



**Stafford**  
BOROUGH COUNCIL

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**CONDITIONS ATTACHED TO**

**PRIVATE HIRE VEHICLE DRIVER'S LICENCE**

- 1 The Council's Proper Licensing Officer shall issue a driver's badge in such form as they may from time to time prescribe and the driver shall at all times when acting in accordance with the private hire vehicle driver's licence wear it in such a position and manner as to be plainly and distinctly visible.
- 2 Applicants are required to undergo a medical examination in accordance with the procedure laid down by Stafford Borough Council to satisfy the Council that they are medically fit to carry out the duties of a licensed driver. Medical examinations will be required on initial application and further medicals will be carried out in accordance with Stafford Borough Council Policy.  
  
Further medical examinations may be required after a serious illness/injury through accidents, etc.
- 3(a) The driver shall not, without reasonable cause, unnecessarily prolong, in distance or in time, the journey for which the private hire vehicle has been hired.
- 3(b) The driver shall, on request, issue a receipt for the fare charged.
- 4 The driver shall, immediately after the termination of any hiring or as soon as practicable thereafter, search the vehicle for any property which may have been accidentally left therein and shall report particulars of any such property to the Operator before delivering the property to a Police Station in the District as soon as possible and in any event within forty eight hours if not claimed sooner by or on behalf of the hirer.
- 5 The licensee shall not assign or in any way part with the benefit of this licence which is personal to the licensee.
- 6 The licensee shall at the request of any authorised officer of the Council or of any constable produce for inspection this licence either forthwith, or
  - (a) in the case of a request by an Officer authorised by the Council's Proper Licensing Officer at the Environmental and Health Services, Civic Centre, Riverside, Stafford, before the expiration of the period of five days from the time when the request is made;

- (b) in the case of a request by a constable, before the expiration of the period aforesaid at any police station which is within the area of the Council and is nominated by the licensee when the request is made.
- 7 The driver's badge shall at all times remain the property of the Council and upon the Council suspending, revoking or refusing to renew this licence the licensee shall, on demand, return the driver's badge to this Council.
- 8 The licensee shall not, whilst driving or in charge of a private hire vehicle:-
  - (a) stand or ply for hire or solicit on a road or other public place any person to hire or be carried for hire and reward in any private hire vehicle; and
  - (b) cause or procure any other person to solicit or procure on a road or other public place any person to hire or be carried for hire and reward in any private hire vehicle.
- 9 The licensee shall not permit or cause or suffer to be conveyed in a private hire vehicle a greater number of persons than specified in the licence issued in respect of that private hire vehicle, provided that children under the age of three, if carried in the arms of an adult occupying a rear seat, will not contravene this condition. A carry cot will count as occupying 2 seats.
- 10 The licensee, not being the proprietor of the private hire vehicle, shall report or cause to be reported to the proprietor of that vehicle any accident in which the vehicle is involved as soon as is reasonably practicable after the occurrence.
- 11 Unless delayed or prevented by some unforeseeable cause, the licensee shall attend punctually when hired and shall assist with the loading and unloading of luggage when necessary.
- 12 The licensee shall at his/her discretion carry household pets within the licensed private hire vehicle provided that the pet is suitably contained so as not to cause a nuisance.
- 13 The Driver shall be cleanly and tidily dressed at all times when driving a licensed vehicle.
- 14 This licence may be suspended, revoked or not renewed in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976.
- 15 The Council may vary any or all of the conditions herein contained at any time after consultation with the trade.

- 16 The Licensee should notify the Council of the change of address.
- 17 The Licensee must maintain satisfactory personal behaviour towards passengers and any member of the public.
- 18 The Licensee must notify the Council of all details of convictions as soon as reasonably practicable and in any case within seven days of the conviction.
- 19 The Licensee must notify the Council of any change in base of operation/company.
- 20 Penalty points will be issued for any breach of legislation, regulation or conditions and for any endorsement or disqualification of a DVLA driving licence in accordance with the Council Penalty Point Scheme (This penalty point scheme does not preclude the right of the local authority to take other legal action in appropriate circumstances).

NOTE: A licensee who is aggrieved by any of these conditions has a right of appeal to a Magistrates' Court.

## OFFENCES AND PENALTIES

The contravention of certain of these conditions may also constitute the commission of an offence under the various provisions of the Local Government (Miscellaneous Provisions) Act 1976, for which specific penalties are provided. In the case of the Local Government (Miscellaneous Provisions) Act 1976 there is a general penalty, applicable where specific penalties are not provided, with a fine not exceeding level 3 on the standard scale. In addition it is also an offence to obstruct an authorised officer or Police Constable in his duty.

## PENALTY POINTS SYSTEM

### HACKNEY CARRIAGES, PRIVATE HIRE VEHICLES, DRIVERS AND OPERATORS

Details of the penalty points system, approved by the Council, are given below. A list of the offences and points is also enclosed.

Allocation of points will be as shown in the list. Any points allocated will be “live” for 3 years from the date allocation.

#### DRIVERS

When the numbers of points allocated reaches 12, the licence held by that individual shall be suspended for 21 days. If any driver is suspended for 2 periods of 21 days in any 3 year period then on accumulating a third set of 12 points, within the 3 year period, the licence of that individual would be revoked.

#### PROPRIETORS

When the number of points allocated to a proprietor’s vehicle licence reaches 15, the licence shall be suspended for a period of 21 days. If any proprietor’s licence is suspended for 2 periods of 21 days in any 3 year period, then on accumulating a third set of 15 points, within the 3 year period, the vehicle licence held by that proprietor would be revoked.

#### OPERATORS

When the number of points allocated to an operator reaches 30, the licence of that operator shall be suspended for a period of 21 days.

