

Hackney Driver

Licence Conditions

Revised March 2023

Hackney Carriage drivers' vehicle licences are issued subject to the following conditions. You are advised to study these carefully, as you are warned that, for non-compliance with any one condition, the licence may be suspended or revoked.

1	Definitions	
	'The Council'	Means Derby City Council .
	'The District'	Means the area of the Council.
	'The Act'	Means the Local Government (Miscellaneous Provisions) Act 1976.
	'The 1847 Act'	Means the Town Police Clauses Act 1847.
	'Badge'	Means the badge issued by the Council to the licence holder for the purposes of identifying them as a Hackney Carriage driver in pursuance of Section 46 of the 1847 Act.
	'Taximeter'	Means any device for calculating the fare to be charged in respect of any journey in a vehicle calculated by reference to the distance travelled or time elapsed since the start of the journey or a combination of both.
	'Hackney Carriage'	Has the same meaning as in the 1847 Act.
	'Vehicle'	Means a Hackney Carriage.
	'Proprietor'	Means the person or persons or body named on a Hackney Carriage Licence as the proprietor of the vehicle and includes part proprietors and, in relation to a vehicle subject to a hiring agreement or hire purchase agreement, means the person in possession of the vehicle under that agreement.
	'Plate'	Means the plate issued by the Council for the purpose of identifying a vehicle as a Hackney Carriage.
	'The Byelaws'	Means the byelaws in respect of Hackney Carriages dated 13 September 1951 made by the Alderman and Burgesses of the Borough of Derby.



2	Licence	Date Implemented
	The licence and badge shall remain the property of the Council at all times and shall be renewed every 3 years.	25 September 2015

3	Driver's Experience	
	To hold a Hackney Carriage licence, the person shall have held a full driving licence for at least 12 months.	23 November 2016

4	Driver's Knowledge	
	All applicants for a Hackney Carriage licence, except those renewing a licence which has not elapsed or been revoked, must satisfy the Council that they have a high standard of local knowledge in order to discharge their duties.	

5	Conduct of Driver	
	The driver shall:	
	a	behave in a civil and orderly manner
	b	be clean and respectable in their dress and person
	c	take all reasonable steps to ensure the safety of passengers conveyed in, entering into, or getting out of the vehicle driven by them
	d	not drink or eat in the vehicle whilst it is being let for hire without the express consent of the hirer
	e	not, without the express consent of the hirer, play any radio or any sound reproducing equipment in the vehicle other than for the purposes of sending or receiving messages in connection with the operation of the vehicle
	f	at no time cause or permit the noise from any radio or similar equipment in the vehicle which he/she is driving to be a source of nuisance or annoyance to any person whether inside or outside the vehicle



	g	not importune any person to hire such a vehicle and shall not use any other person for that purpose.	
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6	Badge		
	The driver shall ensure that the badge is worn in such a position and manner as to be plainly and distinctly visible at all times when discharging their duties as a driver of a vehicle.		

7	Luggage		
	The driver shall:		
	a	carry a reasonable quantity of passengers luggage on or in the vehicle	
	b	afford reasonable assistance in removing or depositing such luggage from or to the entrance of any dwelling, station or other place at which or near to which the driver picks up or sets down a passenger.	

8	Passengers		
	The driver shall not:		
	a	convey or permit to be conveyed in the Hackney Carriage a greater number of passengers than that specified in the licence for the vehicle	
	b	without the consent of the hirer of the vehicle, convey or permit to be conveyed any other person in that vehicle.	

9	Animals		
	a	The driver shall not convey in the vehicle, any animal belonging to themselves, the operator of the vehicle, or animals in their custody.	



	b	The driver may carry any animal belonging to a passenger at their own discretion, but only in the rear seating area of the vehicle and they shall ensure, where necessary, that such animals are suitably contained so as not to present a nuisance or hazard to the occupants of the vehicle.	
	c	Notwithstanding anything in b, a visually impaired or otherwise disabled passenger shall be entitled as of right to be accompanied by an assistance dog in the vehicle.	

10	Lost Property		
	a	The driver shall immediately, after the termination of any hiring, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been left in it.	
	b	Any property found by the driver in the vehicle, or handed to them, shall, if not claimed by or on behalf of the hirer within 24 hours, be given by the driver to the police.	

11	Prompt Attendance		
		The driver of a vehicle which has been hired, to be in attendance at an appointed time or place shall, unless delayed or prevented by some sufficient cause, punctually attend with the vehicle at the appointed time or place.	

12	Destination		
		When hired to drive to a particular destination, the driver shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.	

13	Meter		
		The vehicle shall be fitted with a meter approved by the Council and the driver shall:	



	a	on commencement of a journey, bring the machinery of the meter into action and keep the meter in action until the termination of the hiring. For disabled passengers, the 'termination of the hiring' shall be the point of arrival at the required destination. No additional fare may be charged for time taken giving assistance to disabled passengers (including wheelchair users) to enter or exit the vehicle	
	b	ensure that the meter is properly illuminated throughout any part of the hiring that is during the hours of darkness and at any other time at the request of the hirer.	

14	Fares		
		The driver shall not demand from any hirer, a fare higher than that displayed on the meter at the termination of the journey unless otherwise agreed with the hirer prior to the commencement of the journey.	

15	Written Receipt		
		The driver shall, if required by the hirer of the vehicle, provide them with a written receipt of the fare paid.	

