



WARRINGTON
Borough Council

Dual Drivers Licence Policy and Code of Conduct

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Appendix 2

Warrington Borough Council

DRIVER LICENCES (Hackney Carriage and Private Hire)

Town Police Clauses Act 1847

Local Government (Miscellaneous Provisions) Act 1976

The Council issues dual driver's licences. That means that once you hold a driver's licence, you can drive any Warrington Borough Council licensed Hackney Carriage or Private Hire Vehicle.

This reduces the burden on drivers who may wish to drive either type of vehicle, reduces the costs to the drivers and the Council, and as the criteria for issue and retention of both Hackney Carriage and Private Hire Drivers' licences are identical, there is no practical or legal reason not to do so.

The Council also issues Restricted Private Hire Driver's licences (RPHDL). Executive hire/additionally conditioned driver's licences (EH/ACD) are restricted for use solely when driving an executive/additionally conditioned vehicle. Applicants for this type of licence will need to meet most of the requirements for dual driver licences, and where a requirement is not needed for a RPHDL that will be indicated.

The Council has the power to make byelaws relating to Hackney Carriage drivers under the legislation, and it has done so. The byelaws only apply when you are using your licence to drive a Hackney Carriage.

There is also a power to attach conditions to private hire drivers' licences, but the Council has decided not to attach standard conditions to these licences.

As it issues dual licences, the Council has a Code of Conduct for Taxi Drivers which applies to both Hackney Carriage and private hire activity. This Code is not a condition: it is a standard of behaviour which the Council expects drivers to maintain. Any failure to comply with the Code will lead to the Council questioning whether you remain a safe and suitable person to drive a Hackney Carriage or Private Hire vehicle. This code also applies to holders of RPHDL's.

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This document contains the policy, Code of Conduct, legislation and Byelaws (Hackney carriage only) relating to your licence.

A dual driver's licence is referred to as a "taxi drivers' licence" and drivers are referred to as "taxi drivers" within the Council and for the remainder of this document. A restricted private hire drivers' licence is referred to as a "restricted private hire drivers licence" or "RPHDL", but unless clearly stated, all requirements apply to all drivers.

INTRODUCTION

- 4.1 The purpose of licensing taxi drivers is to protect the public, including passengers and others who may otherwise be placed at risk from unlicensed and potentially dangerous drivers.
- 4.2 It is a privilege to hold a taxi driver's licence and licensees have responsibilities to their passengers and customers, other road users and the public generally. The Council has been satisfied that when you applied for your licence you were a safe and suitable person to have that licence granted. In assessing that, the Council took into account your entire character and behaviour. This not only includes times when you are working as a taxi driver, but at all other times as well. This can include your use of social media as well as other forms of communication. The requirement to satisfy the Council that you are a safe and suitable person continues throughout the duration of the licence. If at any time you as a licensee fall below the standards expected of a new applicant, the Council will consider taking action against that licence. This could be suspension, revocation or refusal to renew that licence. It is no defence to argue that your actions took place when you are not working as a taxi driver. You should appreciate that under the Convictions and Behaviour Policy (available at **Appendix 1**), if the unacceptable or criminal behaviour took place whilst you were driving as a taxi driver that will be viewed as an aggravating feature by the Council.
- 4.3 In many cases a taxi driver is the first person that a visitor to the Borough will encounter following arrival at an airport, railway station or bus station. Taxi drivers are ambassadors for the Borough and that first impression can affect a person for their entire visit. Taxi drivers should be aware of this and act accordingly at all times.

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- 4.4 Taxi drivers can also be the eyes ears of their communities. In addition to travelling far and wide around the area they also have close contact with people from every part of society. This means they can quickly establish when situations are not normal. An example could be that a person has not made a booking that is expected which may be as a result of them falling ill. If they live alone the taxi driver may be the only person to have realised that there is a problem. Taxi drivers are also very aware of the movements of people. They are in a position to recognise where children may be being used for criminal purposes (for example County lines drug trafficking) or being moved for the purposes of abuse or exploitation. They may also recognise similar movements of adults in relation to modern slavery and other forms of abuse.
- 4.5 By working closely with the Council and other agencies the role of the taxi driver can be vital in protecting vulnerable people within the community.
- 4.6 Please note, this section reminds you of some of the important legal requirements with which you must comply. This is not a comprehensive list. You should familiarise yourself with the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 and all other relevant legislation.
- 4.7 You must understand and comply with the legal requirements relating to your taxi Driver Licence and the legal requirements and conditions attached to the Hackney Carriage or Private Hire Vehicle Licence of the vehicle you drive. Failure to comply with the requirements may result in your taxi Driver Licence being suspended, revoked or other lesser sanctions imposed.
- 4.8 The Licensing Section is located at 1 Time Square, Warrington and for the purpose of written communication, the Town Hall, East Annex, Sankey Street, Warrington WA1 1UH. Officer opening times at Time Square are 09:00am to 5:00pm Monday and Thursday, 09:00 – 4:30pm on Fridays and can be contacted by phone on 01925 984728 (Lines are closed on Tuesdays and Wednesdays). They can also be contacted by email at: taxiqueries@warrington.gov.uk taxidrivers@warrington.gov.uk and taxivehicles@warrington.gov.uk

Power to take action against a taxi driver's licence

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- 4.9 Under section 61 Local Government (Miscellaneous Provisions) Act 1976, the Council may suspend or revoke or refuse to renew a Taxi Drivers' Licence on the following grounds –
- a) that the licensee has, since the date of the grant of the licence –
 - i. been convicted of an offence involving dishonesty, indecency or violence; or
 - ii. been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act;
 - (aa) been convicted of an immigration offence or required to pay an immigration penalty; or
 - b) any other reasonable cause.
- 4.10 The Council may suspend or revoke your licence with immediate effect where it is of the opinion that the interests of public safety require such a course of action under section 61(2A) Local Government (Miscellaneous Provisions) Act 1976. That power is delegated to the director and head of service. As this is likely to be an urgent situation, where possible to do so reasonable attempts will be made to give you the opportunity to make representations. However, if you do not avail yourself of that opportunity, the decision will be taken in your absence.
- 4.11 Failure to comply with any Hackney Carriage or private hire legislation, or other road traffic legislation is an offence, and you may be liable to prosecution. In addition (irrespective of whether you were prosecuted or convicted of the offence(s)), the Council may take action against your licence which may also result in your taxi driver's licence being suspended or revoked.
- 4.12 If any information given by you on the application form for this licence proves to be false, or you fail to disclose any relevant information on your application form, the licence may be revoked, and you may be prosecuted under s57(3) Local Government (Miscellaneous Provisions) Act 1976.
- 4.13 The taxi drivers Licence, and badge remain the property of the Council.
- 4.14 In the event that you lose your licence or badge or they are damaged or defaced, you must get a replacement on payment of a fee determined by the

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Council, and you cannot drive a Hackney Carriage or Private Hire vehicle until such a replacement is obtained.

Policy

Duration

- 4.15 The drivers' licence expires 3 years (36 months) from the date of issue, unless an application was made for a licence for one or two years.

