



Walsall Council

REPORT OF THE HEAD OF PUBLIC PROTECTION

TO A MEETING OF THE LICENSING AND SAFETY COMMITTEE

WEDNESDAY 13TH SEPTEMBER 2006

REPORT ON AMENDMENTS TO CONDITIONS ATTACHED TO THE GRANT OF LICENCES IN RESPECT OF:

1. **BASE OPERATORS**
2. **PRIVATE HIRE/HACKNEY CARRIGE DRIVERS**
3. **PRIVATE HIRE VEHICLES**
4. **LIMOUSINES**
5. **HACKNEY CARRIAGE VEHICLES**

1. PURPOSE OF REPORT

- 1.1 To place before Committee a report on amendments to conditions attached to the Grant of Licences in respect of:-
 1. Base Operators
 2. Private Hire/Hackney Carriage Drivers
 3. Private Hire Vehicles
 4. Limousines
 5. Hackney Carriage Vehicles

2. RECOMMENDATION

- 2.1 Members are recommended to consider the report and approve the amendments for implementation.

3. FINANCIAL IMPLICATIONS.

- 3.1 Within budget: Yes.
- 3.2 The cost of any appeal to a Magistrates Court by any person aggrieved by the suspension or revocation by the Council of a driver's private hire licence will be met from within existing budgetary provision.

4. POLICY IMPLICATIONS.

4.1 None arising from this report.

5. LEGAL IMPLICATIONS.

5.1 Legal Services Consulted: Yes

5.2 The Local Government (Miscellaneous Provisions) Act 1976 governs the issue and control of private hire and hackney carriage vehicles, operators and drivers.

5.3 A district council may attach to the grant of a licence issued under the Act such conditions as they may consider reasonably necessary.

5.4 Section 47 of the Act permits the local council to set conditions in respect of Hackney Carriage Vehicles.

5.5 Section 48 of the Act permits the local council to set conditions in respect of private hire vehicles.

5.6 Section 51 of the Act permits the local council to set conditions in respect of drivers of private hire vehicles.

5.7 Section 55 of the Act permits the local council to set conditions in respect of Operators.

5.8 Any person aggrieved by any conditions attached to any of the above licences may under the Act of 1976 appeal to the Magistrates court.

6. EQUAL OPPORTUNITIES IMPLICATIONS.

6.1 None arising from this report.

7. ENVIRONMENTAL IMPACT.

7.1 Conditions are necessary to such licences in order to make members of the public feel safe whilst travelling in private hire/ hackney carriage vehicles.

7.2 Conditions provide strict guidelines under which licence holders operate vehicles in order to maintain a safe, secure, clean and environmentally supportive transport system.

8. BACKGROUND

- 8.1 This report was presented to the Taxi Liaison Group on the 15th August 2006 and following discussion was recommended without change to this Committee for their consideration.
- 8.2 The Council is permitted by legislation to set conditions in respect of the above licences.
- 8.3 A number of anomalies have occurred that were not apparent at the time the conditions were initially amended and submitted. Some are necessary additions because of recent modifications to the licence plate system approved by this Committee.
- 8.4 There have also been advancements in Enforcement techniques and hardware that will enable officers to make checks when out on site.
- 8.5 The Conditions were drafted over 18 months ago. Before they were presented for approval in January 2006 they went through a number of revisions and changes following the consultation process with the Liaison Group and other interested parties.

(Copy of conditions as approved appended.)

(A copy of the conditions with all the proposed amendments is also appended).

- 8.6 Some of the amendments are in essence an additional word(s) to bring both sets of vehicles (Hackney Carriage and Private hire) in line with each other.
- 8.7 The Licensing and plating system, approved by Members and now newly installed, requires some tweaking of the criteria within the Conditions so that again the conditions sit fairly with both sets of vehicles and drivers.
- 8.8 The amendments are:

PART 2 OF THE CONDITIONS.

LICENCE TO DRIVE PRIVATE HIRE/HACKNEY CARRIAGE VEHICLE

2.24 in that section of the Conditions reads:

'If a cheque is tendered that subsequently 'bounces' the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted'

The word 'bounces' should be amended to read '***is not honoured***'

The paragraph should also have the words added at the end '***for a 12 month period.***'

PART 3 OF THE CONDITIONS

HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS

3.2 in that section of the Conditions reads:

‘The Licence holder must ensure that the licensing identification plate issued.....’

Should be amended to read ‘***The licence holder must ensure that the licence bracket issued.....***’

3.35 in that section of the Conditions reads:

‘If a cheque is tendered that subsequently ‘bounces’ the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted.’

The word ‘bounces’ should be amended to read ‘***is not honoured***’

The paragraph should have the words added at the end ‘***for a 12 month period.***’

3.6 in that section of the Conditions should be amended to:

‘When a vehicle licence is in force the licence holder shall maintain at all times a valid Public Hire Insurance Policy.

3.7 in that section of the Conditions should be amended to:

The Licence Holder shall provide the current, valid and original insurance document on demand to an Authorised Officer or Police Officer.

3.30 A proprietor / operator of a vehicle that have passed either an MOT or Intermediate test shall pay to the garage the appropriate fee. A further deposit of 33% of the next booked test fee will be paid at that time. No date or time for the next test will be given unless the deposit is paid. The deposit will only be refunded if the test is cancelled more than 5 working days before the due date. The deposit will be offset against the booking fee.

PART 4 OF THE CONDITIONS

PRIVATE HIRE VEHICLE LICENCE CONDITIONS.

The following section should be inserted before the numbered sections in that part of the Conditions

'If the Body Style or Appearance of a vehicle presented for licensing as a private hire vehicle shall lead any person to believe that the vehicle is a Hackney Carriage, then that vehicle will be white in colour.'

4.1 in that section of the Conditions reads:

'The Licence holder must ensure that the licensing identification plate issued.....'

Should be amended to read **'The licence holder must ensure that the licence bracket issued.....'**

4.5 in that section of the Condition should be deleted and state

' A current insurance Certificate or Cover Note must be produced at the time of applying for a private hire vehicle licence.'

4.10 in that section of the Condition reads:

'When a saloon car/MPV is presented for licensing and that saloon car/MPV has not been licensed by Walsall MBC, or if it has previously been licensed by Walsall MBC and the licence allowed to expire, then in each case the vehicle must be five years of age or under (from the date of first registration or manufacture) depending on which is earlier, in order for that vehicle to be licensed.'

The paragraph should be amended to read:

'When a saloon car/MPV is presented for licensing and that saloon car/MPV has not been licensed by Walsall MBC, or if it has previously been licensed by Walsall MBC and the licence allowed to expire for a period of more than 28 days, then in each case the vehicle must be five years of age or under (from the date of first registration or manufacture depending which is earlier), in order for that vehicle to be licensed.'

4.12 in that section of the Conditions reads:

'When a minibus is presented for licensing and that minibus has not been licensed by Walsall MBC, or if it has previously been licensed by Walsall MBC and the licence allowed to expire, then in each case the vehicle must be five years of age or under (from the date of first registration or manufacture depending which is earlier), in order for that vehicle to be licensed.'

The paragraph should be amended to read:

'When a minibus is presented for licensing and that minibus has not been licensed by Walsall MBC, or if it has previously been licensed by Walsall MBC and the licence allowed to expire for a period of more than 28 days, then in each case the vehicle must be five years of age or under (from the date of first registration or manufacture depending which is earlier), in order for that vehicle to be licensed.'

and transferred to the section under the heading '**MINIBUS**'.

4.13 in that section of the Conditions should be transferred to the section in the report under the heading '**MINIBUS**'

The heading in that section of the Conditions from 4.31 '**MINIBUS/PHV**'

Should be amended to read '**MINIBUS**'

4.14 of the Conditions should now include:

A proprietor / operator of a vehicle that have passed either an MOT or Intermediate test shall pay to the garage the appropriate fee. A further deposit of 33% of the next booked test fee will be paid at that time. No date or time for the next test will be given unless the deposit is paid. The deposit will only be refunded if the test is cancelled more than 5 working days before the due date. The deposit will be offset against the booking fee.

4.34 in that part of the Conditions should be deleted.

PART 5 OF THE CONDITIONS

LICENCE CONDITIONS APPLICABLE TO LIMOUSINES, SPECIAL EVENT VEHICLES.

5.7 in the Conditions reads:

'If a cheque is tendered that subsequently 'bounces' the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted.'

The word 'bounces' should be amended to read '***is not honoured***'

The paragraph should have the words added at the end '***for a 12 month period.***'

PART 6 OF THE CONDITIONS

LICENCE CONDITIONS RELATING TO A PRIVATE HIRE OPERATOR'S LICENCE

The section in that part of the Conditions that reads:

The Licence is granted, subject to all licensed operators and designated managers complying with the following conditions of Walsall Council and the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

Should be in **bold typing**.

6.21 in the Conditions reads:

'If a cheque is tendered that subsequently 'bounces' the licence holder will be subject to a supplementary administration charge as detailed on current fee scales and no further cheques will be accepted.

