.
- f) An adequate heating system for the passengers.
- g) Internal panelling or trimmed with such materials as would be suitable for passenger comfort and sound insulation.
- h) A serviceable spare tyre or run flat type of tyre, jacking equipment and wheel brace.
- i) Adequate luggage facilities and the luggage must be adequately secured.
- j) Be equipped with fully functional nearside and offside exterior rear view mirrors.

Vehicle Inspections

- 6. If the vehicle is less than five years old the driver of a Private Hire Vehicle shall submit the vehicle for mechanical and/or such other inspection six months after the date that the licence is issued at premises that are approved by the Council.
- 7. If the vehicle is over five years the driver of a Private Hire Vehicle shall submit the vehicle for mechanical and/or such other inspection as the Council every four months from the date when the licence is issued at premises that are approved by the Council.
- 8. The Council may require a vehicle to be inspected at any other time.
- 9. The interim inspection reports must be submitted when renewing the vehicle licence.

Accidents

- 10. Without prejudice to any statutory duty imposed under the Road Traffic Acts, the proprietor of a Private Hire Vehicle shall report to the Council as soon as reasonably practicable, and in any case within seventy two hours of the occurrence of any accident causing damage which materially affects the safety, performance or appearance of the vehicle, or the comfort or convenience of persons carried in the vehicle. The licence holder must present the vehicle for inspection immediately if required by the Council. In the event that the vehicle fails an examination for serious body damage or mechanical defects it shall be subject to prohibition by written notice for use as a Private Hire Vehicle, until such time as the defect has been corrected to the satisfaction of the Council.

Advertising

11. Product advertising is permitted on the doors subject to the Council retaining the right to request removal of any particular advertisement that is felt to be unsuitable.

Condition of the Vehicle

13. The inside and outside of a Private Hire Vehicle vehicle shall be kept clean and free from damage, well maintained and in every way fit for public service.

Safety Equipment.

14. A Non Halon Fire Extinguisher conforming to BS5423 shall be carried and be readily available for use.

Failure to comply with any of the conditions will result in a referral to licensing panel for consideration of suspension or revocation of licence.

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PRIVATE HIRE DRIVER'S LICENCE CONDITIONS (Proposed)

Epping Forest District Council is the licensing authority in respect of Private Hire Driver's licences. On granting a licence it will impose the following conditions which it considers are reasonably necessary for the regulation of Private Hire Vehicles in its district. All applications that fall outside these conditions will be referred to the licensing sub-committee for determination and may incur additional costs to be paid by the applicant.

Conduct of Driver

1. No person shall drive a vehicle licensed as a Private Hire Vehicle without a Private Hire Vehicle Driver's Licence which must be renewed annually. The holder shall also produce that licence for examination by his proprietor, both at the commencement of his employment and immediately after its renewal.
2. The driver be clean, respectable and act with civility towards every person travelling in the vehicle and shall comply with their reasonable requirements.

NB. Minimum standards of dress prohibit the wearing of vests or singlets. Shorts may be worn only if properly tailored and of sufficient length when the driver is seated as not to offend against decency

3. The driver is not permitted to smoke in the vehicle at any time even when the vehicle has no passengers.
4. The driver must take all reasonable precautions to ensure the safety of persons travelling in or alighting from such vehicles.
5. If a driver carries a hirer to a certain place and the hirer asks the driver to wait, the driver may ask for his fare for driving there and ask also for a deposit against the waiting time. After accepting such a deposit, the driver shall not drive away without the consent of the hirer.
 - a. The driver of a Private Hire Vehicle who shall have agreed or shall have been hired to be in attendance with the vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such vehicle at the appointed time and place.
5. When picking up the hirer, the driver shall make his presence known in person and shall not attract the hirer's attention by sounding the car horn, shouting or making any other disturbing noise.

6. The driver of a Private Hire Vehicle, 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.

Badges

7. A driver shall, at all times, display his badge so that it is clearly visible.
8. The driver will return their badges to the Licensing Section upon the expiry, revocation or suspension of their licence.
9. After the expiry date shown on any drivers licence that is no longer valid any badge must be returned to the Licensing Section immediately.
10. A license holder, on changing his address shall notify the Council of such a change within seven days.

