



**MANCHESTER
CITY COUNCIL**

Private Hire Driver Conditions

Revised 17 September 2001

Introduction



This booklet is intended to assist persons already engaged in the Private Hire trade in the capacity of driver, within the City of Manchester and also those who are contemplating making entry into this trade. It includes mention of the main Licensing Legislation, Requirements and Conditions.

While it is hoped that these notes will be a useful guide, they are not to be taken as a comprehensive and authoritative statement of the Law. The Officers in the Taxi Licensing Team, PO Box 532, Manchester M60 2LA, will endeavour to answer all reasonable enquiries and give appropriate further information where practicable.

All drivers of Private Hire vehicles must hold licences issued by the City Council and must also be over 18 years of age and have held a "full" driving licence for at least 12 months.

Main Provisions of Law Applicable to Private Hire Car Drivers

Local Government (Miscellaneous Provisions) Act, 1976

Period of Licence

Licences to drive private hire vehicles will normally be for 1 year only. In exceptional circumstances, temporary licences may be issued at the discretion of the City Council.

Driver's Identity

When a licence is issued to the driver of a private hire vehicle, two identity badges bearing his/her photograph will



be issued. A driver failing to wear and display one of the identity badges when driving a private hire vehicle commits an offence for which he/she may be fined up to level 3 on the standard scale for each such conviction. The other badge is to be displayed at the front of the vehicle so as to be easily seen by all passengers.

Driver's Licences

Private hire drivers must deposit their licences with the proprietor of the vehicle they are engaged in driving.

Change of Address

Any change of address must be notified to the Licensing Unit without delay.

Medical Fitness

All drivers are required to undergo a full medical examination (at their own expense) every five years when aged between 50 and 65, and annually thereafter. Circumstances may arise, however, where additional examinations are deemed necessary - for example after illness or injury.

Antecedent History

The City Council will request from Greater Manchester Police the antecedent history of all applicants for Private Hire Drivers Licences every three years. However, there may be circumstances, which arise whereby additional requests may be necessary.



A private hire driver who causes any notice concerning fare, etc., to be shown or displayed with intent to mislead, commits a criminal offence.

Private Hire Car Fares and Arrangements

It is an offence to ply for public hire with a private hire vehicle. To do so, in certain circumstances, may even negate insurance cover. Every passenger journey must be pre-booked through, and recorded by, a person separately licensed by the City Council as an operator.

If a private hire vehicle is fitted with a faremeter, fares for journeys must be at the amount shown by that faremeter and in accordance with the fares card displayed for passengers to see. The faremeter must also be sealed and tested at the Test Centre or other designated place.

If no faremeter is fitted, the fare charged must not exceed that prescribed by the fares-table as displayed in the vehicle unless a rate of fare has been separately agreed with the licensed Operator at the time of booking.

Powers of the City Council

The City Council has powers to suspend or revoke or refuse to renew drivers' licences in the event of breaches of conditions or for any misconduct, especially that arising from dishonesty, violence or indecency.



Penalties

An offence under the Local Government (Miscellaneous Provisions) Act 1976 may attract a fine up to level 3 on the standard scale.

Obstruction of Authorised Officers

It is an offence to fail to comply without reasonable excuse with any reasonable requirement of an Authorised Officer of the Council or Constable or to fail to provide any assistance or information required by him in connection with his licensing duties and responsibilities.

Conditions of Licence for Private Hire Drivers

1. In this licence:
 - a) the Council" means the Council of the City of Manchester
 - b) "identification plate" means the plates issued by the Council for the purpose of identifying the vehicle as a private hire vehicle.
 - c) "the operator" is a person holding a licence to operate private hire vehicles issued pursuant to Section 55 of the Local Government (Miscellaneous Provisions) Act 1976.
 - d) "private hire vehicle" has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.



- e) "the proprietor"
has the same
meaning as in Section 80 of the Local Government
(Miscellaneous Provisions) Act 1976.
 - f) "Faremeter" has the same meaning as in Section
80 of the Local Government (Miscellaneous
Provisions) Act 1976.
2. The licensee shall notify the Council of any conviction
against him/her immediately in writing after the
conviction has been imposed.
 3. The licensee shall not permit any other person to drive
a vehicle let for hire except with the consent of the
vehicle proprietor.
 4. The licensee shall, at all times when the vehicle is
available or being driven for hire, be clean and
respectable in his/her dress and person, shall behave in
an orderly manner and conduct him/herself with civility
and propriety towards every person seeking to hire, or
hiring or being conveyed and shall comply with every
reasonable requirement of every person hiring or being
conveyed in the vehicle.
 5. The licensee shall not, except with the express consent
of the hirer, smoke, drink or eat in the vehicle.
 6. The licensee:
 - a) Shall not, except with the express consent of the
hirer, play any radio or sound reproducing
instrument or equipment in the vehicle other than
for communicating with the operator.