The word 'bounces' should be amended to read '***is not honoured***'

The paragraph should have the words added at the end '***for a 12 month period.***'



Walsall Council

**PRIVATE HIRE
and
HACKNEY CARRIAGE**

INFORMATION

GUIDANCE

LICENCE CONDITIONS

BYELAWS

QUICK REFERENCE GUIDE

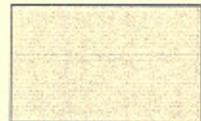
**General
Information**



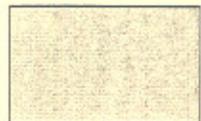
**Private Hire/
Dual Driver Licence
Conditions**



**Hackney Carriage Vehicle
Licence Conditions**



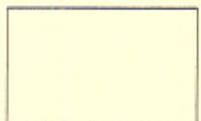
**Private Hire Vehicle
Licence Conditions**



**Limousines & Special Event Vehicles
Licence Conditions**



**Hackney Carriage
Byelaws**



**Private Hire Operator
Licence Conditions**



PREFACE

It is an accepted fact that licensed Hackney Carriages and Private Hire Vehicles play an increasingly important part in the provision of an integrated public transport system within Walsall. Their role will become more important as new policies develop in the future.

It is the Council's vision and opinion that Best Practice outlining a common standard should apply both in the vehicles that are licensed and to all the drivers who operate them, no matter the frequency or level of participation.

The first contact many individuals have while visiting Walsall is a Hackney Carriage or Private Hire Vehicle. The Council's aim is that this should be a pleasant experience as it is considered an integral and important part of any visit to Walsall.

The Council advocates that Best Practice should be adopted as a norm and that Hackney Carriage and Private Hire Vehicles should be presented in a professional manner.

The following contains what in Walsall Metropolitan Borough Council's opinion would become Best Practice for both Hackney Carriage and Private Hire Vehicles and guidelines on the Code of Conduct for all personnel involved in operating or driving them.

This booklet also contains useful information, tips and guidance on driving licensed vehicles.

THE AIMS OF THE LICENSING SERVICE

The Licensing Service has 3 main aims:

1. To provide our customers with the assistance and guidance they require to deliver an excellent service to the public
2. To improve the quality of the Private Hire and Hackney Carriage Service
3. To protect public safety

These aims form the basis upon which we make our decisions.

HOW TO CONTACT US

The Licensing Office is situated at:

TAXI LICENSING OFFICE
NORTH WALSALL OFFICE
PROFFITT STREET
WALSALL
WS2 8AR

Tel: 01922 721897

Fax: 01922 720861

Email: taxilicensing@walsall.gov.uk

Text: WALSALL TAXI and message to 60003

Our opening hours are:-

Monday to Wednesday	08.45am – 16.45pm
Thursday	10.00am – 16.45pm
Friday	08.45am – 16.45pm

THE LICENSING OFFICE IS CLOSED BETWEEN 13.00 AND 14.00

DRIVING A HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLE

This section covers some of the key issues associated with driving a Hackney Carriage or Private Hire car. It looks at some of the skills you require to drive a Hackney Carriage or Private Hire Vehicle safely with passenger consideration.

SAFE DRIVING

Driving a Hackney Carriage or Private Hire vehicle demands a sense of responsibility. You are responsible for the lives of your passengers in your vehicle as well as other road users and pedestrians.

It means driving with responsibility, care, consideration and courtesy. Other people may make mistakes so you should be aware of other road users and pedestrians.

Safe driving involves:-

1. Being aware of what is happening around you and anticipating the actions of other road users
2. Driving to take account of the unexpected
3. Staying in full control at all times

Driving safely relies on making effective observations and to do this you must look and assess your situation, decide on an appropriate course and act on that decision.

THE SAFETY GAP

Try to maintain a safety gap around your vehicle at all times.

In slow moving or stationary traffic you should never get so close to the vehicle ahead of you that if it stalled or broke down you would have to use reverse gear or more than a moderate amount of steering to pass the vehicle.

In faster moving traffic you should keep a safe distance from the vehicle in front. If the vehicle behind is too close do not speed up; increase the distance from the vehicle in front. This allows the following vehicle a better chance to overtake, or if the vehicle in front stops suddenly, it gives you and the following vehicle a better chance to stop gradually.

MIRRORS AND BLIND SPOTS

The mirrors must be clean and in the right position. You should use them frequently and always before signalling or changing speed or course.

All vehicles have blind spots and you should know where they are. You should never stay in another vehicle's blind spot for longer than is necessary.

REVERSING

If reversing is unavoidable then carry out the manoeuvre slowly. Before reversing, you should always check that the way is clear and that the manoeuvre can be made safely. Take care when reversing near children.

SIGNALS AND SPEED

Always give the signals illustrated in the Highway Code, and avoid giving confusing signals. Speed limits are a legal maximum and are not the same as safe driving speeds.

PASSENGER CONSIDERATION

Drivers should be considerate to their passengers. Passengers with disabilities require special consideration, not only embarking or disembarking but also during the journey. Harsh cornering, stopping or braking could cause pain and distress.

VEHICLE SYMPATHY

Vehicle sympathy involves being aware of your vehicle's capabilities and not trying to exceed them.

VEHICLE CHECKS

Before you start your shift you should check that:-

1. there is no external damage to the bodywork
2. all doors and locks are operating correctly
3. all tyres are in an acceptable condition and at the correct pressure
4. oil, water, brake fluid and washer fluid levels are correct
5. all lights and indicators are working and clean
6. windscreen wipers and washers are in working order
7. mirrors are intact correctly positioned and clean
8. windows are clean
9. the horn is in working order
10. all the seats are fixed and secure and the seat belts are working
11. check the wheelchair ramp

ACCIDENTS

If you are involved in an accident you are legally obliged to stop and exchange details with any other person involved in the accident. However, if the other person involved in the accident will not give their details, note the registration number, make and model of the other vehicle. You should take the names and addresses of any witnesses.

If someone is injured or if for any reason particulars cannot be exchanged, then you have a duty to report the collision to the Police as soon as possible but within 24 hours.

Remember that your passengers may panic and you may also experience some shock yourself. Remain clam, reassure your passengers and take control of the situation. When you have the situation as safe as possible, you should then concern yourself with collecting and exchanging the necessary details.

If the collision causes injury to any person or animal, or damage to any other vehicle or any property you should:

1. Stop! This may seem obvious, but it is a legal requirement
2. do not move the vehicle unless it would be dangerous to leave it where it is
3. Immobilise the vehicle by applying the handbrake, putting the vehicle into a high gear or in the parked mode if the vehicle is automatic and switch off the engine. Turn off any electrical or fuel isolating switches that may be fitted.
4. Evacuate your passengers if there is a risk of fire or further accident
5. Check carefully for any injuries amongst passengers. If anyone is injured call the emergency services and administer first aid if you are a qualified first aider. Remember that shock symptoms may not be immediately obvious and shock can be life threatening.

IF THE VEHICLE IS ON FIRE

In the event of a fire, the first priority is to evacuate the passengers, since a vehicle can burn out in 3 to 4 minutes. It is suggested that the following steps should be considered in the event of a fire:-

1. Take control of the situation
2. Stop the vehicle immediately if it has not already come to a halt. Engage the handbrake and a high gear
3. Switch off the engine
4. Operate the fuel cut-off switch (if fitted)
5. Assist the passengers to leave the vehicle
6. Under no circumstances return to the vehicle or permit any passengers to return to the vehicle to collect personal belongings

BASIC FIRST AID

First Aid training is widely available and inexpensive. Certificated courses are organised by St. John Ambulance and the British Red Cross. If you are the first person on the scene of a road traffic collision then you will find the following information useful:-

1. If possible, position your vehicle so as to protect the scene of the accident
2. Engage the handbrake, switch off the engine and put on the hazard warning lights
3. Stay calm and assess the situation before taking any action
4. Call the emergency services using the 999 facility, or get someone else to do so

ALCOHOL AND DRUGS

It is illegal to drive whilst under the influence of alcohol or drugs (this can include prescribed drugs). When you are taking prescribed medicines check with your doctor it is safe to drive. If you are taking other medication, a pharmacist can offer advice.

Drinking any amount of alcohol will impair your driving ability and may lead to a breach of the law. The effect of alcohol from the day before may impair your judgement and could still be detected by the Police.

ROADSIDE INSPECTION

The Police can stop a Hackney Carriage or Private Hire Vehicle at any time. They have the right to inspect the vehicle for defects and can issue a prohibition on the vehicle.

PASSENGERS WITH DISABILITIES

In order that all members of the public in Walsall receive a consistently high level of service from Private Hire/Hackney Carriage drivers/operators/vehicle owners within the Borough, the Authority would expect licence holders to comply with the following requirements:

- All Private Hire Operators should have the facility to carry guide dogs/working dogs, when required to do so by a member of the public at no extra charge.
- Private Hire Operators must ensure that at all times the level of service they provide to people with disabilities is identical to the service they provide to able bodied passengers, both in terms of price and level of service.

- Any discrimination in relation to less able passengers is unacceptable. Discrimination will be considered as behaviour that is inappropriate to a Walsall Licence holder and will be considered by the Licensing Committee or Magistrates Court.

Most people want to treat less able employees, job applicants and customers in the same way as everyone else, but are not always sure how to go about it.

The following suggestions may help:

- Disabled people are individuals, just like everybody else. Don't make assumptions about their disabilities or their needs. Don't forget that some disabilities are hidden for example epilepsy and diabetes.
- If you aren't sure how something might affect a disabled person, ask them for advice.