Insurance /MOT/ Licence.

11. The appropriate MOT Certificate and insurance documents covering the use of that vehicle and driver shall be produced within seven days when required by the Council. A copy of these documents shall also be carried on the vehicle and must produce them on request by an authorised officer of the Council or a police officer.
12. The driver of a Private Hire Vehicle shall produce his license on request for inspection by an authorised officer of the Council, or any police officer

Passengers and Luggage

13. A driver shall not carry or permit to be carried in his vehicle any greater number of persons than the number specified in the licence issued to that particular vehicle and must not refuse to carry fewer persons than the number marked on the plate
14. Once a Private Hire Vehicle has been hired, a driver shall not carry anyone else during that hire, without the CONSENT of the first hirer.
15. Adequate luggage facilities must be provided, ensuring its safety and the driver shall, when requested by the hirer:
 - a. Afford reasonable assistance in loading and unloading such luggage
 - b. Afford reasonable assistance in removing such luggage to or from the entrance of any building, station or place at which he may take up or set down such person.

Lost Property

16. The driver of a Private Hire Vehicle shall immediately after the termination of the hiring search the vehicle for any property, which may have been accidentally left therein. The driver shall on finding such property, carry it as soon as possible and in any case within 48 hours, to his operator.

Animals

17. Any animal belonging to or in the custody of any passenger can be conveyed in a licensed vehicle at the driver's discretion.
18. Any driver of a licensed vehicle which has been hired by or for a disabled person with their guide, hearing or prescribed assistance dog, or a person who wishes such a person to accompany him or her in the vehicle will have a duty to:-
 - a. Convey the disabled passenger's dog and allow it to remain with the passenger, and
 - b. Are not to make any additional charge for doing so.

An assistance dog is defined by regulations as a dog which is trained by a specified charity i.e. "Dogs for the disabled", "Support Dogs" or "Canine Partners for Independence", to assist a disabled person with physical impairment and which at the time that its owner hires a taxi is wearing a yellow jacket inscribed with the name of a charity or has some other form.

19. A driver shall only be exempt from condition 18 on medical grounds and has obtained an exemption notice from the Council. The notice of exemption shall be displayed in a prominent position

Fares

1. The driver shall not demand from the hirer a fare in excess of any previously agreed fare for that hiring.
21. Where a tariff is enforced, a tariff card shall be displayed on the inside of the vehicle in such a position as is plainly visible to persons travelling in the vehicle.

Use of Private Hire Vehicle

22. No driver, licensed or otherwise, shall act as a Private Hire Vehicle driver without the consent of the owner of the Private Hire Vehicle .
23. A driver shall not leave his Private Hire Vehicle unattended in a public place, the Police being authorised to tow it away under such circumstances.
24. A driver shall not obstruct or hinder another Private Hire Vehicle driver in any way.

25. Private Hire Vehicles may not wait on any stand designated for the use of Hackney Carriages

Knowledge Test

26. Prior to the grant of a licence a driver must have successfully completed a knowledge test

Criminal Convictions

27. In the event that a license holder is charged or summoned for any alleged criminal offence, then he shall within seven days of being charged or on receipt of the summons (as the case may be) report the fact, in writing, to the Licensing authority, giving particulars of each alleged offence and in which court the proceedings are pending.
28. In the event that a license holder is convicted of any criminal offence, he shall within seven days of such conviction report such conviction in writing to the Council, and give particulars of each conviction and any penalty points imposed in respect of it. **All driving offences shall be reported to the Council (this also includes a totting up of points.)**
29. Following any conviction or the issue of a fixed penalty, notice which results in penalty points being endorsed on the license holder's DVLA driving license, that license must be produced to the Council within seven working days of its return from the DVLA or a Court or a Fixed Penalty Office, following the endorsement of the offence thereon.

Failure to comply with any of the conditions will result in a referral to licensing panel for consideration of suspension or revocation of licence.