If any operator’s licence is suspended for 2 periods of 21 days in any 3 year period, then, on accumulating a third set of 30 points within the 3 year period, the licence of that operator would be revoked.

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HACKNEY CARRIAGE AND PRIVATE HIRE PENALTY POINTS SYSTEM

OFFENCE	POINTS	PERSONS RESPONSIBLE	OFFENCE	POINTS	PERSONS RESPONSIBLE
Failure of Hackney Carriage Proprietor to notify change of address.	3	P	Using a vehicle as a Private Hire car without a Licence (or permitting the use of)	6	DPO
Plying for hire without a Hackney Carriage Vehicle Licence	6	DPO	Driving a Private Hire Vehicle without a Private Hire Driver's Licence.	5	D
Driving without a Hackney Carriage Driver's Licence.	5	D	Employing a non-licensed driver to drive a Private Hire Vehicle	5	P
Employing an unlicensed driver.	5	P	Operating Private Hire Vehicle(s) without a Licence.	5	O
Failure of Proprietor to retain Hackney Carriage Driver's Licence.	3	P	Operating a Private Hire Vehicle where the driver does not hold a Private Hire Driver's Licence.	5	O
Failure to carry the prescribed number of passengers.	3	DP			
Driver refusing to drive.*	4	D	Operating a vehicle as a Private Hire Vehicle without a Vehicle Licence.	5	O
Driver charging more than is displayed on meter in accordance with the fare tariff.	5	DP	Failure to display a Private Hire plate as prescribed by regulation.	5	DPO
Permitting persons to ride without consent of hirer.	3	DP	Failure to notify transfer of interest in a licensed vehicle within 14 days.	5	P
No unauthorised person to act as driver (without the authority of the Proprietor).	5	D	Failure to produce the Private Hire Operators Licence for inspection by an authorised officer or a Police Constable.	5	O
Penalty for drunkenness, furious driving, etc. (on conviction).	3-10	D	Knowingly, or recklessly, making a false statement or omitting relevant information when applying for a Private Hire Operator's Licence.	5	DPO
Failure to present a vehicle for testing	5	P			
Failure to provide facilities for the testing of a vehicle.	5	P	Failure to return licence plate upon suspension or revocation of Licence within seven days.	5	P
Failure to report an accident.	5	P	Failure to return badge on demand upon the suspension of revocation of Licence.	3	D
Failure to produce the Vehicle Licence.	5	P	Charging of a fare that is greater than that indicated on the meter.	5	DP
Failure to produce a Certificate of Insurance (or equivalent).	5	P	Prolongation of journey.	5	D
Failure to produce Driving Licence within five days.	5	D	Wilfully obstructing an authorised officer or Constable acting in pursuance of his duties.	5	DPO (ANY PERSON)

\* Right of appeal to the Public Appeals Committee within 21 days.

D = DRIVER

P = PROPRIETOR

O = OPERATOR

OFFENCE	POINTS	PERSONS RESPONSIBLE	OFFENCE	POINTS	PERSONS RESPONSIBLE
Failure to wear Private Hire badge.	5	D	Failing to comply with a requirement properly made to him by an authorised officer or Constable.	5	DPO (ANY PERSON)
Failure to keep records in the prescribed form.	5	O			
Failure to produce records (bookings) for inspection by an authorised officer or Constable.	5	O	Failure to provide assistance or information which may reasonably be required by an authorised officer or Constable in pursuance of his duties.	5	DPO (ANY PERSON)
Failure to keep a record on all Private Hire Vehicles operated.	5	O	Knowingly give false information.	5	
			DRIVING CONVICTIONS		
Failure to produce records of Private Hire Vehicles for inspection by an authorised officer or Police Constable.	5	O	Any endorsement on driving licence.	3	D
Failing to wear Hackney Carriage Driver's Badge.	5	D	Disqualification from driving.	10	D

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CONTRAVENTIONS OF REGULATIONS AND CONDITIONS

OFFENCE	POINTS	PERSONS RESPONSIBLE
Carrying more than the permitted number of passengers	6	D
Transfer of a licence plate from one vehicle to another without the prior consent of the Council		
Failing to notify the Council for any Changes:-		
(i) In the particulars disclosed on the application	3	
(ii) In respect of a vehicle registration document	4	P
Failing to notify details of a conviction	6	DPO
Failing to display approved signs	4	DP
Failing to maintain full documentation in respect of drives used for the purpose of driving a vehicle	4	O
Using or permitting the use of a licensed vehicle whilst not equipped with:-		
(a) Booster Cushion	3	DPO
(b) Fire extinguisher	3	DPO
Failure to deposit licence with proprietor	3	D
Failure to provide medical certificate/submit for medical examination	5	D
Failure to attend punctually to pick-up passengers *	5	D
Failing to provide a written receipt on request *	3	D
Failure of a Driver to be cleanly and tidily dressed at all times	3	D
Failure to keep a Licensed Vehicle in a clean and tidy condition either internally or externally	3	DP
Failure to engage the Hackney Carriage Meter upon commencement of the hiring until the termination of the hiring in order to calculate the approved fare	6	D
Failing to carry and/or provide reasonable assistance with luggage *	3	D
Failure to deliver lost property to owner or Police Station within forty eight hours	3	DP
Unsatisfactory personal behaviour of driver towards passenger and any member of the public *	3 - 6	D
Failure to present a vehicle for testing or inspection as required by the relevant legislation (ie Section (68) Notices) and failure to attend any appointment made by Officers of the Council without reasonable excuse	5	P

\* Right of appeal to the Licensing Appeals Committee within 21 days.