Communication

- If a disabled person is with somebody else, talk to the disabled person directly, not to the person who is with them. This also applies to a hearing impaired person accompanied by a sign language interpreter.
- When talking to a hearing impaired person, find out if necessary in writing – whether they lip read. If they do, make sure your face is in the light, look directly at the person, speak clearly and naturally, remembering to keep your hands away from your face.
- When you first meet a visually impaired person, introduce yourself. When you are going to move away, tell them. Don't leave them in an empty space.
- When you are talking to someone with a speech impairment, concentrate on what is being said, be patient and don't try to guess what they want to say. If you don't understand, don't pretend you do.
- If someone has difficulty understanding you – perhaps because they have a learning disability – be patient and be prepared to explain something more than once.
- When talking to a wheelchair user, try to ensure that your eyes are at the same level as theirs, perhaps by sitting down.

- If you are talking to an adult, treat them like an adult.

Assistance

- If someone looks as if they need assistance, offer it, but wait for them to accept before you help.
- When guiding a blind person do not push or pull them. Ask them if they would like to take hold of your arm. If there are any steps tell them whether the steps go up and down.
- Remember that working dogs are not pets. They should not be fed, patted or distracted when they are working.

Language

Some of the words and phrases we use offend disabled people, because they suggest that the disabled person is dependant or helpless. Some words such as cripple or retarded have become terms of abuse or are used to make fun of disabled people. Below are some common words to avoid with suggested alternatives.

DO NOT SAY	USE
The disabled	Disabled people/people with disabilities
Suffering from / crippled by / afflicted by / a victim of	A person who has / a person with
Deaf and dumb	Deaf without speech
An epileptic	A person with epilepsy
Mentally handicapped	A person with a learning disability
Wheelchair bound	Wheelchair user

Guide for loading and securing a Wheelchair and passenger into a vehicle

Each time you pick up or drop off a wheelchair passenger you must follow the correct procedure, always use the ramps and secure the chair and passenger, using the correct equipment (i.e. clips and belts).

1. Park the vehicle in a suitable location.
2. Lift the back seat(s) into a vertical position.
3. Position the ramp(s) as recommended by the vehicle manufacturer and ensure the angle is not too steep.
4. Align the wheelchair with the ramp(s) and carefully push the wheelchair up and into the vehicle, if necessary reminding the passenger to lower their head as they pass under the door opening.
5. Push the wheelchair over towards the opposite door and put the wheelchair hand brakes on.
6. Prepare the wheelchair securing belts/shackles/clips and stow the ramp(s) securely.
7. Release the wheelchair hand brake and position the back of the wheelchair tightly against the vehicle's dividing partition. **PASSENGERS MUST BE TRANSPORTED REAR FACING NOT SIDEWAYS.**
8. Finally secure the wheelchair as recommended by the vehicle manufacturer and put the wheelchair hand brakes on.
9. **NOTE:** If the wheelchair is a powered chair, the passenger will need to drive the chair up the ramp and manoeuvre the chair into position.
10. Fit the wheelchair passenger seat belt, ensuring it is located correctly.
11. Lower the back seats if possible; ensuring the passengers legs are clear. If the back seats cannot be lowered, ensure they are secure to prevent them from dropping onto the passenger.
12. Reverse the above procedure to remove the wheelchair and passenger safely from the vehicle.
13. When the wheelchair and passenger is clear of the vehicle, always ensure that the wheelchair brakes are ON and the passenger is OK before leaving.



Walsall Council

CONDITIONS ATTACHED TO THE GRANT OF A LICENCE TO DRIVE A PRIVATE HIRE/HACKNEY CARRIAGE VEHICLE

The licence to drive a Private Hire/Hackney Carriage Vehicle is granted, subject to the licensed driver complying with the following conditions and any law pertaining to the driving of Private Hire/Hackney Carriage Vehicles.

Failure to comply with any of the conditions or the law may lead to prosecution and revocation or suspension of the licence to drive Private Hire/Hackney Carriage Vehicles.

Private Hire/Hackney Carriage Driver is now an exempted profession under the Rehabilitation of Offenders Act, and no conviction is spent. You may have to appear before the Licensing Committee if you have been convicted of any offence. In such cases you will be informed by the Licensing Office upon receipt of the CRB disclosure.

The licence holder will submit to a CRB check every three years from the date of the last CRB check.

The licence holder will submit to a DVLA Mandate check every three years from the date of the first DVLA Mandate.

PRIVATE HIRE/HACKNEY CARRIAGE DRIVERS

Your application will normally be refused or action will be taken in relation to an existing licence if:-

- You have held a full UK driving licence for less than 1 year
- You have been convicted of any driving offences involving drink/drugs, dangerous driving or disqualification within the last 5 years
- You have been convicted of careless driving/reckless driving or driving without insurance within the last 3 years
- You have been convicted of a driving offence involving vehicle safety or moving traffic offences within the last 2 years
- You have received more than 2 driving convictions within the last 3 years
- You have any convictions under the Local Government (Miscellaneous Provisions) Act 1976 or associated legislation i.e. taxi related offences

- You have previously been a licence holder in this or any other borough and that licence has been revoked, suspended or refused
- You have exhibited behaviour which is inconsistent with that expected of a Walsall licence holder
- You are in breach of any conditions/legislation relating to your licence

PRIVATE HIRE DRIVER LICENCE CONDITIONS

- 2.1 The licence holder must ensure that the vehicle he/she is driving is insured, licensed and complying with the conditions relating to the issue of the vehicle licence.
- 2.2 The licence holder must at all times when driving or being in charge of a Private Hire Vehicle wear the drivers Private hire identification badge as supplied by the Licensing Office. The badge must be worn in such a manner as to be plainly visible on the outer garment in the chest region.
- 2.3 The licence holder shall ensure that the Private Hire Driver badge is surrendered to the Licensing Office within 7 days of the expiry of the licence.
- 2.4 The licence holder must return the badge immediately to the Licensing Office upon the revocation or suspension of the licence.
- 2.5 The licence holder shall ensure that the 'base copy' of his/her Private Hire Driver licence is lodged with the base through which he/she is working.
- 2.6 The licence holder must notify the Licensing Office within 7 days in writing of any change of employer/base.
- 2.7 The licence holder must notify the Licensing Office within 7 days in writing following a change of address.
- 2.8 The licence holder shall ensure that the number of passengers carried in the vehicle does not exceed that stated in the licence.
- 2.9 The licence holder must take all reasonable precautions to ensure the safety of passengers. This includes while they are entering and alighting the vehicle, and requesting that passengers use safety belts.
- 2.10 The licence holder shall at all times drive in such a manner as to have a regard to the comfort and safety of the passengers and to show proper consideration for other road users, complying with the Highway Code at all times.
- 2.11 The licence holder must afford reasonable assistance with passenger

luggage.

- 2.12 The licence holder shall provide a prompt and efficient service and ensure that the vehicle is clean. The licence holder should be clean and smartly dressed. (Vests, torn or dirty garments are not acceptable)
- 2.13 The licence holder shall not smoke, drink or eat in the vehicle for the duration of the booking.
- 2.14 The licence holder shall not play any radio/sound reproducing equipment in the vehicle for the duration of the booking without the express consent of the passenger.
- 2.15 The licence holder shall not ply for hire or solicit or tout under any circumstances.
- 2.16 The licence holder will not convey or permit to be conveyed any other person in the vehicle without the express consent of the hirer.
- 2.17 The licence holder shall not permit any child below the age of 10 years to be carried in the front of the Private Hire Vehicle.
- 2.18 The licence holder shall not demand from the hirer a fare in excess of any fare previously agreed at the base, and provide at the request of the hirer a written receipt for payment of the fare.

NEW CONVICTIONS

- 2.19 The licence holder shall ensure that any conviction, fixed penalty or caution is reported to the Licensing Office in writing within 7 days of the conviction, caution or penalty with the following details:-
 - Nature of offence
 - Date of offence
 - Date of conviction
 - Court where heard
 - Penalty imposed

MEDICAL EXAMINATION

- 2.20 The licence holder will submit to a medical examination every 5 years. On attaining the age of 65 years the medical examination will be required annually. The licence holder on completion of the examination will submit to the Licensing Office the completed forms.
- 2.21 The licence holder must report any illness or medical condition which affects or prevents driving, to the Licensing Office as soon as is practical.

CARRIAGE OF ANIMALS

- 2.22 The licence holder shall not convey in any Private Hire Vehicle any animal belonging to or in the custody of him/herself.
- 2.23 The driver may at his/her discretion refuse to carry any animal belonging to, in the custody of any passenger.

HOWEVER, DRIVERS MUST CARRY GUIDE OR ASSISTANCE DOGS BELONGING TO PASSENGERS, FREE OF CHARGE.

The licence holder may apply for a medical exemption for the carriage of animals. Please contact the Licensing Office for the appropriate application form and/or further information. Drivers have a responsibility to ensure that their company are aware of such a condition/exemption.

- 2.24 If a cheque is tendered that subsequently is not honoured the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted for a period of 12 months.



HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS

This licence is granted subject to the Local Government (Miscellaneous Provisions) Act 1976, Town Police Clauses Act 1847 and Public Health Act 1875 and in addition the following conditions.