Renewal

- 4.16 Any application for renewal must be made at least one month before the licence expires. If you do not apply to renew your licence in time, there may be a period when you will be unable to drive a Hackney Carriage or Private Hire vehicle. If the renewal application is not received before the expiry of your current licence, it will be treated as a new application rather than a renewal and you will have to provide all the information that is required for a new application (e.g. a new DBS check, up-to-date medical etc).
- 4.17 Renewals are generally dealt with by Council officers under delegated powers and can be processed quite quickly. However, if there have been any changes since the last grant of the licence (for example if you have been convicted or cautioned for any offence, received a fixed penalty notice, Community Protection Notice (CPN), Criminal Behaviour Order (CBO), been required to attend a speed awareness course or there have been a complaint or concerns about your behaviour, but this is not an exhaustive list) the renewal application may need to be considered by the Taxi and Other Licensing Committee or the Taxi Sub-Committee. If this is the case, then you may not be able to drive depending on the timing of the meeting and the date of expiry of your licence. If you have any doubts about renewal being straightforward, you should apply earlier for renewal.
- 4.18 The renewal of the licence will be at the Council's discretion.

Applications

- 4.19 All applications must be made online via the Council's website/on the application form which is available to download from the Council's website.
- 4.20 An application will not be processed unless it is complete.

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Photographs

- 4.21 All applications must be accompanied by a passport standard digital image of the applicant.

Age Restrictions

- 4.22 Licences will only be granted to persons over the age of 18years.

Driving Licence

- 4.23 Applicants must have held a full DVLA driving licence for a Category B vehicle for a period of at least 1 year. Where an applicant (or an existing licensed driver) has been disqualified from driving for any period, as a result of a conviction, a Taxi Drivers' Licence will not be granted to that applicant until at least 1 year has elapsed following the end of the period of disqualification.
- 4.24 If an applicant does not hold a UK driving licence, an application can be made provided the applicant holds a Northern Ireland, European Economic Areas or a driving licence issued by a country which is defined as an "Exchangeable" driving licence and has held that licence for at least 1 year at the date of application. Countries which issue licences recognised as exchangeable are currently Gibraltar, South Africa, Canada, Andorra, Australia, Barbados, British Virgin Islands, Republic of Cyprus, The Falkland Islands, The Faroe Islands, Guernsey, Hong Kong, Isle of Man, Japan, Jersey, Malta, Monaco, New Zealand, Republic of Korea, Singapore, Switzerland and Zimbabwe. (This list may alter as a result of changes to the legislation.). An applicant must apply, pass and obtain a DVLA licence within 12 months of a driver's licence being issued by the Council.
- 4.25 The driving licence must be uploaded and consent to access DVLA records must be given. The digital copy will be retained together with the application form and all other supporting documents.

Immigration requirements

- 4.26 An applicant for a driver's licence must have the right to remain and work in the UK. This will be evidenced on application by the driver providing documentation which complies with the Home Office guidelines. At the time this policy was adopted those are detailed in Appendix 1 to the Home Office

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document “ ***Licensing authority guide to right to work checks***” ¹. The list of acceptable documents is also detailed on the Council’s website.

- 4.27 The original documents must be emailed to the Licensing Section. They will then be inspected verified and a copy retained on file.
- 4.28 Where an applicant has an unqualified right to remain and work, that will be noted and this process will not be repeated on renewal.
- 4.29 However, where there is a qualification to either of the rights, the required documentation must be provided each time the licence is renewed. In those cases, a licence for a shorter period than the usual 3 years may be granted.
- 4.30 If at any time during the currency of a licence, the right to remain in work is lost, that licence will cease to have effect and the licensee must immediately notify the Council and return the licence and badge.

Tax Conditionality

- 4.31 Existing licensees applying for the renewal of a licence must obtain their unique 9-character code from His Majesty’s Revenue and Customs (HMRC) and provide this to the Council. If this cannot be provided the application cannot proceed.
- 4.32 The Council will advise new applicants of the need to register with HMRC for tax and must sign an acknowledgement that they have received this information.

Criminal Record Checks - DBS

- 4.33 All applicants (new and on renewal) will be required to provide an enhanced Disclosure and Barring Service check with a check of both the Adult and Children Barred Lists, at their own expense, as part of the application process. This is conducted via the Council’s service provider², but the DBS Certificate is sent to the applicant’s home address. Once a licence has been granted, all

¹ available at <https://www.gov.uk/government/publications/licensing-authority-guide-to-right-to-work-checks>

² This is currently undertaken on behalf of the council by Taxiplus. Full details are available at [<https://www.taxiplus.co.uk/councils/warrington>]

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licensees will be required to subscribe to the DBS Update Service. An enhanced DBS Certificate for Child Workforce obtained for school contract work is not acceptable.

- 4.34 The application will then be considered in the light of the Council's Convictions and Behaviour Policy (**see Appendix 1**).
- 4.35 Applicants who are foreign nationals and who have not been continuously resident in the UK for more than 10 years since the age of 18 must obtain and produce (at their expense) a certificate of good conduct authenticated by the relevant embassy for each and every country in which they have resided for more than 6 months from the age of 18 until arrival in the UK. Such certificates must be less than 3 months old, and the Council will verify the authenticity of any documentation that is provided.
- 4.36 UK citizens who have lived outside the UK for more than 6 months at a time since the age of 18 must obtain and produce (at their expense) a certificate of good conduct authenticated by the relevant embassy for each and every country in which they have resided for more than 3 months from the age of 18 until arrival in the UK. Such certificates must be less than 3 months old, and the Council will verify the authenticity of any documentation that is provided. This requirement will not apply once a person has lived continuously in the UK for 10 years (with no separate periods outside the UK exceeding 3 months).
- 4.37 You must declare all criminal convictions, criminal cautions, fixed penalty notices, motoring offences, CBO's (Criminal Behaviour Orders) CPNs (Community Protection Notices), requirements to attend a speed awareness course, injunctions, restraining orders or any other form of sanction or restriction to the Council on your initial application form.

Provisional application

- 4.38 An applicant can complete the steps to this point and the Council will then assess whether a licence could be granted in relation to the driving licence and immigration checks, and whether it would be granted in relation to previous convictions. This will allow applicant to reduce expenditure on a speculative application until such time as they have been informed that, subject to satisfactory results in the following requirements, a licence will be granted.

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Driving Standards

- 4.39 It is important that the applicant has an acceptable standard of driving. This will be assessed on application having regard the current status of the driver licence and any points imposed.
- 4.40 If upon grant of the licence relevant complaints are received, the matter will be referred to a Taxi Sub-Committee, who on having considered the matter on its relative merits have the option to require the driver to successfully undertake and pass a further approved Driver Skills Assessment.³ Applicants must arrange and pay for this test themselves. Applicants for RPHDL licences will be required to successfully undertake and pass an amended driver skills assessment (the list below details those elements which will not be required)⁴

Medical Requirements

- 4.41 Applicants are required to pass a medical examination (at their own expense) and provide a PSV/HGV Group II medical certificate and declaration form completed by their own GP or another registered medical practitioner who must have full access to all of their medical records (not just the summary report) to meet PSV/HGV Group 2 (vocational licence) medical standards of fitness, as defined and updated by the Driver and Vehicle Licensing Agency.
- 4.41 An applicant can also provide a PSV/HGV Group II medical certificate and declaration form which has been completed by their own GP within the previous **four** months.
- 4.42 Medical certificates are required after the initial application at the age of 45 years and then every five years up to 65. From the age of 65 medical examinations become an annual requirement. Where there are any concerns about a driver's health an additional medical may be required. All medicals are at the expense of the applicant/licence holder and are only valid if conducted by the applicant/licence holders' own GP or agency nominated by the Local Authority.