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Epping Forest District Council

OPERATOR LICENCE APPLICATIONS

Before granting an operator licence, the Council shall be satisfied that, in addition to being a fit and proper person, applicants have met any further requirement that may be prescribed, which include the following requirements relating to licence holders

1. Details of any conviction incurred by the licensee during the currency of the licence must be reported in writing to the Council within two weeks of the date of the conviction.
2. Details of any changes to the information supplied on the application form, e.g. change of address or telephone number, must be notified to the Council within two weeks of the change.
3. The Operator must indicate clearly at the operation centre or within any advertising or promotion of their service that the service provided is in respect of pre-booked journeys only.
4. Detailed fare tariffs should be available to members of the public and displayed on public view at the operating centre or made available upon request.
5. Fares will be in accordance with the operator's advertised table of fares, unless otherwise agreed with the hirer at the time of booking.
6. The operator should give details of the fare for a particular hiring to the hirer when the booking is being made, if requested by the hirer.
7. Operators will be required to notify the Council of the name of the person responsible for the day-to-day running of each operating centre named on the licence, and of any changes of that
8. Operators must establish a complaints procedure, ensuring that all complaint records include the driver's name, nature of complaint, details of complainant and action taken.
9. Operators must establish a procedure for dealing with client's property lost and found in a Private Hire Vehicle operated by them or under contract to them. This should include evidence that an attempt has been made to return the property to the owner, and a system for recording and storing lost property.
10. Operators must provide details to the Council of any licensed driver whose services are dispensed with by the operator, where the circumstances of the driver's dismissal relate to a breach of the licence conditions.

11. Operators must display on public view at operating centres with public access evidence of their public liability insurance and must provide the Council with copies on request.
12. Operators shall not employ or otherwise engage, whether directly or indirect, any vehicle that has not been licensed by the Council or a driver who does not a valid licence, for any bookings.
13. Operators shall only accept booking at an authorised operating centre.
14. Operators shall display a copy of their licence at operating centre in a position that is accessible to member of the public.
15. Operators shall only sub contract bookings to a licensed operator.

Records

1. Records of private hire bookings and of vehicles and drivers available to the operator shall be kept as follows:-
 - 1) Records must be kept in a form which give easy access for inspection, e.g. in a bound book or if a booking is made by computer, a print out of each day's booking or kept in computerised form so that the record can easily be made available for inspection by an authorised officer of the Council or Police Officer. Records must be kept for at least one year.
 - 2) The operator shall keep at each operating centre, records of the Private Hire Vehicle drivers and vehicles (including a copy of their licence) available to the operator for carrying out bookings accepted at that centre.
 - 3) All records must be made and retained in written or electronic form and securely stored.
 - 4) Records of each hiring must contain the following details.
 - Date and time booking made
 - Name of hirer
 - Name of principal passenger (if different from 2)
 - Agreed time of pick-up
 - Agreed place of pick up
 - Destination(s) specified at time of hiring by the hirer(s)
 - identity of vehicle undertaking the hiring (vehicle registration or Private Hire Vehicle licence number)
 - identity of undertaking the hiring (name or Private Hire Vehicle driver licence number)
 - Fare quoted to hirer, if requested by hired
 - Time and of journey (if different from the date of booking)
 - whether the booking was sub-contracted; if so, the name of the sub-contractor, the
 - Licensing authority and the operator licence number.

5) Records of the Private Hire Vehicle driver(s) used by the operator must contain the following details:

- Full name of driver,
- Date of birth
- Address (of normal place of residence)
- Date driver became available to operator
- Category of vehicle for which eligible to drive
- Private Hire Drivers licence number
- Date driver ceased to be available to the operator

6) Records of the Private Hire Vehicle used by the operator must contain the following details:

- Manufacturer, model and colour
- Registration number
- Private Hire licence/plate number
- Registered owner name and address (on registration document)
- Date when vehicle became available to operator
- Copy of current valid certificate of insurance
- Date vehicle ceased to be available to the operator

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