Failure to comply with any of the conditions or the Law may lead to prosecution and revocation or suspension of the licence in relation to Private Hire/Hackney Carriage Vehicles

- 3.1 The licence holder shall not cause the Hackney Carriage Vehicle to be driven by any person who does not hold a valid Hackney Carriage Drivers licence issued by Walsall Metropolitan Borough Council.
- 3.2 The licence holder must ensure that the licensing bracket issued by Walsall MBC is permanently fixed to the rear exterior of the vehicle, not by magnetic means. The licence details provided by the Licensing Office must be displayed in the drivers compartment and be visible to all passengers. If the external plate becomes defaced or lost the vehicle should not be used until a replacement has been issued.
- 3.3 The Hackney Carriage Vehicle plates remain the property of Walsall MBC. The licence holder shall ensure that the licensing identification is returned to the Licensing Office on demand and in any event on expiry of the licence.
- 3.4 The grant of a Hackney Carriage Vehicle Licence is dependant on the vehicle being black in colour, brand new and wheelchair accessible.
- 3.5 The licence holder shall permit the vehicle to be inspected by an Authorised Officer or Police Officer at any reasonable time.
- 3.6 When a vehicle licence is in force the licence holder shall maintain at all times a valid public hire insurance policy.
- 3.7 The licence holder shall provide the current, valid, original insurance document on demand, to an Authorised Officer or Police Officer.
- 3.8 No licence holder shall part with or lend out the vehicle plate issued to them by Walsall MBC in respect of any Hackney Carriage Vehicle.

- 3.9 The licence holder shall have full responsibility for the renewal of all vehicle and driver licences required.
- 3.10 Each licence holder must ensure that a copy, to be supplied by the Local Authority of the Hackney carriage Byelaws is carried in the vehicle at all times and is available for inspection by an Authorised Officer.
- 3.11 The licence holder shall ensure that a copy of these conditions is available for inspection by a hirer at all times.
- 3.12 The following notices shall be displayed within public view within the vehicle at all times:
- Current fare table
 - Vehicle plate number
 - Contact details for Local Authority
 - A notice advertising complaints should be directed to the Licensing Authority
- 3.13 The licence holder shall ensure that the number of passengers carried in the vehicle does not exceed the number permitted by licence.
- 3.14 The licence holder shall notify the Licensing Office in writing of any change of address within 7 days of any change taking place. All documentation produced must show the same address.
- 3.15 The licence holder shall ensure that any conviction, fixed penalty or caution is reported to the Licensing Office in writing, within 7 days of the conviction, penalty or caution.
- 3.16 No vehicles that have been the subject of major conversion or modification will be accepted unless a voluntary SVA, issued by VOSA covering such conversion or modification, is presented at time of licensing the vehicle.
- 3.17 The licence holder shall ensure that the vehicle, including all bodywork, upholstery and fittings, is roadworthy, safe and serviceable, and is in a clean condition subject to prevailing road conditions.
- 3.18 The licence holder shall not fix or cause to be fixed to the vehicle any advertisement without approval from the Licensing Office. Hackney Carriage Vehicles must not display Private Hire Operator advertising.
- 3.19 The licence holder shall ensure that a suitable fire extinguisher and first aid kit, identifiable to that vehicle is carried and is accessible at all times.
- 3.20 The use of citizens band radio is prohibited.

- 3.21 The vehicle must be fitted with a fully operative meter calibrated and sealed to the current Walsall MBC fare rates. A valid Calibration Certificate must be produced on application for a Vehicle Licence. The licence holder shall not operate the Hackney Carriage if the taximeter is defective in any way. If following the calibration of a meter, the tyres or wheel sizes are changed, the meter must be re-calibrated and a new Certificate produced to the Licensing Office prior to the vehicle being operated before it can continue to be used.
- 3.22 A vehicle must not be used for Hackney Carriage purposes after testing **until** the licence has been issued. A vehicle must be licensed within 5 working days of successfully passing a vehicle test, otherwise the vehicle will not be accepted for licensing.
- 3.23 No Hackney Carriage Vehicle will be fitted with windows which have been darkened or tinted after manufacture by whatever means.
- 3.24 No vehicle with windows darkened or tinted by manufacture will be licensed if those windows affect public safety by virtue of the fact that visibility is restricted into the interior of the vehicle.
- 3.25 When the vehicle is presented for testing and fails such a test the Local Authority may remove the plate immediately.
- 3.26 For vehicles fitted with passenger tail lifts, a valid Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), bi-annual certificate must be presented at time of licensing.
- 3.27 No Hackney Carriage Vehicle shall be used in the district under a contract for Private hire except at a rate of fares or charges not greater than that fixed by the Byelaws.

AGE RESTRICTION ON VEHICLES

- 3.28 For the purposes of Hackney Carriage Vehicles, the London Style cab will not be licensed past 18 years from the registration date.
- 3.29 For the purposes of Hackney Carriage Vehicles, the Eurocab i.e. Mercedes, Peugeot and Fiat etc will not be licensed past 12 years from the registration date.
- 3.30 A proprietor / operator of a vehicle that has passed either an MOT or intermediate test shall pay to the garage the appropriate fee. A further deposit of 33% of the next booked test will be paid at the time. No date or time for the next test will be given unless the deposit is paid. The deposit will only be refunded if the test is cancelled more than 5 working days before the due date. The deposit will be offset against the booking test fee.
- 3.31 All vehicles up to 3 years old shall be presented for testing by the Authority annually.

- 3.32 All vehicles over 3 years old shall be presented for testing by the Authority every 4 months.
- 3.33 Any replacement vehicle must be newer than the vehicle it replaces, black and wheelchair accessible.

ACCIDENT DAMAGE

- 3.34 If a Hackney Carriage Vehicle is damaged in a vehicular accident or by any other means, the licence holder shall report the damage to the Licensing Office as soon as reasonably practicable and in any case within 72 hours of the occurrence thereof. The examination shall determine if the vehicle is roadworthy or in need of repair. An 'Accident Damage Form' will be issued and must be retained in the vehicle. If the vehicle is deemed unfit to be used as a Hackney Carriage Vehicle the licence will be suspended. If the vehicle is not repaired before the expiration of two months from the date of inspection the licence will automatically be revoked. Unless the Authority confirms otherwise, the vehicle shall not be used as a Hackney Carriage from the date of first examination until it has been re-examined and passed fit for use. If the vehicle has sustained major damage then the location of the vehicle must be given and it may be inspected by an Authorised Officer.
- 3.35 The licence holder shall not obstruct any Officer authorised by the Authority in the execution of her/his duties.
- 3.36 If a cheque is tendered that subsequently is not honoured the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted for a 12 month period.



PRIVATE HIRE VEHICLE LICENCE CONDITIONS

A licence is granted to operate a Private Hire Vehicle subject to the holder of that licence complying with the Local Government (Miscellaneous Provisions) Act 1976 associated legislation and the following conditions.

Failure to comply with any of the conditions or the Law may lead to prosecution and revocation or suspension of the licence in relation to Private Hire/Hackney Carriage Vehicles

If the body style or appearance of vehicle presented for Licensing as a Private Hire Vehicle shall lead any person to believe that the vehicle is a Hackney Carriage then that vehicle will be white in colour

- 4.1 The licence holder must ensure that the licensing bracket issued by Walsall MBC is fixed to the rear exterior of the vehicle, not by magnetic means. The side licensing identification should be positioned on the rear doors between the trim and the window and permanently fixed, not by magnetic means. If any of the licensing identification becomes defaced or lost the vehicle should not be used until replacements have been issued. An exemption may be granted by the Licensing Committee in certain circumstances.
- 4.2 The licence identification remains the property of Walsall MBC. The licence holder shall ensure that the licence identification is returned to the Licensing Office on demand and in any event on expiry of the licence.
- 4.3 The licence holder shall maintain, at all times when a vehicle licence is in force, valid Private Hire Insurance cover.
- 4.4 The licence holder shall provide the current, valid original insurance document on demand, to an Authorised Officer or Police Officer.
- 4.5 A current Insurance Certificate or Cover Note must be produced at the time of applying for a Private Hire Vehicle Licence.
- 4.6 The licence holder shall ensure that a copy of the current Private Hire Vehicle Licence, MOT and Certificate of Insurance are available for inspection at the Private hire Operators base through which the vehicle is being operated, at all times.
- 4.7 The licence holder shall ensure that the vehicle is only licensed as a Private Hire Vehicle in the controlled district of Walsall.

- 4.8 The licence holder shall not cause the vehicle to which this licence relates, to be driven by any person who does not hold a valid Private Hire Drivers licence issued by Walsall MBC.
- 4.9 The licence holder shall notify the Licensing Office in writing of any change of address within 7 days of any change taking place. All documentation produced must show the same address.