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- 4.43 The Council reserves the right to seek a second opinion (at the expense of the applicant) in any case where it has any concerns about the medical fitness of an applicant, both on application and at any time during the duration of the licence. The Council may revoke or suspend a licence if the requested information is not submitted **within 4 weeks of the request**, and also where the information provided raises further concerns as to the applicant's fitness to carry out their duties as a licensed driver.

Test of Safety and Suitability/Fitness and Propriety

- 4.44 To enable the Council to make a decision as to whether or not an applicant is a fit and proper person or safe and suitable to hold a driver's licence, the following test will be used: "Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?"

Drivers Licence and Badges

- 4.45 Successful applicants will be issued with their licence, and two ID badges on receipt of the licence fee.
- 4.46 The second badge must be displayed where it can be seen by passengers. The licence must be lodged with the operator or Hackney Carriage proprietor (as applicable) in accordance with the Code of Conduct.

Equality Act Exemption Certificates

- 4.47 Taxi drivers must carry assistance dogs, carry disabled people and provide mobility assistance to them, and, when driving a listed wheelchair accessible vehicle, provide mobility assistance to wheelchair-bound passengers (detailed below).
- 4.48 Applications can be made to the Council for exemption from the assistance dogs requirements under sections 169 and 171 of the Equality Act 2010. Similar applications for exemptions from the requirement to provide mobility assistance can be made under section 166 of the Equality Act 2010.
- 4.49 Application forms are available on the Council's website at www.warrington.gov.uk together with details of the criteria that will be used

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to determine whether or not any such exemption certificate should be issued, and if so on what terms.

- 4.50 Exemption certificates will only last until the driver is required to provide their next general medical certificate. This means that an exemption certificate will last for a maximum of 5 years, but if it is being granted subsequent to the last medical, it will not run beyond the renewal date for the general medical certificate.

Seat belts

- 4.51 The law relating to seat belts as it applies to drivers and passengers in Hackney Carriages and private hire vehicles is different from non-licensed passenger vehicles.
- 4.52 When driving a Hackney Carriage, the driver does not need to wear a seatbelt when seeking hire (plying), answering a call for hire (travelling to a pre-booked hiring) or when a commercial or fare paying passenger is being carried (this does not apply to the vehicle if being used for private/domestic use). However, Warrington Borough Council advise strongly that a seatbelt should be worn by drivers of Hackney carriages at all times.
- 4.53 When driving a private hire vehicle, the driver does not need to wear a seatbelt when a commercial or fare paying passenger is being carried (this does not apply to the vehicle if being used for private/domestic use). However, Warrington Borough Council advise strongly that a seatbelt should be worn by drivers of private hire vehicles at all times.
- 4.54 In relation to commercial or fare paying passengers in Hackney Carriages and Private Hire Vehicles (except when the vehicle is being used to private/domestic use) the rules relating to seat belts are as follows:

Commercial or fare paying passengers		Front seat	Rear seat	Who is responsible?
Children under three years' old		Correct child restraint	Correct child restraint MUST be used	Driver

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		MUST be used.	If one is not available in a licensed taxi or private hire vehicle, the child may travel unrestrained.	
Child Aged 3–11 and under 135cms in height (about 4.5 Feet)		Correct child restraint MUST be used	Correct child restraint must be used if seat belts are fitted. If a child seat is not available, a child may travel using just the seat belt in these situations : In a licensed taxi or private hire vehicle - For a short distance if the journey is unexpected and necessary - There isn't room to fit a third child seat	Driver
Child Aged 12 or 13 years or younger child 135 cm or more in height		Adult seat belt must be worn if fitted	Adult seat belt must be worn if fitted	Driver
Passengers aged 14 years and over		Must be worn if fitted	Must be worn if fitted	Passenger

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- 4.55 Children can be carried lawfully in Hackney Carriages and Private Hire Vehicles without the correctly sized child restraints. In these circumstances, the driver must make the parents, carers or other responsible adults accompanying the children aware of the potential dangers of carrying children who are not correctly restrained in motor vehicles. It will remain the parents', carers' or other responsible adults' decision as to whether they are prepared to accept those risks. The driver can refuse to carry children if they feel that it would not be safe to do so.

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SANCTIONS AGAINST BREACHES OF THE CODE OF CONDUCT AND FOR ACQUIRING DRIVING LICENCE POINTS

- 4.56 Where a driver acquires 6 or more penalty points on their DVLA licence, or who breaches any Legislation, Byelaw or requirement of the Code of Conduct, they may be referred to the Taxi Sub- Committee.
- 4.57 When a driver is brought before the Taxi Sub-Committee for whatever reason, the Taxi Sub-Committee will decide each case on its merits, after hearing the facts. All such decisions will be based on the Convictions and Behaviour Policy **(Appendix 1)**
- 4.58 The Taxi Sub-Committee may also suspend or revoke the driver's licence . Suspension or revocation of your licence or other lesser sanctions can be with immediate effect where the Council is of the opinion that the interests of public safety require such a course of action. (Section 61(2A) Local Government (Miscellaneous Provisions) Act 1976).
- 4.59 It must be understood that a decision to grant you a licence was made on the basis that you were a safe and suitable person to drive a Hackney Carriage and Private Hire Vehicle on the particular facts of the case on the day of the decision. That status can be lost at any time in the future and you must ensure that your behaviour remains of the highest standard to protect your driver's licence and therefore your livelihood.

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Taxi Drivers' Code of Conduct

- 4.60 This Code of Conduct relates to you as a licensed taxi driver. It outlines the standards of behaviour which are expected of you whilst you hold a taxi driver's licence. Failure to comply with these requirements may lead to enforcement action being taken. This could be by way of suspension, revocation or refusal to renew your licence.
- 4.61 You are a licensed taxi driver for the duration of the licence, and at all times you should ensure that your conduct and behaviour is that of a safe and suitable person. You must ensure that you do not act in any way, at any time, that might affect that. The Council will consider all your behaviour, and that is not limited to the times when you are driving a hackney carriage or private hire vehicle.
- 4.62 When you are driving a Hackney Carriage or Private Hire vehicle, that remains a Council licensed vehicle and you remain a Council licensed taxi driver wherever you may be located, and for whatever purpose you are using the vehicle (this includes social and domestic use). This Code of Conduct applies across the whole of the United Kingdom.

Your taxi driver's Licence and Badge

- 4.63 You have been issued with 2 copies of your driver's badge. You must wear one driver badge on outside clothing at all times in such a position and manner as to be plainly and distinctly visible when you are driving or working with a Private Hire or Hackney Carriage vehicle. Failure to do so without reasonable excuse is a criminal offence. You must display the second copy of your badge in a position which is plainly and clearly visible to your passengers at all times whilst you are working as a taxi driver.
- 4.64 You must return your licence and badges to the Licensing Section of the Council **within 72 hours** if
- You change your home or business address
 - the licence expires, is suspended, revoked
 - you lose the right to work in the UK, or the right to remain in the UK
 - required to do so by an Authorised Officer of the Council.

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- 4.65 In the event of the loss of your licence or badge you must report the loss to the Council's Licensing Section immediately.

Deposit of Taxi Driver Licence when working for others

- 4.66 You must send an electronic copy of your taxi Driver Licence to the Private Hire Operator when driving private hire vehicles, or to the proprietor of any Hackney Carriage which you will be using. They will keep that copy of your licence whilst you are driving for them.

Production of Documents

- 4.67 An Authorised Officer of the Council, an Authorised Officer of another Council with which the Council has a reciprocal arrangement or a Police Constable or PCSO may ask you for the following:-
- a) Your DVLA driving licence
 - b) Your Taxi Driver Licence
 - c) The vehicle registration document
 - d) A valid certificate of insurance
- 4.68 You must produce what you are asked for within 5 days beginning with the day following the day when the request is made.

