

PRIVATE HIRE VEHICLE DRIVERS LICENCE POLICY AND CONDITIONS

From 26th August 2009

as amended 2nd June 2010

PRIVATE HIRE VEHICLE DRIVER POLICY



1. Before a Private Hire Vehicle Driver's Licence is granted or renewed the applicant must:
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 - 1.1 Complete and submit to Southampton City Council an application in the form prescribed by the Council;
 - 1.2 Satisfy Southampton City Council that: -
 - 1.2.1 he/she is a fit and proper person to hold such a licence;
 - 1.2.2 he/she is medically fit to drive a private hire vehicle. For this purpose the applicant shall, produce a recent medical certificate to that effect. Thereafter medical certificates shall be produced by applicants on reaching the age of 55 years, 60, 62, 64, 65 and annually from 65 years of age onwards;
 - 1.2.3 he/she has attained the age of 21 years
 - 1.2.4 he/she has, for at least two years prior to the date of the application, held a driver's licence (not being a provisional licence) granted to the applicant under Part III of the Road Traffic Act 1972 authorising him to drive a motor car;
 - 1.2.5 except only in the case of an applicant for a restricted licence to drive specialist private hire vehicles, he/she has a sound knowledge of the topography of the City of Southampton.
 - 1.3 Produce for examination a current driving licence issued to the applicant under the Road Traffic Acts 1960-1972 (as amended).
 - 1.4 Be the subject of a recent (no older than six months) enhanced disclosure of criminal convictions made to Southampton City Council as licensing authority
 - 1.5 Be the subject of a recent (no older than six months) licence check with the Driver and Vehicle Licensing Agency made by Southampton City Council as licensing authority
 - 1.6 Undergo and pass a basic skills assessment to the satisfaction of Southampton City Council
 - 1.7 Undergo and pass a driving skills assessment to the satisfaction of Southampton City Council.
 - 1.8 New private hire driver's licences shall only be granted for a period of six months, and shall only be renewed on expiry if the licence holder has obtained the BTech qualification for transporting passengers by taxi and private hire vehicle.
 - 1.9 All holders of existing private hire driver's licences shall obtain the BTech qualification for transporting passengers by taxi and private hire vehicle before the expiry of the third year from the first grant of their licence. For the avoidance of doubt, this requirement will not apply to those holders of private hire driver's licences who had held their licence for a continuous period of three years as at 26th August 2009 or to an applicant for a private hire driver's licence who, at the date of grant of that licence, holds a Southampton hackney carriage driver's licence.

PRIVATE HIRE VEHICLE DRIVERS' LICENCE CONDITIONS

General

The holder of a Private Hire Vehicle Driver's licence must observe and carry out the requirements of Part II of the Local Government (Miscellaneous Provisions) Act 1976, and any order or regulation made thereunder, and the requirements of any other Act of Parliament or orders, regulations or byelaws made thereunder relating to the driving of motor vehicles.

Interpretation

In this licence and in these Conditions, unless the subject or context otherwise requires:-

"authorised officer" means any officer of the Council authorised in writing by the Solicitor to the Council of the Council for the purposes of Part II of the Local Government (Miscellaneous Provisions) Act 1976;

"the Council" means the Southampton City Council;

"licence plate" means the plate issued by the Council for the purpose of identifying the vehicle as a private hire vehicle duly licensed by the Council.

1. APPEARANCE OF DRIVER

- 1.1 The driver of a Private Hire Vehicle shall be clean and tidy in appearance, and shall be attired to a standard acceptable to the Council
- 1.2 Acceptable - will include long or short-sleeved shirts with collars, long trousers, shoes or sandals with socks. For female drivers acceptable will additionally include skirts, dresses
- 1.3 Unacceptable - Jeans, singlets, shorts or bathing costumes
- 1.4 and shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or leaving the vehicle.

2. VEHICLE LICENCE PLATE

- 2.1 The driver shall not wilfully or negligently cause or suffer the number of the licence on the plate issued by the Council to be concealed from public view or to be so defaced as to be illegible.

3. PLYING FOR HIRE

- 3.1 The licensee shall not, whilst driving or in charge of a private hire vehicle,
 - 3.1.1 tout or solicit any person to hire or be carried for hire in any private hire vehicle, or
 - 3.1.2 cause or procure any other person to tout or solicit any person to hire or be carried for hire in any private hire vehicle, or
 - 3.1.3 offer that vehicle for immediate hire while the licensee of that vehicle is on a road or

- 3.1.4 other place to which the public have access, or accept an offer for the immediate hire of that vehicle whilst the licensee of that vehicle is on a road or other place to which the public have access except where such offer is first communicated to him/her by telephone or by radio fitted to the vehicle. (In this Condition, "road" means any highway and any other road to which the public have access and includes bridges over which a road passes).

4. NUMBER OF PASSENGERS

- 4.1 The licensee shall not convey, or cause or permit to be conveyed in the vehicle a greater number of persons, exclusive of the driver, than specified in the licence. In addition, children under three years will not be conveyed in the front seat of a vehicle whether restrained or unrestrained.