AGE RESTRICTION ON VEHICLES

- 4.10 When a saloon car/MPV is presented for licensing and that saloon car/MPV has not been licensed by Walsall MBC, or if it has previously been licensed by Walsall MBC and the licence allowed to expire for a period of more than 28 days other than by prior arrangement in writing with the Licensing Office, then in each case the vehicle must be five years of age or under (from the date of first registration or manufacture) depending, on which is earlier, in order for that vehicle to be licensed.
- 4.11 Once a saloon car/MPV has been licensed, it may continue to be licensed until it reaches ten years of age providing:
- a) that during the licence period the vehicle conforms to the Conditions of Licence set by Committee.
 - b) that during the licence period, the licence is not allowed to lapse other than by prior arrangement with the Licensing Office.
- 4.12 A proprietor / operator of a vehicle that has passed either an MOT or intermediate test shall pay to the garage the appropriate fee. A further deposit of 33% of the next booked test will be paid at the time. No date or time for the next test will be given unless the deposit is paid. The deposit will only be refunded if the test is cancelled more than 5 working days before the due date. The deposit will be offset against the booking test fee.
- 4.13 All vehicles up to 3 years old shall be presented for testing by the Authority annually.
- 4.14 All vehicles over 3 years old shall be presented for testing by the Authority every 4 months.
- 4.15 A vehicle must not be used for Private Hire purposes after testing, until the licence has been issued. A vehicle must be licensed within 5 working days of successfully passing a vehicle test, otherwise the vehicle will not be accepted for licensing.
- 4.16 When the vehicle is presented for testing and fails such a test the Local Authority may remove the plate immediately.
- 4.17 The licence holder shall have full responsibility for the renewal of all vehicle and driver licences required.

ACCIDENT DAMAGE

- 4.18 If a Private Hire Vehicle is damaged in a vehicular accident or by any other means, the licence holder shall report the damage to the Licensing Office as soon as reasonably practicable and in any case within 72 hours of the occurrence thereof. The examination shall determine if the vehicle is roadworthy or in need of repair. An 'Accident Damage Form' will be issued and must be retained in the vehicle. If the vehicle is deemed unfit to be used as a Private Hire Vehicle the licence will be suspended. If the vehicle is not repaired before the expiration of two months from the date of inspection the licence will automatically be revoked. Unless the Authority confirms otherwise, the vehicle shall not be used as a Private Hire Vehicle from the date of first examination until it has been re-examined and passed fit for use. If the vehicle has sustained major damage then the location of the vehicle must be given and it may be inspected by an Authorised Officer.
- 4.19 The licence holder shall permit the vehicle to be inspected by an Authorised Officer or Police Officer at any reasonable time.
- 4.20 The licence holder shall not fix or cause to be fixed any roof sign, advertisement or other stickers/lettering without the express consent of the Licensing Office.
- 4.21 The licence holder shall ensure that the number of passengers carried in the vehicle does not exceed that stated in the licence.
- 4.22 No Private hire Vehicle shall be fitted with a roof rack or use a trailer.
- 4.23 The licence holder shall ensure that a suitable fire extinguisher and first aid kit, identifiable to that vehicle are carried and are accessible at all times.
- 4.24 The use of citizens band radio is prohibited.
- 4.25 For vehicles fitted with passenger tail lifts, a valid Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), bi-annual certificate must be presented at time of licensing.
- 4.26 No vehicles that have been the subject of major conversion or modification will be accepted unless a Voluntary SVA, issued by the Vehicle Inspectorate (VOSA) covering such conversion or modification, is presented at time of inspection of the vehicle.
- 4.27 The licence holder shall ensure that the vehicle, including all bodywork, upholstery and fittings, is roadworthy, safe and serviceable, and is in a clean condition subject to prevailing road conditions.
- 4.28 No licence holder shall part with or lend out the vehicle plate issued to them by Walsall MBC in respect of any Private Hire Vehicle.

- 4.29 If the holder of a Private Hire Vehicle licence transfers his interest in that vehicle, he shall, within 14 days of the transfer, notify the Licensing Office in writing and complete the relevant Transfer Application Form. Continuous valid Private Hire insurance must be produced up to the transfer date, before any new vehicle licence will be issued.

MINIBUS/MPV

- 4.30 When a minibus is presented for licensing and that minibus has not been licensed by Walsall MBC, or if it has previously been licensed by Walsall MBC and the licence allowed to expire for a period of more than 28 days other than by prior arrangement in writing with the Licensing Office, then in each case the vehicle must be six years of age or under (from the date of first registration or manufacture whichever is earlier) in order for that vehicle to be licensed.
- 4.31 Once a minibus has been licensed, it may continue to be licensed until it reaches twelve years of age providing:
- a) that during the licence period the vehicle conforms to the Conditions of Licence set by Committee.
 - b) that during the licence period, the licence is not allowed to lapse other than by prior arrangement with the Licensing Office.
- 4.32 The licence holder shall ensure that any exit doors/signs are clearly identified/illuminated as required.
- 4.33 The seating arrangement in the vehicle shall not without prior approval be changed from the configuration in place when submitted for the initial test.
- 4.34 If the body style or appearance of a vehicle shall lead any person to believe that the vehicle is a Hackney Carriage, then that vehicle will be white in colour.
- 4.35 A valid Calibration Certificate must be produced, if a meter is fitted. If following the calibration of a meter, the tyres or wheels of the vehicle are replaced, the meter must be re-calibrated and a new certificate produced to the Licensing Office prior to the vehicle being used as a Private Hire Vehicle.
- 4.36 No vehicle with windows darkened or tinted by manufacture will be licensed if those windows affect public safety by virtue of the fact that visibility is restricted into the interior of the vehicle. No windows tinted after manufacture may be fitted.
- 4.37 If a cheque is tendered that subsequently 'bounces' the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted for a twelve month period.

LICENCE CONDITIONS APPLICABLE TO LIMOUSINES & SPECIAL EVENT VEHICLES

A licence is granted to operate a Private Hire Vehicle subject to the holder of that licence complying with the Local Government (Miscellaneous Provisions) Act 1976 associated legislation and the following conditions.

Failure to comply with any of the conditions or the Law may lead to prosecution and revocation or suspension of the licence in relation to Private Hire/Hackney Carriage Vehicles

The definition of a Limousine for the purposes of Licensing in Walsall is 'any vehicle manufactured as a stretch vehicle, such as a Ford Lincoln, Volvo, Mercedes or equivalent, or any other vehicle deemed to be a Limousine by the Licensing Office. The criteria for these vehicles are the same as for other private hire vehicles, in addition however:-

- 5.1 The vehicle will be presented for an MOT test at a test centre nominated by the Authority every 4 months.
- 5.2 The vehicle may be left or right hand drive.
- 5.3 No vehicle that has been the subject of major conversion or modification will be accepted unless a Voluntary SVA, issued by the Vehicle Inspectorate covering such conversion or modification, is presented at time of licensing.
- 5.4 Side facing and rear facing seats will be permitted, subject to adequate seat belt installations being in place.
- 5.5 The vehicle will be licensed for a maximum number of 8 passengers.
- 5.6 The vehicle will not be subject to any age restriction for the purposes of licensing.
- 5.7 If a cheque is tendered that subsequently is not honoured the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted for a period of 12 months.
- 5.8 All applications for Chauffeur driven vehicles will be referred to the Licensing Committee on application.



Walsall Council

HACKNEY CARRIAGE BYELAWS

Byelaws with respect to Hackney Carriages made by The Walsall Metropolitan Borough Council, acting under section 68 of the Town Police Clauses Act 1847 and section 171 of the Public Health Act 1875

INTERPRETATION

1. Throughout these byelaws 'the Council' means the Walsall Metropolitan Borough Council and 'the District' means the Walsall Metropolitan Borough.

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 plates to be supplied by the Council, stating the number of the licence granted to him in respect of the carriage and the number of seats for which it is licensed, to be affixed on the outside and inside of the carriage in positions to be approved by the Council.

(b) A proprietor or driver of a hackney carriage shall:-

- i) not wilfully or negligently cause or suffer any such plate 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 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;

- (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
- (d) cause the seats to be properly cushioned or covered;
- (e) cause the floor to be provided with a proper carpet, mat or other suitable covering;
- (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
- (g) provide satisfactory means for carrying luggage and protecting it from the weather;
- (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use;
- (i) 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.

Byelaws requiring the fitting of (a) a taximeter with a flag or (b) a taximeter without a flag, and a separate 'For Hire' sign.

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,

(i) If the taximeter is fitted with a flag or other device bearing the words 'FOR HIRE':-

(a) The words 'FOR HIRE' shall be exhibited on each side of the flag or other device in plain letters at least one and a half 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

(b) 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

(c) 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

(ii) If the taximeter is not fitted with a flag or other device bearing the words 'FOR HIRE':-

- (a) 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
- (b) Such a 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
- (iii) 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 in that behalf for the hire of the carriage by distance
- (iv) The word 'FARE' shall be printed on the face of the taximeter in plain letters so as to clearly to apply to the fare recorded thereon
- (v) 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 carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring
- (vi) 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 tem 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 a half 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 if 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:-

- (i) if the taximeter is fitted with a flag or other device bearing the words 'FOR HIRE':-

- (a) when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible
 - (b) 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
- (ii) if the taximeter is not fitted with a flag or device bearing the words 'FOR HIRE':-
- (a) 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
 - (b) 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
 - (c) 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
- (iii) cause the dial of the taximeter to be kept properly illuminated throughout any part of the hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 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, or with the fitting thereof.
8. Every driver of a hackney carriage when plying for hire in any street and not actually hired shall:-
- (a) proceed with reasonable speed to and station the carriage on one of the stands appointed by the Council
 - (b) if such 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 his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward
- 9. 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.
- 10. 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.
- 11. The driver of a hackney carriage shall not at any time, when driving for hire, smoke tobacco or any other like substance except with the permission of the person hiring or being conveyed.
- 12. The driver of the first hackney carriage upon any stand shall be in attendance with such carriage, and be ready to be hired by any 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 a carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
- 16. If a badge has been provided by the Council and delivered to him either with a licence granted to him by the Council or afterwards, the driver of a hackney carriage shall, when standing, plying or driving for hire, wear that badge in such a position and manner as to be plainly and distinctly visible.
- 17. 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 such person
18. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of a carriage the rate or fare prescribed by the under mentioned table, the rate or fare being calculated by the distance unless the hirer express at the commencement of the hiring his desire to engage by time.