Medical Condition

- 4.69 You must notify the Council, in writing within 14 days of any change in your medical condition that may adversely affect your ability to drive Private Hire or Hackney Carriage vehicles.
- 4.70 You must ensure that when you are working you are sober and not under the influence of any illegal drugs. If you are taking any prescription medication, you must ensure that it does not impair your driving ability.
- 4.71 If at any time you feel unwell you must discontinue work until such time as you feel better and able to return to work.

Declaration of conviction/ caution/penalty

- 4.72 You must declare all criminal convictions, criminal cautions, fixed penalty notices, CBO's (Criminal Behaviour Orders) CPNs (Community Protection Notices), requirements to attend a speed awareness course, injunctions, restraining orders or any other form of sanction or restriction that you have

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received or has been imposed on you to the Council on your initial application form.

- 4.73 If you are arrested for, charged with or convicted of any criminal offence, or accept a formal caution for a criminal offence, or receive a fixed penalty notice for any offence or receive and accept an endorsable fixed penalty notice, or are made the subject of an CBO or CPN, are required to attend a speed awareness course, are made the subject on any injunction or restraining order, or you are arrested for any matter, or you are subject to any other form of sanction or restriction, you must give the Council details, in writing and within **72 hours** of the event.

Driving

- 4.74 You must comply with all road traffic regulations at all times.
- 4.76 You must comply with all legislation and conditions relating to the Hackney Carriage or Private Hire Vehicle that you are driving at all times. Those conditions are available on the Council's website.
- 4.77 You must not use a hand-held mobile telephone or any other handheld device (apart from a two-way radio) whilst driving. In addition, you must not use any non-handheld device unless it is entirely voice activated.
- 4.78 You must not sound your vehicle horn –
- a) unnecessarily, i.e. unless in an emergency or to let other road users or pedestrians know you are there
 - b) when your vehicle is stationary on a road, at any time, other than at times of danger due to another moving vehicle on or near the road
 - c) on any road in a built-up area between 11.30 p.m. and 7.00 am.
- 4.79 Your vehicle horn must not be used to signal your arrival to collect any pre-booked passenger.
- 4.80 You must not drive any Hackney Carriage or private hire vehicle in a dangerous or inconsiderate manner and in addition to complying with all road traffic regulations you must ensure that your driving and behaviour on the road is of the highest standard.

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- 4.81 When parking or otherwise waiting for either a hiring (Hackney Carriage), a booking to be communicated to you (private hire and Hackney Carriage) or attending for a pre-booked hiring (Private Hire and Hackney Carriage) you must ensure that you do not obstruct other road users including pedestrians on pavements and in pedestrianised streets. You must also ensure that you do not block vehicle entrances, or any emergency exits for buildings. You must also comply with parking and waiting restrictions (if any).
- 4.82 When stopping to set passengers down or starting the journey, you must do so in a manner which minimises the risk to those passengers as they alight from or get into the vehicle. You must warn passengers clearly of any unusual or unexpected dangers within the vicinity.
- 4.83 When driving a Hackney Carriage, you must not demand a fare greater than that shown on the taximeter for a journey within the Council's area. Where a journey ends outside the Council's area, you must not demand a fare greater than that shown on the taximeter unless an agreement was made between yourself and the hirer before the hiring commenced.
- 4.84 When driving a private hire vehicle, you must not demand a fare greater than that shown on the taximeter (if that is how your operator calculates fares) or as agreed between the hirer and the operator.
- 4.85 When driving a Hackney Carriage, you must be able to accept payment for the fare by credit card or debit card, processed either through the equipment fixed in the vehicle or provided by yourself. The same applies when you are driving a Private Hire vehicle which is being operated by an operator where you may be expected to take payment for the fare.
- 4.86 You must stop the engine of the vehicle at all times when the vehicle is stationary otherwise than through the necessities of traffic.
- 4.87 It is a criminal offence to hold and use a mobile phone or other handheld device whilst driving. In addition, this will be regarded as a serious breach of the Code of Conduct.

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Data protection

- 4.88 You must ensure that you have the correct safeguards for storing personal data that comply with the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). This will include details of hirers (pre-booked Hackney Carriages) and also any dash cam footage (the use of dash cams is considered in relation to vehicle licences).

Conduct and Behaviour

- 4.89 You must be honest and trustworthy at all times.
- 4.90 You must be polite and courteous to your passengers, other road users and the public generally.
- 4.91 You must not use abusive or foul language, spit or smoke (including the use of vapes) in or near the vicinity of your vehicle.
- 4.92 You must not use aggressive language or behaviour, or engage in any violent conduct.
- 4.93 You must not carry any form of weapon on your person or in your vehicle at any time and under no circumstances must you ever take the law into your own hands.
- 4.94 If the hirer requests, you must provide a written or electronic receipt for the fare paid for the hiring, including the amount of VAT (if applicable) shown separately if so requested. That receipt must also contain details of the journey including the date, pick up point and destination, vehicle licence number, operators name and driver name or licence number. You must then sign the receipt.
- 4.95 You must not cause or allow noise emitted by any radio or sound equipment in the vehicle which you are driving to be a source of nuisance or annoyance to any person or persons, whether inside or outside the vehicle.
- 4.96 If a passenger objects, you must not play any radio or sound reproducing instrument or equipment in the vehicle.

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- 4.97 You must treat everybody decently, equally and fairly.
- 4.98 You must at all times treat passengers, any potential passenger, members of the public, Police Officers and PCSOs, Council officers and all other public servants (NHS staff, fire fighters, HMRC staff etc) with courtesy and respect.
- 4.99 You must not discriminate against any person because of their race, colour, faith, age, gender, sexuality, or disability.
- 4.100 You must not use abusive, racist, sexist, or any other offensive language or terms with passengers or other members of the public (remember that not everybody shares your sense of humour, or views).
- 4.101 You must protect passengers and yourself. Be wary about entering any premises, especially domestic premises unless you know the person as an established customer. Even then make sure that you take all steps to minimise any risk to yourself or your reputation.
- 4.102 You must not obtain the telephone numbers of, or engage on any form of social media with anybody under the age of 18.
- 4.103 You must not engage in any kind of sexual activity within or in the vicinity of your licensed vehicle.
- 4.104 You must behave in a civil and reasonable manner at all times and must comply with any reasonable request made by the hirer.
- 4.105 You must always pick up your passengers on time unless unavoidably delayed.
- 4.106 You must always assist your passengers with their luggage. (unless you have a medical exemption) If they do not request this, you must ask whether they need help. This includes picking it up from the point of booking, removing it from your vehicle at the end of the journey and setting it down.
- 4.107 You must maintain a logbook in which to record any incidents and vehicle checks that you feel are of concern (including but not limited to concerns about child abuse, abuse of any other person, people trafficking, drug carrying, violence or criminal behaviour) or which may result in a complaint being made

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about you. Such incidents must be recorded promptly with as much detail as possible (date, time, location, nature of the incident, names of the parties (if known) and identifying features). This logbook must be kept securely in the vehicle and the details must be transferred to a storage medium which is not contained within the vehicle (i.e. a copy of the pages stored on a computer) as soon as possible. When you are driving a Private Hire Vehicle all such incidents must be reported to your operator as soon as possible. If you are driving a Hackney Carriage that has been booked via a booking agent, all such incidents must be reported to that agent as soon as possible. Where you suspect that the incident involves criminal behaviour, you must report this to the Police and Council immediately.