- b) Shall at no time cause of permit the noise emitted by any radio equipment or any sound reproducing equipment, installed in the private hire vehicle, to be a source of annoyance to any person whether inside or outside the vehicle.
7. The licensee, when hired to drive to any particular destination, shall, subject to any directions given by the hirer, proceed to that destination by the shortest practicable route.
 8. The licensee shall not, except with the express consent of the hirer, convey any person other than the hirer in the private hire vehicle.
 9. The licensee shall not conceal either the exterior identification plates of the private hire vehicle or the details printed or marked thereon, or the interior display of the private hire vehicle licence numbers, from the public view, and will keep the identification plates and the display in a clean condition.
 10. The licensee of a private hire vehicle who has agreed or has been hired to be in attendance with a vehicle at an appointed time or place, shall unless delayed or prevented by some sufficient cause, punctually attend with the private hire vehicle at such appointed time and place.
 11. The licensee shall afford all reasonable assistance with passengers luggage.
 12. The licensee shall deposit his Private Hire Driver's Licence with the proprietor of the vehicle that he is



driving, before
commencing to drive
that vehicle for private hire.

13. The licensee shall, immediately after termination of any hiring or as soon as practicable thereafter, carefully search the private hire vehicle for any property which may have accidentally been left therein.
14. The licensee of a private hire vehicle shall if any property is accidentally left therein by any person who may have been conveyed in the vehicle and be found by or handed to him:
 - a) carry it as soon as possible and in any event within 24 hours if not sooner claimed by or on behalf of its owner, to the Licensing Unit.
 - b) be entitled to receive from the person to whom the property may be delivered, an amount equal to 10p in the pound of its estimated value or the fare from the distance of the place of finding to the Licensing Unit, whichever is the greater but not more than £10.
15. The licensee shall at all times when a vehicle is hired, take all responsible steps to ensure the safety of the passengers conveyed on entering or alighting from the vehicle.
16. The licensee shall give notice to the Council of any change of his address during the period of the licence within 7 days of such change taking place.
17. The licensee shall not allow any child under the age of 10 years to be conveyed in the front of the vehicle.



18. The licensee shall allow only one passenger to be carried in the front of the vehicle beside the driver.
19. The licensee shall at all times carry a copy of these Conditions in the private hire vehicle for inspection by the hirer or other passengers.
20. The licensee shall, if requested by the hirer, provide him with a receipt for the fare paid.
21. If the vehicle being driven is fitted with a faremeter the licensee shall not cause the fare recorded thereon, to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare.
22. The driver of a private hire vehicle shall not demand from any hirer a fare in excess of that prescribed by the fare table displayed in the vehicle or if the vehicle is fitted with a faremeter the fare shown on the face of the faremeter, unless this has been previously agreed with the operator at the time of booking.
23. The licensee shall not while driving or in charge of a private hire vehicle:
 - a) tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle, or
 - b) cause or procure any other person to tout or solicit on a road or any other public place, any person to hire or be carried for hire in any private hire vehicle, or



- c) offer that vehicle for immediate hire while the licensee or that vehicle is on a road or other public place provided that merely parking that vehicle on a road or other public place shall not of itself be deemed to be a breach of this condition, or
- d) accept an offer for the immediate hire of that vehicle while the licensee or that vehicle is on a road or other public place except where such offer is first communicated to the licensee by telephone or by radio apparatus fitted to that vehicle.

In this condition:

"road" means any highway and any other road to which the public has access including such roads at Manchester International Airport, and bridges over which a road passes.

- 24. If at any time, during the period of his/her licence, the licensee, for any reason, does not wish to retain it or the licence is suspended or revoked the licensee shall immediately surrender and return it to the Council.
- 25. Disabled persons or those who accompany them shall not be refused conveyance on the grounds that they are accompanied by a guide, hearing or prescribed assistance dog. There shall be no additional charge for the conveyance of the assistance dog and it shall be allowed to remain with the passenger. This condition will not apply if the driver concerned has applied for and been granted a medical exemption by Manchester City Council and is properly exhibiting a notice of such exemption in the private hire vehicle.
- 26. The Licensee shall only be engaged to drive private hire vehicles licensed by the City of Manchester.

Fare Cards / Notices



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27. The driver:

- a) will ensure that a copy of the fare table in a form approved by the Council is exhibited inside the vehicle at all times the vehicle is being used for hire. The card must not be concealed from view, allowed to become defaced or rendered illegible.
- b) will ensure that at all times the vehicle is being used for hire, a suitable notice is displayed in the vehicle stating the name of the operator and giving details of how a customer may contact the operator in the event of any complaint relating to the hire of the vehicle.

Sounding of Car Horns

28. The driver of a private hire vehicle will not sound the vehicle's horn as a means of alerting hirers of his presence.

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