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 said table which may not be possible to record on the face of the taximeter.

FARES FOR DISTANCE

(i) MILEAGE	New Pence
If the distance does not exceed one mile for the whole Distance (minimum charge)	25
If the distance exceeds one mile for the first mile	25
For each subsequent 40 yards or uncompleted part Thereof	5
 (ii) WAITING TIME	
For each period of 2 1/2 minutes or uncompleted part Thereof	5
 (iii) EXTRA CHARGES	
For hirings begun between midnight and 6.00am	10
For hirings undertaken between 6.00am and midnight On 25th and 26th December	10
For each article conveyed outside the passenger Compartment of the carriage	5
For each person in excess of one	5

19. (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 fixing the stands of hackney carriages:-

Each of the several places specified in the following list shall be a stand for such number of hackney carriages as is specified in the list.

	Place	No. of Hackney Carriages
1.	Bridge Street, Walsall	10
2.	High Street, Aldridge North side from a point opposite Croft Parade in a westerly direction for approximately 60 feet	4
3.	Upper Lichfield Street, Willenhall East side between its junctions with Lower Lichfield Street and John Street	4
4.	Church Road, Brownhills South side from a point 13 yards to the East of its junction with High Street in an Easterly direction for approximately 30 feet	2
5.	Bloxwich	2

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,
- (a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the office of the council, and leave it in the custody of the Officer in charge of the office on is giving a receipt for it
 - (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever be the greater) but not more than five pounds.

PENALTIES

23. 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 five pounds for each day during which the offence continues after conviction therefor.
24. The following byelaws are hereby repealed:-
- (a) The Byelaws relating to hackney carriages made by the Mayor, Aldermen and Burgesses of the County Borough of Walsall on the 5th day of January 1973 as amended by the byelaw made by the Walsall Metropolitan Borough Council on the 25th day of April 1975 and confirmed by the Secretary of State on the 10th day of May 1973 and the 6th day of June 1975, respectively
 - (b) The Byelaws relating to hackney carriages made by the Urban District of Aldridge on the 12th day of September 1963 and confirmed by one of Her Majesty's Principal Secretaries of State on the 9th day of March 1964.

The COMMON SEAL of the WALSALL METROPOLITAN BOROUGH COUNCIL was hereunto affixed the sixth day of February 1976, in the presence of:-

B.F. DALE Associate Town Clerk

The fore-going byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 26th day of March 1976.

Signed by authority of the Secretary of State

R. F. D SHUFFERY An Assistant Under Secretary of State, Home Office,
Whitehall. 26th March 1976.



PRIVATE HIRE OPERATOR LICENCE CONDITIONS

The licence is granted, subject to all licensed operators and designated managers complying with the following conditions of Walsall Metropolitan Borough Council and the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

Failure to comply with any of the conditions or the law may lead to prosecution and revocation or suspension of the licence in relation to Private Hire/Hackney Carriage Vehicles

- 6.1 No person licensed under the Local Government (Miscellaneous Provisions) Act 1976 shall operate any vehicle in the controlled district of Walsall MBC:
- i) if the vehicle does not have a licence issued under section 48 of the Act, or
 - ii) the driver does not hold a licence issued by Walsall MBC to drive that vehicle.
- 6.2 Any change of home address or home telephone number must be reported to the Licensing Office in writing within 7 days following any such changes.
- 6.3 The licensee shall ensure that the following details are recorded for every Private Hire booking clearly and legibly into a register, to be approved by the Authority:-
- Name of hirer
 - Time and point of pick up
 - Destination of passengers
 - Private Hire plate number or other identifying code/call sign of the vehicle during the driver's duty period must be clearly recorded in the base record
 - Call sign of the driver carrying out the booking
 - Any fare agreed
- 6.4 Licensee(s) must ensure that all records are made readily available and surrendered if so required to any Authorised Officer of the Local Authority or Police Officer at any time during operating hours.

- 6.5 The licence is specific to those persons named on the licence and cannot be transferred or sold to a third party.
- 6.6 Incoming telephone calls shall not be diverted to a telephone located anywhere other than in the controlled district of Walsall.
- 6.7 The licensee shall ensure that all conditions of planning permission and radio communication licences are fully complied with in every respect.
- 6.8 The licensee will ensure that a written record of complaints is kept along with any response or action taken.
- 6.9 The licence holder shall not advertise in any form anything other than the full trading name specified on the Operator's licence.
- 6.10 The Licensing Office shall have the right to refuse to register any trading name that is likely to cause confusion to the general public, or is similar to a trading name registered to another licensed operator. The trading name shall not incorporate the words 'taxi', 'hire' or 'cab'.
- 6.11 The Licensee shall maintain the following records for every vehicle and driver operating via the licensed base:-
- A copy of the current Private Hire Drivers Licence
 - A copy of the current Private Hire Vehicle Licence
 - A copy of a valid Certificate of Insurance
 - A copy of the current MOT Certificate
- 6.12 The licensee will ensure that all records are kept and be readily available for a minimum period of 6 months.
- 6.13 It is the responsibility of the licensee to ensure that:-
- Any driver employed holds a current Private Hire Drivers Licence
 - Any driver employed wears the Walsall Private Hire Drivers badge in the prescribed manner
 - Any driver employed conforms to all conditions in every respect
 - They return to the Licensing Office the 'Base Copy' of the Private Hire Drivers Licence within 7 days of a driver ceasing to work via the base

- 6.14 The licensee shall provide a prompt and efficient service and ensure that:-
- Vehicles are clean inside and out
 - Drivers are suitably dressed (vests and shorts or torn and dirty garments are not appropriate)
 - Drivers attend bookings punctually at the appointed time unless delayed by unforeseen circumstances
 - Any lost property handed in by the driver is either returned to the owner or handed in at the nearest Police Station and advised to the Licensing Office
- 6.15 Any fixed penalties, cautions or convictions of the licensee (s) must be reported to the Licensing Office in writing within 7 days of the notification of the penalty, caution or conviction.
- 6.16 The licensed premises must always have in force a policy of Public Liability Insurance - Premise risk only.
- 6.17 The licensee(s) must ensure that there is a valid Radio Communications Licence held for the operating base at all times (if applicable).
- 6.18 No licensee may use the words 'taxi', 'cab' or 'hackney carriage' or any combination thereof in any advertising manner or media.
- 6.19 Any advertising should use only the words licensed private hire.
- 6.20 If the licensee of a firm operates a hackney carriage vehicle from his/her base for which there is in force at all times a current and valid hackney carriage licence then a nominal proportion of the advertising may include such words.
- 6.21 If a cheque is tendered that subsequently is not honoured the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted for a 12 month period.

USEFUL CONTACTS

<p>Criminal Records Bureau (CRB) PO Box 110 Liverpool L3 6ZZ Disclosure Tel: 0870 9090 844 Dispute Tel: 0870 9090 778</p>	<p>VOSA SVA Testing facility Levens Drive Harlescott Shrewsbury SY1 3EG Telephone: 01743 462621</p>
<p>Radio Communications Agency New Kings Beam House 22 Upper Ground London SE1 9SA 24 hour enquiry service: 0171 211 0211 Fax: 0171 211 0507</p>	<p>Health & Safety Executive Regional Office Birmingham Telephone: 0121 607 6200 General Enquiries Line: 0870 154 5500</p>
<p>Walsall MBC Planning Department 2nd Floor Civic Centre Darwall Street Walsall Telephone: 01922 652452</p>	<p>Walsall MBC MOT facility Norfolk Place Walsall Telephone: 01922 653760</p>

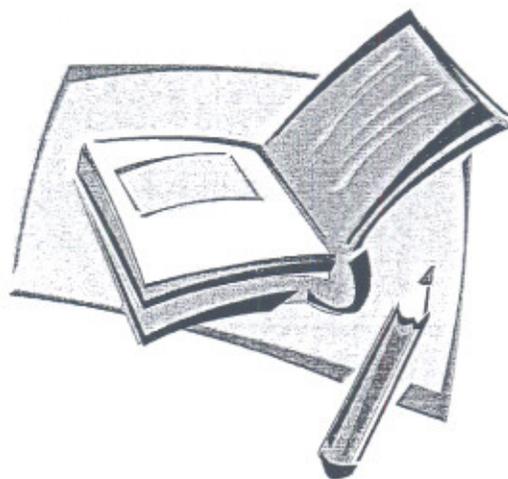
ORIGINAL CONDITIONS
APPROVED JAN. 2006.



Walsall Council

**Private Hire
and
Hackney Carriage**

**Information
and
Licence Conditions**

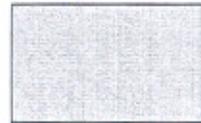


QUICK REFERENCE GUIDE

**General
Information**



**Private Hire/
Dual Driver Licence
Conditions**



**Hackney Carriage Vehicle
Licence Conditions**



**Private Hire Vehicle
Licence Conditions**



**Limousines & Special Event Vehicles
Licence Conditions**



**Hackney Carriage
Byelaws**



**Private Hire Operator
Licence Conditions**



PREFACE

It is an accepted fact that licensed Hackney Carriages and Private Hire Vehicles play an increasingly important part in the provision of an integrated public transport system within Walsall. Their role will become more important as new policies develop in the future.