- 4.108 You must maintain a logbook of any complaints that are made to you as a driver. All complaints must be recorded promptly with as much detail as possible (date, time, location, nature of the complaint, names of the parties (if known) and identifying features). This logbook must be kept securely in the vehicle and the details must be transferred to a storage medium which is not contained within the vehicle (i.e. a copy of the pages stored on a computer) as soon as possible. When you are driving a private hire vehicle all such complaints must be reported to your operator as soon as possible. If you are driving a Hackney Carriage that has been booked via a booking agent, all such complaints must be reported to that agent as soon as possible.

Personal Appearance and dress code

- 4.109 You must maintain good standards of personal hygiene at all times.
- 4.110 You must always be clean and respectable in your dress; smart but comfortable footwear should be worn (no bare feet) and present a professional image at all times. To achieve this, you must comply with the following dress code which will also ensure that public and driver safety is not compromised.

Acceptable standards of dress

- Collared shirts, blouses, polo shirts, or sweatshirts must cover the shoulders and be capable of being worn tucked inside trousers, shorts or skirts.
- Shirts or blouses may be worn with a tie or open necked.
- All clothing must be clean, of smart appearance and in good condition.

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Trousers, shorts and skirts

- Trousers can be either full length or shorts.
- Skirts must be no shorter than 5 cm above the knee (when standing) and can be of any longer length, but must not impede the safe operation of the pedals
- Trousers, shorts or skirts must be tailored and made of one colour of material.

Footwear

- Footwear must be worn at all times for all drivers and must fit around the heel of the foot. Wooden-soled footwear or driving barefoot is not permitted.

Unacceptable standards of dress

- Anything not conforming to the above, including
- Clothing not being kept in a clean and fresh condition or any items which have holes or rips.
- Words or graphics on any clothing that is of an offensive or suggestive nature.
- Sportswear e.g. football or rugby kits, track suits, beach wear, etc.
- Sandals with no heel straps, flip flops or any other form of footwear not secured around the heel.
- Not having either, the top or bottom half of their bodies suitably clothed.
- No baseball caps or hoods worn up whilst in the vehicle.

Use of the Vehicle

4.111 Private hire vehicles and Hackney Carriages are smoke free vehicles at all times under the Health Act 2006. It is a criminal offence to smoke in a private hire vehicle at any time (section 7) or to allow a person to smoke in a private hire vehicle (section 8) and you can be prosecuted for either or both offences. In addition, this will be regarded as a serious breach of the Code of Conduct. You must also ensure that passengers do not use vapes or electronic cigarettes within the vehicle.

4.112 You must not eat in the vehicle at any time, or allow passengers to eat in the vehicle at any time.

4.113 Animals must not be carried in Private Hire vehicles or Hackney Carriages other than those belonging to or in the care of passengers. You may refuse to carry a hirer's animal at your discretion. However, you must not refuse to carry an assistance dog, unless you have a valid Exemption Certificate issued by the Council. Any animal must be kept under the hirer's control and must be carried in the rear of the vehicle (except assistance dogs). No animals can be carried in

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the luggage compartment of a vehicle unless the vehicle is an estate car or hatchback and the animal can be seen from outside the vehicle through a window, a “dog guard” is fitted between the rear seats and the luggage compartment, and any luggage cover is removed.

- 4.114 You must not carry more passengers than the maximum number prescribed by the conditions attached to the Hackney Carriage or Private Hire Vehicle Licence and displayed on the vehicle plate.
- 4.115 You must carry a reasonable amount of luggage and assist them in loading it and unloading it from the vehicle. (unless there is a medical exemption)
- 4.116 You must not carry any additional passengers not already accompanying the hirer in the vehicle without the hirer’s permission.
- 4.117 You must not carry more than one person in the front seat unless the vehicle is furnished with manufacturer fitted seats for more than one passenger in the front of the vehicle and provided with seat belts for all front seat passengers. In this case no more than 2 passengers may be carried.
- 4.118 You must not carry any child below the age of ten years in the front of the vehicle.
- 4.119 Hackney Carriages and Private Hire Vehicles are not expected to carry a range of child seats. If you are carrying children under the age of 14 you must make any adult with responsibility for the child aware that the correct restraints may not be available and the carriage of the child in those circumstances is at the adult’s own risk. Children under 3 years of age can travel unrestrained in a Hackney Carriage or Private Hire Vehicle if the appropriate restraint is not available. Children over 3 years of age and below 11 years of age or shorter than 135cms (approx. 4ft 6in) can use adult seat belts if the appropriate restraint is not available. Children over 11 years of age or taller than 135cm (approx. 4ft 6in) must use adult seat belts. If you do not feel that children can be carried safely without the correct restraints, you can refuse the hiring.

Vehicle Checks

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- 4.120 It is your responsibility to ensure that the correct policy of insurance is in force for any Hackney Carriage or Private Hire Vehicle that you are driving.
- 4.121 Before using a Hackney Carriage or Private Hire Vehicle for the first time each day, you must undertake a “walk around check”. This requires that you ensure that the vehicle is roadworthy and fit for use as a hackney carriage or private hire vehicle. The check must include the tyres (pressure and tread depth), checking the lights are functioning (so far as is possible with one person – all lights except brake lights), checking all glass (lights and windows) is intact and ensuring there is no obvious damage to the vehicle. Any defects that are detected must be rectified before the vehicle is used to carry passengers and recorded in a logbook.
- 4.122 Every time you commence driving the vehicle you must ensure that the rear and front identification plate, supplied by the Council, are securely fixed to the outermost rear and front of the vehicle, so that it can be clearly read by pedestrians and other road users. You must also ensure that any other identifying information (whether supplied by the Council or not) is correctly and securely attached to the vehicle.
- 4.123 If you have been issued a certificate of exemption from carrying assistance dogs or providing mobility assistance you must ensure that that notice is correctly placed on the nearside of the front windscreen.
- 4.124 You must not offer or accept any hire of the vehicle except where the hiring has been pre-booked via your Private Hire Operator [does not apply to Hackney Carriages].

Lost Property

- 4.125 After every hiring, you must search the vehicle for any misplaced or lost property.
- 4.126 If any property is found or handed to you, you must, make reasonable efforts to find the owner. Following agreement with the owner of any lost property (and you must take reasonable steps to ensure the person concerned is the rightful owner) you may agree to return the property personally to the owner, and (in a hackney carriage) charge the taxi metered fare to an agreed meeting

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point, or £10.00, whichever shall be greater **OR** make reasonable efforts to find the owner and make arrangements to return it to them. If you are a private hire driver you can take it your operators' office.

Taximeters in Private Hire Vehicles [taximeter use in Hackney Carriages is governed by the byelaws]

- 4.127 You may use a taximeter in the private hire vehicle only if it is constructed, attached and maintained in compliance with the Private Hire Vehicle Licence Conditions.
- 4.128 Unless the fare is agreed in advance, you must switch the taximeter on at the point the hirer's journey commences and keep the taximeter working until the termination of the hiring.
- 4.129 You must not cancel or conceal the fare recorded until the hirer has had a reasonable opportunity of examining it and has paid the fare (unless a lesser fare has been agreed).
- 4.130 You must ensure that the fare charged does not exceed the fare displayed on the taximeter at the end of the journey.
- 4.131 You must ensure that when the vehicle is not hired the key is to be locked and the machinery kept inactive and the taximeter must show no fare at any time.
- 4.132 You must ensure that the taximeter is sufficiently illuminated when in use and is visible to passengers.
- 4.133 You must not (nor may you allow anyone else) to tamper with the taximeter or any seal on the taximeter without lawful excuse, or alter any taximeter with the intent to mislead.

