

Appendix A

Private Hire Driver Conditions of Licence

This Licence is granted subject to the Local Government (Miscellaneous Provisions) Act 1976 and in addition, the following conditions will apply.

Notification of Information to the Licensing Authority

1. The driver must notify the Licensing Authority within 48 hours of any changes to their name, address, telephone number or email address.
2. The driver must notify the Licensing Authority within 48 hours of any:
 - a. Arrest, police investigation, charge, bail conditions, bail extension summons, convictions (including foreign convictions), caution, warning, voluntary interview or interview under caution, child abduction warning notice, domestic violence prevention order, anti-social behaviour order, immigration penalty, fixed penalty notices or community resolution for any offence.
 - b. A notice of intended prosecution, driving licence points and/or endorsements.
 - c. Revocation of a driving licence or disqualification from driving.
 - d. Public Service Vehicle (PSV) Operator licence written warning, refusal, suspension or revocation.
 - e. Invitation to attend a licence review or licence refusal, suspension or revocation by any other Licensing Authority. If the other licence is suspended or revoked immediately, the Licensing Authority must be notified immediately.
 - f. Addition to the DBS Children's or Adults' Barred List. The driver must not undertake any journeys if they are on a Barred List.
 - g. Receipt of a certificate of good conduct/character.

The driver must make this notification themselves, even if a third party has already notified the Licensing Authority of the information. This is applicable both for matters in the UK and overseas and any information provided should be truthful and accurate.

3. In the case of a medical condition that requires notification to the DVLA or means that the driver no longer meets DVLA Group 2 standards, the driver must stop driving immediately and report the matter to the Licensing Authority.
4. The driver must ensure that they are recognisable from the picture on their driver licence badge by customers and authorised officers. Where the driver's appearance changes substantially or an authorised officer directs it, a new badge must be purchased with a current photograph.
5. The driver must report the loss of their badge to the authority within 48 hours and purchase a replacement.
6. Each day, before taking charge of the vehicle, the driver must undertake a walkaround check as prescribed by the Licensing Authority. The walkaround check must be recorded and produced to an authorised officer on request. Records must be kept for a minimum of 15 months.

7. Whilst driving a private hire vehicle, the driver must be able to provide immediate proof, to a police officer or authorised officer of any Licensing Authority of hire and reward insurance.
8. The driver is required to submit to the Licensing Authority, within 48 hours, information that the Licensing Authority may consider necessary to determine whether the driver remains fit and proper to hold a licence.
9. The driver is required to attend any training that the Licensing Authority reasonably requires, at their own expense, with any assessment successfully completed. The driver must inform the Licensing Authority of the outcome of any assessment within 48 hours.

DBS Update Service

10. The driver is required to evidence continuous registration with the DBS Update Service and have the Licensing Authority nominated as an authority to view their DBS certificate status during the life of this licence. Where a driver is unable to subscribe to the Update Service, a new enhanced DBS certificate must be provided every six months.
11. Should the driver's certificate status on the DBS Update Service change, or the holder change their name, the driver is required to provide evidence to the Licensing Authority that they have applied for a new DBS certificate within 48 hours.
12. The driver must provide any DBS certificates, issued for the position of 'Other workforce – taxi driver' to the Licensing Authority within 48 hours of receipt.
13. The driver must not undertake any journeys if the Licensing Authority does not have permission to check the status of the driver's DBS certificate.

Conduct

14. The driver must wear the licence badge issued by the Licensing Authority on the authority's issued lanyard around their neck, with the driver's name and photo visible whilst undertaking private hire work.
15. The driver must not request or retain any personal contact information or attempt to establish a personal relationship with passengers.
16. The driver must not use any offensive, abusive, profane, insulting, discriminatory language or behaviour but shall behave in a civil and orderly manner, as well as co-operating with reasonable requests from officers authorised by other licensing authorities. The driver shall permit the vehicle to be inspected by an authorised officer of any local authority or police officer at any time.
17. The driver must maintain a high standard of personal hygiene.
18. Smoking of any kind including e-cigarettes and vapes is not permitted by anyone in the vehicle at any time. If a customer smokes in the vehicle, this must be reported to the operator with whom the booking was made immediately after the journey is completed.
19. The driver may be required to undergo drug and/or alcohol testing at any time.
20. If the driver has an exemption certificate issued under Section 171 of the Equality Act 2010, this must face outwards from the front windscreen of the

vehicle and be passed to any blind passengers upon request. The driver must notify their operator of the exemption certificate.

21. The driver must not drive if they are tired and must stop in a safe place to rest (not an emergency area or on a hard shoulder of a motorway) if they feel sleepy.
22. The driver must report any safeguarding concerns, suspicious packages or any other criminal wrongdoing to their private hire vehicle operator and (where appropriate) the local authority designated safeguarding contact. Where there is an immediate risk to passengers, the driver must call the police on 999.
23. The driver must not use radio scanner equipment or speed trap detectors.
24. The driver must ensure that no signs, flags, mascots, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever are displayed on, in, or from a private hire vehicle they are driving. No items are to be hung or attached to the rear-view-mirror.
25. The driver must not use a private hire vehicle if its tyres, including the spare/kit, do not comply with the vehicle manufacturer's specifications and the requirements of the Road Vehicles (Construction and Use) Regulations 1986, as amended. This includes tyre condition and the minimum tread depth of 2 mm required by Sandwell Council. Tyres must not have been manufactured more than ten years ago.
26. The driver must not use a private hire vehicle with a 3D, 4D, ghost or sticker vehicle registration plate.
27. Hackney carriage and private hire vehicle drivers' English must be sufficient to understand written documents, such as policies and guidance, including any relating to the protection of children and vulnerable adults. They must be able to identify and act upon signs of potential exploitation through communicating with passengers and their interaction with others. Drivers are required to demonstrate an understanding of the desired destination, an estimation of the time taken to get there as well as other common passenger requests and for the driver to provide a legibly written receipt upon request. Inadequate English may result in refusal to grant or renew, suspension or immediate revocation of a licence.