16	Interior Display of Information		
		The driver shall not conceal from public view, the notice displayed on the glass partition which states:	
	a	the vehicle licence number	
	b	the number of passengers to be carried in the vehicle	
	c	the address to which complaints should be made	
	d	the Council's fare table.	
		or any other information which is required to be displayed under the Hackney Carriage licence conditions.	



17	Plate/Door Signs	
	The driver shall ensure that the licence plate and quarterlight/ external door signs are at all times clearly visible to the public.	
18	Change of Address	
	The driver shall give notice to the Council in writing of any change of their address during the period of the licence within 7 days of such change taking place.	
19	Criminal convictions, cautions, reprimands, warnings, fixed penalty notices, restorative justice, arrests, charges or summonses	
	<p>The driver shall, within 14 days of the date of receiving or having imposed on them any Criminal convictions, cautions, reprimands, warnings, fixed penalty notices, or if they have been made subject to a restorative justice disposal, disclose to the council in writing, details of the Criminal convictions, cautions, reprimands, warnings, fixed penalty notices, and/or restorative justice disposal during the period of the licence.</p> <p>The driver shall, within 14 days of the date of being arrested, charged or summonsed for any alleged criminal offence disclose to the council in writing, particulars of each alleged offence and which court the proceedings are pending.</p>	<p>March 18 2015</p> <p>1 July 2017</p>



20	Medical Fitness		Date Implemented
	The driver shall:		
a	upon application, be medically examined by a registered general practitioner at the practice at which they are registered and be certified to meet the requirements of the Driver and Vehicle Licensing Agency Group 2 medical for Vocational Drivers and fit to perform the duties of a Hackney Carriage driver	<p>1 April 2014 – If your GP practice does not offer the service, the licensed driver/applicant must provide the Council with written confirmation from their GP practice and authorise their GP practice to release their medical records to the third party GP undertaking the examination.</p> <p>Group 2 – 1 July 2017</p>	
b	if aged under 70, be medically examined every 3 years by a registered general practitioner at the practice at which they are registered and be certified to meet the requirements of the Driver and Vehicle Licensing Agency Group 2 medical for Vocational Drivers and fit to perform the duties of a Hackney Carriage driver		
c	if aged over 70, be medically examined annually by a registered general practitioner at the practice at which they are registered and be certified to meet the requirements of the Driver and Vehicle Licensing Agency Group 2 medical for Vocational Drivers and fit to perform the duties of a Hackney Carriage driver	<p>25 September 2015</p> <p>Group 2 – 1 July 2017</p>	
d	be required to undergo additional examinations at more frequent intervals, if recommended by a registered general practitioner or at the request of the Licensing Authority if a complaint is received		
e	notify the Council in writing of any medical condition which arises after the issue of the licence that may affect their ability to drive safely.		
21	Loss of Badge or Licence		
	The driver shall report the loss of their badge or licence to the Council in writing as soon as he becomes aware of the loss. A duplicate may be issued upon payment of a fee.		



22	Return of Badge or Licence	
	The driver shall immediately return their licence and badge to the Council in the event of the surrender, suspension or revocation of the licence.	

23	Licence Renewal	
a	The driver may normally apply to the Council in writing on the appropriate application form no more than 3 months before the expiry of the current licence if they require the licence to be renewed for a further period.	
b	A licence cannot be renewed if it has expired. A new application will be required.	

24	Payment by Credit/Debit Card	
	A licence, in respect of which the administration fee or fee has been paid either in part or in full by credit/debit card, shall be of no effect in the event of that payment being subsequently dishonoured.	

25	Criminality Checks	
	<p>a. Every new applicant for the grant of a licence shall be subject to a Enhanced Disclosure Check by the Disclosure and Barring Service (DBS). Existing licensed drivers shall be subject to these checks every three years, or as otherwise required by the Council.</p> <p>b. Every new applicant and existing driver shall subscribe and maintain a subscription to the DBS On-line Update Service for the duration of the licence.</p> <p>c. Drivers shall provide the Council with authority to access records to carry out 6 monthly checks. Should the Council be unable to access the online record, a driver will be required to undertake a further enhanced check at an additional cost to the driver</p>	<p>1 October 2015</p> <p>30 March 2023</p>



26	Disabled Passengers (Including Wheelchair Users)	
	The driver shall:	
a	afford reasonable assistance to disabled passengers to enable them to enter and exit the vehicle in a safe and dignified manner	
b	use the wheelchair ramps and restraining equipment in the correct way at all times when assisting a wheelchair user	
c	ensure that, following the use of such equipment, the ramps are returned to the boot and stored securely and the restraining equipment is returned to its original position.	

27	Proprietor Records	
	The driver shall supply to the proprietor of the Hackney Carriage which they drive:	
a	their name, address and telephone number	
b	their Hackney Carriage driver's licence number	
c	their Hackney Carriage driver's licence expiry date	
d	details of any change to any of the above within 14 days of such change.	

28	Safeguarding Awareness Training	
	<p>Every new applicant shall successfully complete Safeguarding Awareness training offered by a Council approved provider before being granted a licence.</p> <p>All existing drivers shall successfully complete Safeguarding Awareness training offered by a Council approved provider before their next hackney carriage drivers' licence renewal</p>	1 July 2017

29	Driving Test	
	Every new applicant shall successfully complete an independent drive test approved by the Council, aimed specifically at hackney carriage licensed drivers before being granted a licence	1 July 2017





Derby City Council