Plying for hire when driving a Private Hire Vehicle (does not apply when driving a Hackney Carriage)

- 4.134 You must not pick up passengers who have not pre-booked with your operator.
- 4.135 You must not offer or accept an offer for the immediate hire of a vehicle while it is being used in a public place.
- 4.136 You must not park or wait on or near any Hackney Carriage Rank, or drop passengers off on a Hackney Carriage Rank.

Fares when a Hackney Carriage is used for pre-booked work

4.137 A Hackney Carriage can be used for pre-booked work both within the Borough of Warrington and elsewhere. When the journey is wholly within the Borough of Warrington, or commences or ends in the Borough of Warrington, the fare charged cannot be greater than that displayed on the taximeter or in accordance with the table of fares. Where a pre-booked journey commences and ends outside the Borough of Warrington the table of fares and the taximeter do not control the maximum fare that can be charged. In these circumstances the fare to be charged must be negotiated between the hirer and the driver or booking agent.

LEGAL REQUIREMENTS (contained in national legislation) when driving a Hackney Carriage

Disability Discrimination

4.138 When driving a Hackney Carriage, you must carry an assistance dog and allow it to remain with their owner unless you have a certificate of exemption issued by the Council. You must not make any additional charge for doing so. When you are carrying an assistance dog you must allow it to be carried wherever the owner requires i.e. you cannot insist on the dog being separated from the owner or the owner and dog sitting in a particular seat (Section 168 Equality Act 2010).

4.139 When you are driving a Hackney Carriage that has been designated as a wheelchair accessible vehicle in a list maintained by the Council under section 167 of the Equality Act 2010, you must comply with the duties and provide mobility assistance to any passenger in a wheelchair as detailed in section 165 of the Equality Act 2010.

4.140 The duties are—

- to carry the passenger while in the wheelchair;
- not to make any additional charge for doing so;
- if the passenger chooses to sit in a passenger seat, to carry the wheelchair;
- to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort;
- to give the passenger such mobility assistance as is reasonably required.

4.141 And mobility assistance is assistance—

- a) to enable the passenger to get into or out of the vehicle;
- b) if the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;
- c) to load the passenger's luggage into or out of the vehicle;
- d) if the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

4.142 When you are driving any Hackney Carriage, you must comply with the duties to carry and provide mobility assistance to any disabled passenger as detailed in section 164A of the Equality Act 2010.

4.143 The duties are—

- (a) to carry the passenger;
- (b) if the passenger is in or has with them a wheelchair, to carry the wheelchair;
- (c) if the passenger has with them any mobility aids, to carry the mobility aids (any item the passenger uses to assist with their mobility);
- (d) to take such steps as are reasonable to ensure that the passenger is carried in safety and reasonable comfort;
- (e) to give the passenger such mobility assistance as is reasonably required;
- (f) not to make, or propose to make, any additional charge for complying with a duty mentioned in paragraphs (a) to (e).

4.144 And mobility assistance is assistance—

- (a) to enable the passenger to get into or out of the vehicle;
- (b) to load the passenger's luggage, wheelchair or mobility aids into or out of the vehicle.

4.145 In vehicles equipped with a taxi taximeter, the taximeter must not be activated until the wheelchair bound passenger has been properly loaded and secured for the journey, all loading ramps or other equipment have been properly stowed and the vehicle is ready to commence the journey. The same applies for any disabled passenger, and the taximeter must not be activated until any mobility equipment has been properly stowed and the vehicle is ready to commence the journey. At the end of the journey the taximeter must be stopped before any unloading activity commences.

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Conduct

- 4.146 You must not drive a Hackney Carriage at any time if you do not hold a taxi drivers licence, or if your licence has been suspended (section 47 Town Police Clauses Act 1847).
- 4.147 You must not lend your taxi drivers licence to anybody else (section 47 Town Police Clauses Act 1847)
- 4.148 When driving a Hackney Carriage you must accept a hiring from a Hackney Carriage Rank (taxi rank) or when you are stationary on the highway for a journey within the Council's area unless you have a "reasonable excuse" to refuse (section 53 Town Police Clauses Act 1847)
- 4.149 When driving a Hackney Carriage if you agree to charge a fare lower than that shown on the taximeter for a journey in a Hackney Carriage then you cannot charge more than that agreed fare (section 54 Town Police Clauses Act 1847).
- 4.150 When driving a Hackney Carriage, you must not charge more than the fare shown on the taximeter of a Hackney Carriage for a journey wholly within the Council's area, irrespective of how the journey was arranged (s55 1847 Act)(see 4.153)
- 4.151 When driving a Hackney Carriage if you have agreed to accept a fixed amount of money for a journey, you must ensure that the journey lasts until that amount is shown on the taximeter. If the destination is reached before that amount is shown on the taximeter, the balance must be refunded. (section 56 Town Police Clauses Act 1847).
- 4.152 When driving a Hackney Carriage if you have been hired and are asked to wait, and either a deposit has been paid or the taximeter is running, you must wait until that hirer returns to your Hackney Carriage (section 57 Town Police Clauses Act 1847).
- 4.153 When driving a Hackney Carriage it is an offence if you charge more than the fare shown on the taximeter for a journey within the District (section 58 Town Police Clauses Act 1847).

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- 4.154 When driving a Hackney Carriage you must not carry anyone apart from the hirer and their companions without the express consent of that hirer (section 59 Town Police Clauses Act 1847).
- 4.155 You must not drive any Hackney Carriage without the consent of the Hackney Carriage proprietor (if that is not yourself) (section 60 Town Police Clauses Act 1847)
- 4.156 You must not leave a Hackney Carriage unattended at a Hackney Carriage Rank (section 62 Town Police Clauses Act 1847)
- 4.157 You must not prevent any other driver of a Hackney Carriage from taking a fare, or obstruct them in picking up or sitting down passengers (section 62 Town Police Clauses Act 1847)
- 4.158 When driving a Hackney Carriage you must produce your taxi driver's licence if requested to do so by an Authorised Officer of the Council (or another council with whom a reciprocal arrangement exists) or any police constable (s53(3) Local Government (Miscellaneous Provisions) Act 1976).
- 4.159 You must return your driver's licence to the Council within 7 days if you lose the right to remain or work in the UK (s53A(9) Local Government (Miscellaneous Provisions) Act 1976).
- 4.160 You must not make any false statement or withhold any information when applying to renew your taxi drivers' licence (s57(3) Local Government (Miscellaneous Provisions) Act 1976).
- 4.161 You must return your licence, drivers badge(s) to the Council within 14 days of any suspension, revocation or refusal to renew your licence (s61(3) Local Government (Miscellaneous Provisions) Act 1976).
- 4.162 When driving a Hackney Carriage, you must not charge more than the fare shown on the taximeter of a Hackney Carriage for a journey that ends outside the Council's area unless a different fare was agreed in advance (s66 Local Government (Miscellaneous Provisions) Act 1976)