It is the Council's vision and opinion that Best Practice outlining a common standard should apply both in the vehicles that are licensed and to all the drivers who operate them, no matter the frequency or level of participation.

The first contact many individuals have while visiting Walsall is a Hackney Carriage or Private Hire Vehicle. The Council's aim is that this should be a pleasant experience as it is considered an integral and important part of any visit to Walsall.

The Council advocates that Best Practice should be adopted as a norm and that Hackney Carriage and Private Hire Vehicles should be presented in a professional manner.

The following contains what in Walsall Metropolitan Borough Council's opinion would become Best Practice for both Hackney Carriage and Private Hire Vehicles and guidelines on the Code of Conduct for all personnel involved in operating or driving them.

This booklet also contains useful information, tips and guidance on driving licensed vehicles.

THE AIMS OF THE LICENSING SERVICE

The Licensing Service has 3 main aims:

1. To provide our customers with the assistance and guidance they require to deliver an excellent service to the public
2. To improve the quality of the Private Hire and Hackney Carriage Service
3. To protect public safety

These aims form the basis upon which we make our decisions.

HOW TO CONTACT US

The Licensing Office is situated at:

TAXI LICENSING OFFICE
NORTH WALSALL OFFICE
PROFFITT STREET
WALSALL
WS2 8AR

Tel: 01922 721897

Fax: 01922 720861

Email: taxilicensing@walsall.gov.uk

Text: WALSALL TAXI and message to 60003

Our opening hours are:-

Monday to Wednesday	08.45am – 16.45pm
Thursday	10.00am – 16.45pm
Friday	08.45am – 16.45pm

THE LICENSING OFFICE IS CLOSED BETWEEN 13.00 AND 14.00

DRIVING A HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLE

This section covers some of the key issues associated with driving a Hackney Carriage or Private Hire car. It looks at some of the skills you require to drive a Hackney Carriage or Private Hire Vehicle safely with passenger consideration.

SAFE DRIVING

Driving a Hackney Carriage or Private Hire vehicle demands a sense of responsibility. You are responsible for the lives of your passengers in your vehicle as well as other road users and pedestrians.

It means driving with responsibility, care, consideration and courtesy. Other people may make mistakes so you should be aware of other road users and pedestrians.

Safe driving involves:-

1. Being aware of what is happening around you and anticipating the actions of other road users
2. Driving to take account of the unexpected
3. Staying in full control at all times

Driving safely relies on making effective observations and to do this you must look and assess your situation, decide on an appropriate course and act on that decision.

THE SAFETY GAP

Try to maintain a safety gap around your vehicle at all times.

In slow moving or stationary traffic you should never get so close to the vehicle ahead of you that if it stalled or broke down you would have to use reverse gear or more than a moderate amount of steering to pass the vehicle.

In faster moving traffic you should keep a safe distance from the vehicle in front. If the vehicle behind is too close do not speed up; increase the distance from the vehicle in front. This allows the following vehicle a better chance to overtake, or if the vehicle in front stops suddenly, it gives you and the following vehicle a better chance to stop gradually.

MIRRORS AND BLIND SPOTS

The mirrors must be clean and in the right position. You should use them frequently and always before signalling or changing speed or course.

All vehicles have blind spots and you should know where they are. You should never stay in another vehicle's blind spot for longer than is necessary.

REVERSING

If reversing is unavoidable then carry out the manoeuvre slowly. Before reversing, you should always check that the way is clear and that the manoeuvre can be made safely. Take care when reversing near children.

SIGNALS AND SPEED

Always give the signals illustrated in the Highway Code, and avoid giving confusing signals. Speed limits are a legal maximum and are not the same as safe driving speeds.

PASSENGER CONSIDERATION

Drivers should be considerate to their passengers. Passengers with disabilities require special consideration, not only embarking or disembarking but also during the journey. Harsh cornering, stopping or braking could cause pain and distress.

VEHICLE SYMPATHY

Vehicle sympathy involves being aware of your vehicle's capabilities and not trying to exceed them.

VEHICLE CHECKS

Before you start your shift you should check that:-

1. there is no external damage to the bodywork
2. all doors and locks are operating correctly
3. all tyres are in an acceptable condition and at the correct pressure
4. oil, water, brake fluid and washer fluid levels are correct
5. all lights and indicators are working and clean
6. windscreen wipers and washers are in working order
7. mirrors are intact correctly positioned and clean
8. windows are clean
9. the horn is in working order
10. all the seats are fixed and secure and the seat belts are working
11. check the wheelchair ramp

ACCIDENTS

If you are involved in an accident you are legally obliged to stop and exchange details with any other person involved in the accident. However, if the other person involved in the accident will not give their details, note the registration number, make and model of the other vehicle. You should take the names and addresses of any witnesses.

If someone is injured or if for any reason particulars cannot be exchanged, then you have a duty to report the collision to the Police as soon as possible but within 24 hours.

Remember that your passengers may panic and you may also experience some shock yourself. Remain clam, reassure your passengers and take control of the situation. When you have the situation as safe as possible, you should then concern yourself with collecting and exchanging the necessary details.

If the collision causes injury to any person or animal, or damage to any other vehicle or any property you should:

1. Stop! This may seem obvious, but it is a legal requirement
2. do not move the vehicle unless it would be dangerous to leave it where it is
3. Immobilise the vehicle by applying the handbrake, putting the vehicle into a high gear or in the parked mode if the vehicle is automatic and switch off the engine. Turn off any electrical or fuel isolating switches that may be fitted.
4. Evacuate your passengers if there is a risk of fire or further accident
5. Check carefully for any injuries amongst passengers. If anyone is injured call the emergency services and administer first aid if you are a qualified first aider. Remember that shock symptoms may not be immediately obvious and shock can be life threatening.

IF THE VEHICLE IS ON FIRE

In the event of a fire, the first priority is to evacuate the passengers, since a vehicle can burn out in 3 to 4 minutes. It is suggested that the following steps should be considered in the event of a fire:-

1. Take control of the situation
2. Stop the vehicle immediately if it has not already come to a halt. Engage the handbrake and a high gear
3. Switch off the engine
4. Operate the fuel cut-off switch (if fitted)
5. Assist the passengers to leave the vehicle
6. Under no circumstances return to the vehicle or permit any passengers to return to the vehicle to collect personal belongings

BASIC FIRST AID

First Aid training is widely available and inexpensive. Certificated courses are organised by St. John Ambulance and the British Red Cross. If you are the first person on the scene of a road traffic collision then you will find the following information useful:-

1. If possible, position your vehicle so as to protect the scene of the accident
2. Engage the handbrake, switch off the engine and put on the hazard warning lights
3. Stay calm and assess the situation before taking any action
4. Call the emergency services using the 999 facility, or get someone else to do so

ALCOHOL AND DRUGS

It is illegal to drive whilst under the influence of alcohol or drugs (this can include prescribed drugs). When you are taking prescribed medicines check with your doctor it is safe to drive. If you are taking other medication, a pharmacist can offer advice.

Drinking any amount of alcohol will impair your driving ability and may lead to a breach of the law. The effect of alcohol from the day before may impair your judgement and could still be detected by the Police.

ROADSIDE INSPECTION

The Police can stop a Hackney Carriage or Private Hire Vehicle at any time. They have the right to inspect the vehicle for defects and can issue a prohibition on the vehicle.

PASSENGERS WITH DISABILITIES

In order that all members of the public in Walsall receive a consistently high level of service from Private Hire/Hackney Carriage drivers/operators/vehicle owners within the Borough, the Authority would expect licence holders to comply with the following requirements:

- All Private Hire Operators should have the facility to carry guide dogs/working dogs, when required to do so by a member of the public at no extra charge.
- Private Hire Operators must ensure that at all times the level of service they provide to people with disabilities is identical to the service they provide to able bodied passengers, both in terms of price and level of service.

- Any discrimination in relation to less able passengers is unacceptable. Discrimination will be considered as behaviour that is inappropriate to a Walsall Licence holder and will be considered by the Licensing Committee or Magistrates Court.

Most people want to treat less able employees, job applicants and customers in the same way as everyone else, but are not always sure how to go about it.

The following suggestions may help:

- Disabled people are individuals, just like everybody else. Don't make assumptions about their disabilities or their needs. Don't forget that some disabilities are hidden for example epilepsy and diabetes.
- If you aren't sure how something might affect a disabled person, ask them for advice.

Communication

- If a disabled person is with somebody else, talk to the disabled person directly, not to the person who is with them. This also applies to a hearing impaired person accompanied by a sign language interpreter.
- When talking to a hearing impaired person, find out if necessary in writing – whether they lip read. If they do, make sure your face is in the light, look directly at the person, speak clearly and naturally, remembering to keep your hands away from your face.
- When you first meet a visually impaired person, introduce yourself. When you are going to move away, tell them. Don't leave them in an empty space.
- When you are talking to someone with a speech impairment, concentrate on what is being said, be patient and don't try to guess what they want to say. If you don't understand, don't pretend you do.
- If someone has difficulty understanding you – perhaps because they have a learning disability – be patient and be prepared to explain something more than once.
- When talking to a wheelchair user, try to ensure that your eyes are at the same level as theirs, perhaps by sitting down.

