

PRIVATE HIRE DRIVER LICENSING

Standard Conditions applicable to a Private Hire Driver licence

Only a person who holds a Private Hire Drivers licence granted under Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 is legally permitted to drive a private hire vehicle.

A vehicle licensed as a private hire vehicle is always a private hire vehicle and can only legally be driven by a person who holds a Private Hire Drivers licence.

A private hire vehicle can only be dispatched to a customer by a private hire operator. This is a person who holds an Operators licence granted under Section 55 of the Local Government (Miscellaneous Provisions) Act 1976.

An 'Operator' means any individual, group or company, which advertises the services of vehicles with drivers for hire and reward.

To legally undertake private hire work the private hire operator, vehicle and driver must all be licensed with the same Local Authority.

Section 51(2) of the Local Government (Miscellaneous Provisions) Act 1976 allows a Local Authority to impose such Conditions that it considers 'reasonably necessary' in respect of private hire drivers.

The following are 'Standard Conditions' that will be applied to all private hire drivers.

Personal Details

Changes to personal details, including addresses, must be notified to the Licensing Team within 14 days.

Badges

Section 54 of the Local Government (Miscellaneous Provisions) Act 1976 places a duty on the Local Authority to issue drivers badges when a licence is granted under Section 51 of the 1976 Act to a private hire driver. Section 54(2) of the 1976 Act requires the driver to wear the badge at all times when acting as a private hire driver. Failure on the part of a licensed private hire driver to wear the badge is an offence.

The badge must be worn on the upper body in order to make it conspicuous.

Conduct

Private Hire drivers should be courteous to passengers and offer such reasonable assistance with bags etc. as is necessary.

Private hire drivers should be suitably dressed, be clean in appearance and must not be under the influence of alcohol or drugs.

When picking up passengers a private hire driver is not to sound the vehicle horn as an indication that he/she is there. The driver should go to the premises and make their presence known.

Private hire journeys should be undertaken using the most direct route available.

Private hire vehicles should be driven in a manner that does not cause discomfort to passengers.

Vehicles

Without prejudice to the provisions of the Road Traffic Act, the Proprietor of a private hire vehicle shall report to the Licensing Team as soon as reasonably practicable, and in any case within 72 hours of the occurrence, details of all motor vehicle accidents including those causing minor damage.

Private hire drivers are not permitted to use private hire vehicles to ply for hire or wait on or obstruct Hackney Carriage Ranks.

Private hire drivers must ensure that during the time their vehicle has a valid Private Hire Vehicle licence, there is also in place a current insurance policy/certificate relating to private hire work, a current MOT test certificate and a current compliance test certificate.

Convictions Cautions Summonses Arrests Fixed Penalty Notices Etc.

Any driver holding a PHDL issued by Harlow Council must notify the Council in writing, within 72 hours of:

- a) Any conviction (motoring or criminal)
- b) Any caution, warning or reprimand (issued by the Police or any other agency)
- c) Their arrest for any offence (whether or not charged)
- d) Issue of any magistrates court summons against them
- e) Any fixed penalty notice for any matter.

Failure to notify the Council may result in enforcement action being taken against the licensed driver.

Random Alcohol Testing

Private hire drivers are required to be below the legal drink drive limit when undertaking private hire work.

Private hire drivers are required to make themselves available for random alcohol testing undertaken by authorised officers within the Licensing Team.

Smoking within a Vehicle

Private hire drivers must ensure that the requirements of the current smoke free legislation are being complied with.

Carriage of Assistance Dogs

Private hire drivers are required to carry assistance dogs in their vehicle unless they have a medical exemption card granted by the Licensing Team.

Right of Appeal

Under Section 52(2) of the Local Government (Miscellaneous Provisions) Act 1976 there is a right of appeal to the Magistrates Court against any condition, which may have been imposed on a Private Hire Drivers licence.

Version 5

Adopted by Full Council

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