Before a journey

28. The driver must make their face clearly visible to passengers, to allow for verification against the photograph on their driver badge.
29. The driver must collect the passenger punctually from the nearest legally accessible carriageway to the pickup location.
30. The driver must make themselves known to passengers upon arrival at the pick up point and provide assistance in identifying the vehicle to any disabled passenger who requests it, at no extra charge.
31. If required, the driver must help passengers enter the vehicle, along with any of their luggage, mobility aids and pushchairs etc. The driver must accept the carriage of any disabled passenger, taking such steps as are reasonable to ensure that the passenger is carried in safety and reasonable comfort, provide

- them with mobility assistance as is reasonably required, and securely carry any mobility aids and wheelchairs, at no extra charge.
32. Passengers must be allowed to sit in their choice of licensed seat in the vehicle. The driver must not allow more passengers in the vehicle than the licensed capacity of the vehicle.
 33. The driver must treat trainee assistance dogs as though they were assistance dogs.
 34. The driver must ensure that passengers are aware of any cashless payment methods before the journey commences, which must be accepted and may not incur additional costs, unless it is a business credit card.
 35. If the vehicle has a panic-switch activated recording system, the driver must make passengers aware of how to activate the switch.
 36. The destination must be confirmed with the passengers before setting-off.

During a journey

37. The driver must, unless requested by the passenger, drive to the destination by the cheapest route for the passenger.
38. Any changes to the expected route are to be advised to the passenger.
39. The driver must wear clean clothes, in good condition without any graphics or words of an offensive or political nature. The upper part of the arms and shoulders must be covered.
40. The driver must wear shoes which cover the foot completely to the ankle.
41. Radio or sound reproducing instrument or equipment, other than that for sending or receiving messages in connection with the operation of the vehicle, may not be played in the vehicle unless requested by the passenger.
42. The driver must report any concerns they have over a child or an adult who appears to be under the control, or being negatively influenced by, any person who places them or someone else in harm or at risk of committing criminal offences. Reports should be made to a relevant authority/safeguarding organisation as soon as possible and at most within 24 hours. If there is an immediate risk, the driver must call 999.
43. The driver must not eat during the journey but may drink water if it is safe to do so. It is for the driver to determine if they wish to allow passengers to eat or drink in the vehicle. The driver must not chew anything that might impair their driving.
44. Passengers must be dropped off in a safe and lawful location, which does not obstruct traffic, as close as practicable to their destination.

After a journey

45. The driver must support customers to use card readers or count their change.
46. If requested by the passenger, a clear, legible written receipt must be provided including the driver's name or licence number, the vehicle registration or licence number, date and time of the journey, along with the fare paid and the operator which accepted the booking.

47. When the journey has completed, the driver must ensure that all passengers have safely exited the vehicle, away from traffic, along with any of their luggage, mobility aids and pushchairs etc. before setting off.
48. The driver must search the vehicle at the end of each journey for any lost property before setting off, which is to be reported to the operator for that booking immediately and taken to that operator within 48 hours.

Additional Conditions

49. The second badge is to be clearly displayed in the front of the vehicle with the name and photograph visible.
50. The licence holder must return their badge(s) to the Licensing Authority when surrendering their licence or within seven days of the licence expiring.
51. The licence holder must take all reasonable steps to ensure the safety of passengers entering or conveyed in or alighting from the vehicle, especially those passengers with a disability.
52. The driver must not demand from any hirer of a private hire vehicle, a fare in excess of any previously agreed for that hiring between the hirer and the operator or if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter.
53. The licence holder must notify the Licensing Authority in writing of any change of operator through whom he/she works within 48 hours.
54. If a licence has been suspended or revoked, identification badges and licence must be returned to the office immediately
55. Any driver who will not be working for a period in excess of 4 weeks should return their badges to the Licensing Office until such time that they are ready to start work again.
56. The driver must not do anything that may impair their driving in any way.

NOTES

- a)** These conditions should be read in conjunction with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.
- b)** Any person who commits an offence against any of the provisions of the Act of 1976 pursuant to Section 76 may be liable on summary conviction to a fine not exceeding level 3 on the standard scale or to such other penalty as expressly provided in the Act. The driver should ensure compliance at all times.
- c)** The use of a vehicle not licensed as a private hire vehicle to fulfil any private hire booking is prohibited even if no fare is charged for the journey or irrespective of when, how and to whom any fare is payable.
- d)** If at any time the conduct of the driver leads to concerns by the Council as to whether they remain a 'fit and proper' person to hold a licence, the Council will investigate the conduct and if satisfied that the driver is no longer a 'fit and

proper' person the driver licence may be suspended and subsequently revoked.

e) Failure to declare any conviction within the required timescale together with the nature of the conviction will be taken into account in deciding whether a licence holder is a 'fit and proper' person to hold a licence. This may result in the suspension, revocation, or refusal to renew the private hire driver licence.

f) Any infringement of the Licensing Conditions could lead to suspension or revocation of the licence.

g) Any person aggrieved by any condition specified in the licence may appeal to a Magistrates Court within 21 days of issue.