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- 4.163 When driving a Hackney Carriage, you must not charge more than the taxi metered fare for a pre-booked journey which is wholly within or starts or finishes within the Council's area. (s66 Local Government (Miscellaneous Provisions) Act 1976)
- 4.164 You must use the shortest available reasonable route for all journeys by Hackney Carriage, subject to any directions given by the hirer. (Section 69 Local Government (Miscellaneous Provisions) Act 1976 and Byelaw 14).
- 4.165 You must not tamper with any seal on a taximeter, or alter the taximeter with any intent to mislead (s71 Local Government (Miscellaneous Provisions) Act 1976 and Hackney Carriage Byelaw 7).
- 4.166 You must not obstruct, fail to comply with any requirement made by, or fail to give any information to, an Authorised Officer of the Council, an Authorised Officer of another council with which there is a reciprocal enforcement arrangement, or a police constable (s73 Local Government (Miscellaneous Provisions) Act 1976).
- 4.167 When driving a Hackney Carriage, you must not conceal or obscure the number of the Hackney Carriage whilst standing or plying for hire, or use any vehicle where any part of the plate is illegible (Hackney Carriage Byelaw 2)
- 4.168 When driving a Hackney Carriage, you must not activate the taximeter when standing or plying for hire, but you must activate the taximeter before the journey commences but not until passengers are properly seated and secured. At the end of the journey, you must stop the taximeter. This should be before passengers alight from the vehicle. (Hackney Carriage Byelaw 6).
- 4.169 When driving a Hackney Carriage and you are plying for hire you must proceed to a Hackney Carriage Stand and if that Stand is full, proceed to another Stand. When you arrive at a Stand that is not full you must position the vehicle behind the rearmost vehicle on the Stand and move forward as space becomes available (Hackney Carriage Byelaw 8).
- 4.170 You must not use the services of any other person to importune (encourage forcefully) anyone to hire your Hackney Carriage (Hackney Carriage Byelaw 10).

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- 4.171 When driving a Hackney Carriage, you must behave in a civil and orderly manner and take all reasonable precautions to ensure the safety of persons entering, carried in or alighting from the Hackney Carriage (Hackney Carriage Byelaw 11).
- 4.172 When driving a Hackney Carriage if you have been pre-booked you must attend at the appointed time and place (Hackney Carriage Byelaw 13).
- 4.173 When driving a Hackney Carriage, you must not carry more passengers in the Hackney Carriage than the conditions attached to the vehicle licence permit (Hackney Carriage Byelaw 15).
- 4.174 When driving a Hackney Carriage, you must carry a reasonable quantity of luggage for the hirer and assist them in loading and unloading, including taking it from or to any building unless you have a medical exemption (Hackney Carriage Byelaw 16).
- 4.175 When driving a Hackney Carriage, you must search the vehicle for lost property after every hiring (Hackney Carriage Byelaw 21).

LEGAL REQUIREMENTS (contained in national legislation) when driving a Private Hire Vehicle

Your taxi Driver Licence and Badge

- 4.176 When driving a Private Hire Vehicle, you must wear one copy of your badge at all times whilst you are working as a Private Hire Driver and you commit a criminal offence if you do not do so, for which you might be prosecuted (s54 Local Government (Miscellaneous Provisions) Act 1976)

Disability Discrimination

- 4.177 When your operator has accepted a booking for a passenger with an assistance dog (whether or not the existence of the dog has been communicated to you), you must carry that assistance dog and allow it to remain with their owner unless you have a certificate of exemption issued by the Council. When you are carrying an assistance dog you must allow it to be carried wherever the owner

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requires i.e. you cannot insist on the dog being separated from the owner or the owner and dog sitting in a particular seat (Section 170 Equality Act 2010).

4.178 When you are driving a Private Hire Vehicle that has been designated as a wheelchair accessible vehicle in a list maintained by the Council under section 167 of the Equality Act 2010, you must comply with the duties and provide mobility assistance to any passenger in a wheelchair as detailed in section 165 of the Equality Act 2010.

4.179 The duties are—

- to carry the passenger while in the wheelchair;
- not to make any additional charge for doing so;
- if the passenger chooses to sit in a passenger seat, to carry the wheelchair;
- to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort;
- to give the passenger such mobility assistance as is reasonably required.

4.180 And mobility assistance is assistance—

- to enable the passenger to get into or out of the vehicle;
- if the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;
- to load the passenger's luggage into or out of the vehicle;
- if the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

4.181 When you are driving any Private Hire Vehicle, you must comply with the duties to carry and provide mobility assistance to any disabled passenger as detailed in section 164A of the Equality Act 2010.

4.182 The duties are—

- a) to carry the passenger;
- b) if the passenger is in or has with them a wheelchair, to carry the wheelchair;
- c) if the passenger has with them any mobility aids, to carry the mobility aids (any item the passenger uses to assist with their mobility);
- d) to take such steps as are reasonable to ensure that the passenger is carried in safety and reasonable comfort;

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- e) to give the passenger such mobility assistance as is reasonably required;
- f) not to make, or propose to make, any additional charge for complying with a duty mentioned in paragraphs (a) to (e).

4.183 Mobility assistance is assistance—

- (a) to enable the passenger to get into or out of the vehicle;
- (b) to load the passenger's luggage, wheelchair or mobility aids into or out of the vehicle.

4.184 In vehicles equipped with a taxi taximeter, the taximeter must not be activated until the wheelchair bound passenger has been properly loaded and secured for the journey, all loading ramps or other equipment have been properly stowed and the vehicle is ready to commence the journey. The same applies for any disabled passenger, and the meter must not be activated until any mobility equipment has been properly stowed and the vehicle is ready to commence the journey. At the end of the journey the taximeter must be stopped before any unloading activity commences.

4.185 You must not drive a Private Hire Vehicle at any time when your taxi drivers' licence has been suspended (s46(1)(b) Local Government (Miscellaneous Provisions) Act 1976).

4.186 When driving a Private Hire Vehicle you must produce your taxi drivers' licence if requested to do so by an Authorised Officer of the Council (or another council with whom a reciprocal arrangement exists) or any police constable (s53(3) Local Government (Miscellaneous Provisions) Act 1976).

4.187 You must return your driver's licence to the Council within 7 days if you lose the right to remain or work in the UK (s53A(9) Local Government (Miscellaneous Provisions) Act 1976).

4.188 You must not make any false statement or withhold any information when applying to renew your taxi drivers' licence (s57(3) Local Government (Miscellaneous Provisions) Act 1976).

4.189 You must return your licence and drivers badge to the Council within 14 days of any suspension, revocation or refusal to renew your licence (s61(3) Local Government (Miscellaneous Provisions) Act 1976).

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- 4.190 When driving a Private Hire Vehicle you must use the shortest available reasonable route for all journeys by private hire vehicle, subject to any directions given by the hirer. (Section 69 Local Government (Miscellaneous Provisions) Act 1976).
- 4.191 You must not tamper with any seal on a taximeter or alter the taximeter with any intent to mislead (s71 Local Government (Miscellaneous Provisions) Act 1976)
- 4.192 You must not obstruct, fail to comply with any requirement made by, or fail to give any information to, an authorised officer of the Council, an authorised officer of another Council with which there is a reciprocal enforcement arrangement, or a police constable (s73 Local Government (Miscellaneous Provisions) Act 1976)
- 4.193 You must not drive any Private Hire Vehicle with any roof sign which includes the words “taxi”, “cab” or “hire”, any similar words or anything which would indicate the vehicle is a Hackney Carriage (section 64 Transport Act 1980).

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BYELAWS

Made under Section 68 of the Town Police Clauses Act, 1847, and Section 171 of the Public Health Act, 1875 by the Warrington Borough Council with respect to hackney carriages in the Borough of Warrington.

