



**SPELTHORNE BOROUGH COUNCIL
PRIVATE HIRE LICENCE
CONDITIONS OF LICENCE
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

1.0 Definitions

In these conditions the following terms have the definitions assigned to them

"Council"	means Spelthorne Borough Council
"Driver"	means a person holding and acting in accordance with a private hire driver's licence issued by the Council
"Licence"	means a private hire vehicle licence issued by the Council
"Licence plate"	means the plate issued by the Council for the purposes of identifying the vehicle as a private hire vehicle duly licensed by the Council
"Proprietor"	means the holder of a private hire vehicle licence
"Operator"	means the holder of a private hire vehicle operator's licence granted by the Council
"Vehicle"	means a private hire vehicle licensed by the Council

(A) THE DRIVER

1.0 Conduct of Driver

The Driver shall:

- a) offer all reasonable assistance with passengers' luggage;
- b) at all times be clean and respectable in their dress and person and behave in a civil and orderly manner;
- c) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by them;
- d) not without the express consent of the hirer eat or drink in the vehicle;
- e) not without the express consent of the hirer play any radio or other sound producing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle;
- f) at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which they are driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- g) at no time smoke or permit any person to smoke in the vehicle whether it is being used as a private hire vehicle or not.

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2.0 Passengers

The Driver shall:

- a) not convey or permit to be conveyed in a private hire vehicle a greater number of persons than that prescribed in the licence of the vehicle;
- b) not allow there to be conveyed in the front of a private hire vehicle:
 - i) any child below the age of ten years;
- c) not without the consent of the hirer of the vehicle convey or permit to be conveyed any other person in that vehicle.

3.0 Lost Property

The driver shall:

- a) immediately after the termination of any hiring of a private hire vehicle or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left there;
- b) any property found in a vehicle will be deposited at a police station within 48 hours and left in the custody of an officer on the giving of a receipt; and
- c) be entitled to receive from any person to whom the property shall be re-delivered 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 police station, whichever is the greater) but not more than five pounds.

4.0 Written receipts

The driver shall if requested by the hirer of a private hire vehicle provide them with a written receipt for the fare paid.

5.0 Animals

If a passenger is disabled and is dependent upon a guide, hearing or other assistance dog the driver MUST allow the dog to be carried, at no charge, unless exempted under section 37 of the Disability Discrimination Act 1995* and the vehicle is clearly displaying the statutory exemption certificate. Assistance dogs are trained to sit in the front passenger foot well with their owners. **REFUSAL TO CARRY AN ASSISTANCE DOG WITHOUT GOOD REASON OR EXEMPTION IS AN OFFENCE.** The driver shall not convey in a private hire vehicle any animal belonging to or in the custody of themselves, the proprietor or operator of the vehicle, and any animal, not being a guide, hearing or other assistance dog, belonging to or in the custody of any passenger, which in the driver's discretion may be conveyed in the vehicle, shall only be conveyed in the rear of the vehicle.

6.0 Prompt attendance

The driver of a private hire vehicle shall, if they are aware that the vehicle has been hired to be in attendance at an appointed time and place, or has otherwise been instructed by

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the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at the appointed time and place, unless delayed or prevented by some sufficient cause.

7.0 Change of details

The driver shall notify the Council, in writing and within fourteen days of any material change in the circumstance on the basis of which the licence was granted during the period of the licence. In particular the driver must inform the Council of:

- a) any change of ~~address-contact details~~ giving their new postal address, telephone number and/or e-mail address; and
- b) ~~illness or injury affecting their fitness to drive in any way; and~~
- c) ~~any other change of circumstances which may affect the driver's fitness to drive~~
- e) In addition, drivers must notify the Council in writing within five days of convictions, cautions, court orders, reprimands, warnings or charges which do not necessarily lead to conviction recorded against them (including motoring convictions).

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8.0 Return of the driver's badge

The driver shall upon expiry (without immediate renewal), revocation or suspension of this licence forthwith return to the Council the driver's badge issued to the driver by the Council when granting this licence.

9.0 Use of licence

THE HOLDER OF A SPELTHORNE PRIVATE HIRE LICENCE CAN ONLY WORK FOR A PERSON OR COMPANY WHO POSSESSES AN SPELTHORNE OPERATOR'S LICENCE.

(B) THE VEHICLE

1.0 Every proprietor of a vehicle shall ensure that:

- a) The vehicle together with all its fittings and equipment, is kept in an efficient, safe, watertight, clean and tidy condition and all relevant statutory requirements are fully complied with, including in particular those contained in the current Motor Vehicles (Construction and Use) Regulations;
- b) No material alteration or change in the specification, design, condition or appearance of the vehicle without the approval of the Council at any time while the licence is in force.
- c) The seats are properly cushioned or covered; and
- d) The floor is provided with proper carpet, mat or other suitable covering

2.0 Licence plate

The proprietor shall at all times ensure that the licence plate shall be fixed in an upright position and displayed outside and near the rear of the vehicle either immediately above,

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on or below the bumper in such a position that the vehicle's registration number is not obscured and with the details of the licence plate clearly visible.

The proprietor or driver shall not wilfully or negligently cause or suffer the licence plate attached to the vehicle, in pursuance of this condition, to be concealed from public view nor shall the proprietor allow the licence plate to be so defaced that any figure or material particular is illegible. A supplementary double-sided licence badge will be supplied by the Council and is to be displayed on the inside of the windscreen together with contact information for the public. These must be displayed in a position not obscuring the drivers view to the front or side of the vehicle.

The licence plates shall remain the property of the Council and where a licence lapses or is suspended or revoked, shall be returned *within seven days* to the Council. Any deposit, which may from time to time be determined by the Council, shall be refunded upon the plate being returned in a satisfactory condition. A deposit will be forfeited where formal procedures have to be adopted by the Council to secure the recovery of the plate.

3.0 Advertising, signs, notices etc

Save for the requirements of displaying the licence plate and a "No smoking" sign, the proprietor shall ensure that the vehicle is not displaying or carrying any signs, notices, advertisements, plates, numbers, letters, figures, symbols, emblems or devices whatsoever, on, in or from the vehicle without authority, save for the name and telephone number of the operator or proprietor which may be displayed on the front side doors or bonnet of the vehicle on a plate or sign written in characters not more than 4 inches (10cm) in height. Any signs must not obscure the driver's vision in any direction.

4.0 Change of details

The proprietor of a vehicle shall notify the Council, in writing and within fourteen days of any material change in the circumstances on the basis of which the licence was granted during the period of the licence including:

- a new postal address, telephone number or e-mail address;
a) ~~change of address giving their new address; and~~

In addition, drivers must notify the Council in writing within five days of convictions, cautions, court orders, reprimands, warnings or charges which do not necessarily lead to conviction recorded against them (including motoring convictions).

- b) ~~convictions recorded against them or if the proprietor is a company or partnership, on any other director or partner.~~

5.0 Compliance with licence conditions

The proprietor must ensure that all persons involved in the driving or operation of the vehicle are fully aware of these licence conditions and the proprietor must also ensure that the conditions are fully observed and carried out. The proprietor of a licensed private hire vehicle commits an offence if he or she permits any person to drive the vehicle who is not the holder of a private hire or hackney carriage driver licence issued by Spelthorne Borough Council. Any person who drives a licensed private hire vehicle

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also commits an offence if he or she is not the holder of a current private hire or hackney carriage driver licence issued by Spelthorne Borough Council.