5. DRIVER'S BADGE

- 5.1 The licensee shall, when acting in accordance with the private hire vehicle driver's licence granted to him/her, wear the badge issued to him/her in such position and manner as to be plainly and distinctly visible.

6. RETURN OF DRIVER'S BADGE

- 6.1 The driver's badge referred to in Condition 5 shall remain the property of the Council and if the driver's licence is not renewed or is revoked shall be returned by the licensee to the Council within seven days of the serving upon him/her of a notice by the Solicitor to the Council requiring the return of such badge.

7. CHANGE OF ADDRESS

- 7.1 The holder of a private hire vehicle driver's licence shall notify the Solicitor to the Council licensing authority in writing within seven days any change of his/her address.

8. ADHERENCE TO BOOKING

- 8.1 The driver of a private hire vehicle which has been hired to be in attendance at any appropriate time and place shall, unless delayed and prevented by some sufficient cause, punctually attend at the appointed time and place.

9. DRIVER'S OBLIGATIONS

- 9.1 The driver shall, when requested by the hirer,
- 9.1.1 convey a reasonable quantity of luggage,
- 9.1.2 afford reasonable assistance in loading and unloading, including assistance in removing luggage to and from the entrance of any house or other place where he collects or sets down his passengers,
- 9.2 Provided always that the driver of a private hire vehicle shall not be obliged to convey:-

- 9.2.1 (a) any article or animal, except guide dogs, which is of such bulk or

amount or character that the carrying of such article or animal would be likely to cause damage to the vehicle or its fittings.

9.2.2 any petroleum spirit or explosive or dangerous substance.

9.2.3 any noxious, odorous, foul or offensive substance.

9.2.4 any person in a state of intoxication.

10. **LOST PROPERTY**

10.1 The driver shall, immediately after the termination of any hiring, or as soon as practicable afterwards, carefully search the vehicle for any property that may have been accidentally left therein and, if such property is found, or is handed to him, unless it be sooner claimed by or on behalf of its owner, take it within 24 hours to the nearest Police Station and leave it in the custody of the officer in charge on his giving a receipt for same.

10.2 Be entitled to receive from any person to whom the property shall be delivered an amount equivalent to the fare from the place of finding to the Police Station where deposited.

11. **DISABLED PERSONS**

11.1 No person shall refuse to carry a passenger in a private hire vehicle by reason of the fact that the passenger is disabled or requires to have with them a wheelchair or other facility of reasonable size for the disabled.

12. **FIRE EXTINGUISHER AND FIRST AID KIT**

12.1 The driver of a private hire vehicle will ensure that, at all times when the vehicle is used for hire, an efficient fire extinguisher and First Aid Kit are carried in such a position in the vehicle as to be readily available for immediate use.

13. **ADVERTISEMENTS**

13.1 The driver of a private hire vehicle shall not place or suffer to be placed in any window or in any part of the vehicle any advertisement, sign, printed matter or distinguishing mark other than such has been approved or authorised by the Council.

14. **LICENCES TO DRIVE SPECIALIST RESTRICTED PRIVATE HIRE VEHICLES**

14.1 At the discretion of the Solicitor to the Council, a licence may be issued entitling the holder to drive only specialist vehicles licensed as restricted private hire vehicles.

15. **CONVICTIONS ETC.**

15.1 The holder of a private hire driver's licence shall notify the Solicitor to the Council of their being convicted of any criminal or motoring conviction or being subject to any finding of guilt or caution or arrest for any offence before the expiry of 14 days from that occurrence.

ADDITIONAL INFORMATION

Please note that this information does not form part of Southampton City Council’s licence policy or conditions

Drivers, proprietors and operators of licensed hackney carriages and private hire vehicles are reminded of the other statutory duties and restriction placed on them, amongst which are the following:

Smoking

The Health Act 2006 prohibits the smoking of tobacco or any other substance by anyone in a licensed hackney carriage or private hire vehicle. The legislation applies at all times whilst the vehicle remains licensed, thus smoking remains prohibited when the vehicle is not hired or not for hire.



Every licensed vehicle is required to carry appropriate signage under the Smokefree (Signs) Regulations 2007. Guidance and signs are available from:

<http://www.smokefreeengland.co.uk/resources/guidance-and-signage.html>

Assistance Dogs

The Disability Discrimination Act 1995 imposes a duty on licensed drivers and operators to convey any guide, hearing or other assistance dog in a licensed hackney carriage or private hire vehicle.

Drivers must:

- carry assistance dogs accompanying disabled people;
- do so without additional charge; and
- allow the dog to remain with the passenger

Operators must:

- accept bookings made by or on behalf of a disabled person who is accompanied by an assistance dog;
- accept bookings made by a person who will be accompanied in a PHV by such a disabled person; and
- not make an additional charge for carrying the assistance dog

If a driver has a medical condition, such as severe asthma, which is aggravated by contact with dogs, or is allergic or has an acute phobia to dogs, it may be possible for them to qualify for an exemption. Please discuss this with the licensing team in the first instance, to whom application for exemption must be made. The driver will be required to produce conclusive medical evidence in support of his application.



Please note that the law does not allow for an exemption to be granted on religious grounds.

Additional information is available from: <http://www.dft.gov.uk/transportforyou/access/taxis/>