

Agenda Item	5
Report No	HLC/003/16

**Proposed amendment to the taxi driver's, private hire car driver's and private hire car operator's licence conditions**

**Report by the Legal Manager**

**Summary**

This report invites the Committee to consider proposed amendments to the conditions for a taxi driver's licence, private hire car (PHC) driver's licence and private hire car operator's licence.

**1.0 Background**

1.1 Condition 14 of the taxi driver's licence conditions and condition 14 of the private hire car driver's licence states that:

*The driver of a taxi/private hire car, while carrying a passenger, shall be clean and tidy in his person, shall dress in clothing of a type or standard as laid down in the Council's Dress Code for taxi and private hire car drivers, shall conduct himself in a proper and civil manner and shall not smoke. All drivers must be of an overall appearance which is unlikely to cause offence to any section of the community.*

1.2 At present the Council can only enforce a breach of condition if the licence holder is carrying a passenger at the time of the offence. The above condition restricts the Council from considering instances where complaints have been received in relation to the conduct of a taxi or PHC driver whilst he was not carrying passengers but may have been plying for hire.

1.3 In view of this it is suggested that the wording of condition 14 of the taxi driver's licence conditions be amended to read:

1.4 The driver of a taxi, **whilst so acting must at all times**, be clean and tidy in his person, shall dress in clothing of a type or standard as laid down in the Council's Dress Code for taxi and private hire car drivers, shall conduct himself in a proper and civil manner and shall not smoke. All drivers must be of an overall appearance which is unlikely to cause offence to any section of the community.

1.5 In addition the wording of condition 14 of the private hire car driver's licence conditions be amended to read:

1.6 The driver of a private hire car, **whilst so acting must at all times**, be clean and tidy in his person, shall dress in clothing of a type or standard as laid down in the Council's Dress Code for taxi and private hire car drivers, shall conduct

himself in a proper and civil manner and shall not smoke. All drivers must be of an overall appearance which is unlikely to cause offence to any section of the community.

## **2.0 Amendment to private hire car operator's licence conditions**

**2.1** Condition 12 of the private hire car (PHC) operator's licence states that:

*The holder of a private hire car operator's licence shall not display on his private hire car any signs for the purpose of advertising its services as a private hire car, other than those approved by the Council. The holder of a private hire car operator's licence shall be permitted to display commercial advertising on or in the vehicle only with the written permission and approval of the Council.*

**2.2** To assist the public, and those hiring a private hire car, to identify the vehicle as a licensed PHC it is suggested that all licensed PHCs be required to display, on one of the doors on both sides of the vehicle, a sign advertising that the vehicle is available for pre-booking only.

**2.3** If Members are minded to agree to implement this the abovementioned condition 12 would be amended to read:

*The holder of a private hire car operator's licence shall not display on his private hire car any signs for the purpose of advertising its services as a private hire car, other than those approved by the Council. The holder of a private hire car operator's licence shall be permitted to display commercial advertising on or in the vehicle only with the written permission and approval of the Council. The holder of a private hire car operator's licence shall display, on one door on each side of the vehicle, a sign issued by the Council indicating that the vehicle is available for pre-bookings only.*

## **3.0 Implementation of revised conditions**

If Members are minded to agree to amend these conditions it is suggested that consultation be carried out with the taxi and private hire trade. This can be done through the Council's Taxi/PHC Sub Group and also by publicising it on the Council's website.

### **4.0 Recommendation**

5.1 The Committee are invited to consider the amendments to condition 14 of the taxi drivers and private hire car driver's licence conditions and condition 12 of the private hire car operator's licence conditions.

Designation: Legal Manager (Regulatory Services)

Date: 10 December 2015

Author/Reference: Michael Elsey: 12/2/5