INTERPRETATION

1. Throughout these byelaws "the Council" means the Council of the Borough of Warrington, and "the district" means the Borough of Warrington

PROVISIONS REGULATING THE MANNER IN WHICH THE NUMBER OF EACH HACKNEY CARRIAGE, CORRESPONDING WITH THE NUMBER OF ITS LICENCE, SHALL BE DISPLAYED.

2 (a) The proprietor of a Hackney Carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto.

(b) A proprietor or driver of a Hackney Carriage shall:-

- (i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
- (ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

PROVISIONS REGULATING HOW HACKNEY CARRIAGES ARE TO BE FURNISHED OR PROVIDED

3. The proprietor of a Hackney Carriage shall

- a) provide sufficient means by which any person in the carriage may communicate with the driver;
- b) cause the roof or covering to be kept water-tight;
- a. provide any necessary windows and a means of opening and closing not less than one window on each side;
- c) cause the seats to be properly cushioned or covered;
- d) cause the floor to be provided with a proper carpet, mat, or other suitable covering;
- e) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
- f) provide means for securing luggage if the carriage is so constructed as to carry luggage;
- g) provide an efficient fire extinguisher which shall be carried in such a position

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as to be readily available for use;

- h) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.

4. The proprietor of a Hackney Carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say,

a) If the taximeter is fitted with a flag or other device bearing the words "FOR HIRE"

- i the words "FOR HIRE" shall be exhibited on each side of the flag or other device in plain letters at least one- and three-quarter inches in height and the flag or other device shall be capable of being locked in a position in which the words are horizontal and legible;

- ii when the flag or other device is so locked, the machinery of the taximeter shall not be in action and the means of bringing it into action shall be by moving the flag or other device so that the words are not conveniently legible;

- iii when the flag or other device is so locked that the aforesaid words are horizontal and legible no fare shall be recorded on the face of the taximeter.

b) If the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE"

- i the taximeter shall be fitted with a key or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;

- ii such key or device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and no fare is recorded on the face of the taximeter.

c) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take in pursuance of the byelaw in that behalf for the hire of the carriage by distance.

d) The word "FARE" shall be printed on the face of the taxi- taximeter in plain letters so as clearly to apply to the fare recorded thereon.

e) The taximeter shall be so placed that all letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the

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carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring.

f) The taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking damaging or permanently displacing the seals or other appliances.

5. The proprietor of a Hackney Carriage provided with a taximeter not fitted with a flag or other device bearing the words "FOR HIRE" shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say
- a) the sign shall bear the words "FOR HIRE" in plain letters at least one- and three-quarter inches in height;
 - b) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire.

PROVISIONS REGULATING THE CONDUCT OF THE PROPRIETORS AND DRIVERS OF HACKNEY CARRIAGES PLYING WITHIN THE DISTRICT IN THEIR SEVERAL EMPLOYMENTS, AND DETERMINING WHETHER SUCH DRIVERS SHALL WEAR ANY AND WHAT BADGES

6. The driver of a Hackney Carriage shall,
- a) if the taximeter is fitted with a flag or other device bearing the words "FOR HIRE"-
 - i when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible;
 - ii as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the flag or other device so that the words are not conveniently legible and keep the machinery of the taximeter in action until the termination of the hiring.
 - b) if the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE"
 - i when standing or plying for hire, keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of byelaw 5 so that the words "FOR HIRE" are clearly and conveniently legible by persons outside the carriage;

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- ii as soon as the carriage is hired, whether by distance or by time, operate the said sign so that the words "FOR HIRE" are not conveniently legible by persons outside the carriage;
 - iii as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the key or other device fitted for the purpose so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring.
 - c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972, and also at any other time at the request of the hirer.
7. A proprietor or driver of a Hackney Carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
8. The driver of a Hackney Carriage shall, when plying for hire in any street and not actually hired.
- a) proceed with reasonable speed to one of the stands fixed by the byelaw in that behalf;
 - b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction;
 - d) from time to time when any other carriage immediately in front is driven off or moved forward, cause this carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
9. The driver of the foremost Hackney Carriage standing upon a stand fixed by these Byelaws shall be ready to be hired at once by any person.
10. A proprietor or driver of a Hackney Carriage when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.

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11. The driver of a Hackney Carriage 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 alighting from the vehicle.
12. The driver of a Hackney Carriage shall be clean and respectable in his dress and person.
13. The proprietor or driver of a Hackney Carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
14. The driver of a Hackney Carriage when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
15. A proprietor or driver of a Hackney Carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage. Provided that for the purposes of this Byelaw children under three years of age, or one child exceeding three and under seven years of age, shall not be reckoned, and two children exceeding three and under seven years of age shall be reckoned as one person.
16. The driver of a Hackney Carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage,
 - a) convey a reasonable quantity of luggage;
 - b) afford reasonable assistance in loading and unloading;
 - c) afford reasonable assistance in removing it to or from the entrance of any building, station, or place at which he may take up or set down any such person.
17. Every proprietor or driver of a Hackney Carriage who shall knowingly convey in the carriage the dead body of any person shall, immediately thereafter, notify the fact to the Chief Environmental Health Officer of the Council.

PROVISIONS FIXING THE RATES OR FARES TO BE PAID FOR HACKNEY CARRIAGES WITHIN THE DISTRICT AND SECURING THE DUE PUBLICATION OF SUCH FARES

18. The Proprietor or driver of a Hackney Carriage shall be entitled to demand and take for the hire of the carriage, the rate or fare prescribed by the following table, the rate of fare being calculated by distance unless the hirer expresses at the commencement of the hiring his desire to engage by time.
19. Provided always that where a Hackney Carriage furnished with a taximeter shall be hired by distance, the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter save for any extra charges authorised by the following table which it may not be possible to record on the face of the taximeter.
20. (a) The proprietor of a Hackney Carriage shall cause a statement of the fares fixed by the byelaw in that behalf to be exhibited inside the carriage, in clearly distinguishable letters and figures;
(b) the proprietor or driver of a Hackney Carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

PROVISIONS SECURING THE SAFE CUSTODY AND RE- DELIVERY OF ANY PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES, AND FIXING THE CHARGES TO BE MADE IN RESPECT THEREOF

21. The proprietor or driver of a Hackney Carriage shall, immediately after the termination of any hiring, or as soon as practicable thereafter, carefully search the carriage for any property which may have been accidentally left therein.
22. The proprietor or driver of a Hackney Carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him-

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- a) carry it as soon as possible and in any event, within forty-eight hours, if not sooner claimed by or on behalf of its owner, to the Central Police Offices, Warrington, and leave it in the custody of a police officer.

PENALTIES

22. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds and in the case of a continuing offence to a further fine not exceeding £5 for every day during which the offence continues after conviction therefor.

REPEAL OF BYELAWS

23. The byelaws with respect to Hackney Carriages made by the Warrington Borough Council on 31 October 1974 which were confirmed by one of Her Majesty's Principal Secretaries of State on 13 December 1974 are hereby repealed.

The Seal of Warrington Borough Council was hereunto affixed on the 15 th day of July 1975 in the presence of	
H. G. CARTWRIGHT Deputy Borough Secretary and Solicitor.	The Secretary of State this day confirmed the foregoing byelaws and fixed the date on which the byelaws are to come into operation as the 12th day of September 1975.
Home Office Whitehall	(Sgd.) K. P. WHITNEY An Assistant Under Secretary of State.
12 September 1975	