- If you are talking to an adult, treat them like an adult.

Assistance

- If someone looks as if they need assistance, offer it, but wait for them to accept before you help.
- When guiding a blind person do not push or pull them. Ask them if they would like to take hold of your arm. If there are any steps tell them whether the steps go up and down.
- Remember that working dogs are not pets. They should not be fed, patted or distracted when they are working.

Language

Some of the words and phrases we use offend disabled people, because they suggest that the disabled person is dependant or helpless. Some words such as cripple or retarded have become terms of abuse or are used to make fun of disabled people. Below are some common words to avoid with suggested alternatives.

DO NOT SAY	USE
The disabled	Disabled people/people with disabilities
Suffering from / crippled by / afflicted by / a victim of	A person who has / a person with
Deaf and dumb	Deaf without speech
An epileptic	A person with epilepsy
Mentally handicapped	A person with a learning disability
Wheelchair bound	Wheelchair user

Guide for loading and securing a Wheelchair and passenger into a vehicle

Each time you pick up or drop off a wheelchair passenger you must follow the correct procedure, always use the ramps and secure the chair and passenger, using the correct equipment (i.e. clips and belts).

1. Park the vehicle in a suitable location.
2. Lift the back seat(s) into a vertical position.
3. Position the ramp(s) as recommended by the vehicle manufacturer and ensure the angle is not too steep.
4. Align the wheelchair with the ramp(s) and carefully push the wheelchair up and into the vehicle, if necessary reminding the passenger to lower their head as they pass under the door opening.
5. Push the wheelchair over towards the opposite door and put the wheelchair hand brakes on.
6. Prepare the wheelchair securing belts/shackles/clips and stow the ramp(s) securely.
7. Release the wheelchair hand brake and position the back of the wheelchair tightly against the vehicle's dividing partition. **PASSENGERS MUST BE TRANSPORTED REAR FACING NOT SIDEWAYS.**
8. Finally secure the wheelchair as recommended by the vehicle manufacturer and put the wheelchair hand brakes on.
9. NOTE: If the wheelchair is a powered chair, the passenger will need to drive the chair up the ramp and manoeuvre the chair into position.
10. Fit the wheelchair passenger seat belt, ensuring it is located correctly.
11. Lower the back seats if possible; ensuring the passengers legs are clear. If the back seats cannot be lowered, ensure they are secure to prevent them from dropping onto the passenger.
12. Reverse the above procedure to remove the wheelchair and passenger safely from the vehicle.
13. When the wheelchair and passenger is clear of the vehicle, always ensure that the wheelchair brakes are ON and the passenger is OK before leaving.



Walsall Council

CONDITIONS ATTACHED TO THE GRANT OF A LICENCE TO DRIVE A PRIVATE HIRE/HACKNEY CARRIAGE VEHICLE

The licence to drive a Private Hire/Hackney Carriage Vehicle is granted, subject to the licensed driver complying with the following conditions and any law pertaining to the driving of Private Hire/Hackney Carriage Vehicles.

Failure to comply with any of the conditions or the law may lead to prosecution and revocation or suspension of the licence to drive Private Hire/Hackney Carriage Vehicles.

Private Hire/Hackney Carriage Driver is now an exempted profession under the Rehabilitation of Offenders Act, and no conviction is spent. You may have to appear before the Licensing Committee if you have been convicted of any offence. In such cases you will be informed by the Licensing Office upon receipt of the CRB disclosure.

The licence holder will submit to a CRB check every three years from the date of the last CRB check.

The licence holder will submit to a DVLA Mandate check every three years from the date of the first DVLA Mandate.

PRIVATE HIRE/HACKNEY CARRIAGE DRIVERS

Your application will normally be refused or action will be taken in relation to an existing licence if:-

- You have held a full UK driving licence for less than 1 year
- You have been convicted of any driving offences involving drink/drugs, dangerous driving or disqualification within the last 5 years
- You have been convicted of careless driving/reckless driving or driving without insurance within the last 3 years
- You have been convicted of a driving offence involving vehicle safety or moving traffic offences within the last 2 years
- You have received more than 2 driving convictions within the last 3 years
- You have any convictions under the Local Government (Miscellaneous Provisions) Act 1976 or associated legislation i.e. taxi related offences

- You have previously been a licence holder in this or any other borough and that licence has been revoked, suspended or refused
- You have exhibited behaviour which is inconsistent with that expected of a Walsall licence holder
- You are in breach of any conditions/legislation relating to your licence

PRIVATE HIRE DRIVER LICENCE CONDITIONS

- 2.1 The licence holder must ensure that the vehicle he/she is driving is insured, licensed and complying with the conditions relating to the issue of the vehicle licence.
- 2.2 The licence holder must at all times when driving or being in charge of a Private Hire Vehicle wear the drivers Private hire identification badge as supplied by the Licensing Office. The badge must be worn in such a manner as to be plainly visible on the outer garment in the chest region.
- 2.3 The licence holder shall ensure that the Private Hire Driver badge is surrendered to the Licensing Office within 7 days of the expiry of the licence.
- 2.4 The licence holder must return the badge immediately to the Licensing Office upon the revocation or suspension of the licence.
- 2.5 The licence holder shall ensure that the 'base copy' of his/her Private Hire Driver licence is lodged with the base through which he/she is working.
- 2.6 The licence holder must notify the Licensing Office within 7 days in writing of any change of employer/base.
- 2.7 The licence holder must notify the Licensing Office within 7 days in writing following a change of address.
- 2.8 The licence holder shall ensure that the number of passengers carried in the vehicle does not exceed that stated in the licence.
- 2.9 The licence holder must take all reasonable precautions to ensure the safety of passengers. This includes while they are entering and alighting the vehicle, and requesting that passengers that passengers use safety belts.
- 2.10 The licence holder shall at all times drive in such a manner as to have a regard to the comfort and safety of the passengers and to show proper consideration for other road users, complying with the Highway Code at all times.

- 2.11 The licence holder must afford reasonable assistance with passenger luggage.
- 2.12 The licence holder shall provide a prompt and efficient service and ensure that the vehicle is clean. The licence holder should be clean and smartly dressed. (Vests, torn or dirty garments are not acceptable)
- 2.13 The licence holder shall not smoke, drink or eat in the vehicle for the duration of the booking.
- 2.14 The licence holder shall not play any radio/sound reproducing equipment in the vehicle for the duration of the booking without the express consent of the passenger.
- 2.15 The licence holder shall not ply for hire or solicit or tout under any circumstances.
- 2.16 The licence holder will not convey or permit to be conveyed any other person in the vehicle without the express consent of the hirer.
- 2.17 The licence holder shall not permit any child below the age of 10 years to be carried in the front of the Private Hire Vehicle.
- 2.18 The licence holder shall not demand from the hirer a fare in excess of any fare previously agreed at the base, and provide at the request of the hirer a written receipt for payment of the fare.

NEW CONVICTIONS

- 2.19 The licence holder shall ensure that any conviction, fixed penalty or caution is reported to the Licensing Office in writing within 7 days of the conviction, caution or penalty with the following details:-
- Nature of offence
 - Date of offence
 - Date of conviction
 - Court where heard
 - Penalty imposed

MEDICAL EXAMINATION

- 2.20 The licence holder will submit to a medical examination every 5 years. On attaining the age of 65 years the medical examination will be required annually. The licence holder on completion of the examination will submit to the Licensing Office the completed forms.
- 2.21 The licence holder must report any illness or medical condition which affects or prevents driving, to the Licensing Office as soon as is practical.

CARRIAGE OF ANIMALS

- 2.22 The licence holder shall not convey in any Private Hire Vehicle any animal belonging to or in the custody of him/herself.
- 2.23 The driver may at his/her discretion refuse to carry any animal belonging to, in the custody of any passenger.

HOWEVER, DRIVERS MUST CARRY GUIDE OR ASSISTANCE DOGS BELONGING TO PASSENGERS, FREE OF CHARGE.

The licence holder may apply for a medical exemption for the carriage of animals. Please contact the Licensing Office for the appropriate application form and/or further information. Drivers have a responsibility to ensure that their company are aware of such a condition/exemption.

- 2.24 If a cheque is tendered that subsequently 'bounces' the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted.



HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS

This licence is granted subject to the Local Government (Miscellaneous Provisions) Act 1976, Town Police Clauses Act 1847 and Public Health Act 1875 and in addition the following conditions.

Failure to comply with any of the conditions or the Law may lead to prosecution and revocation or suspension of the licence in relation to Private Hire/Hackney Carriage Vehicles.

- 3.1 The licence holder shall not cause the Hackney Carriage Vehicle to be driven by any person who does not hold a valid Hackney Carriage Drivers licence issued by Walsall Metropolitan Borough Council.
- 3.2 The licence holder must ensure that the licensing identification plate issued by Walsall MBC is permanently fixed to the rear exterior of the vehicle, not by magnetic means. The licence details provided by the Licensing Office must be displayed in the drivers compartment and be visible to all passengers. If the external plate becomes defaced or lost the vehicle should not be used until a replacement has been issued.
- 3.3 The Hackney Carriage Vehicle plates remain the property of Walsall MBC. The licence holder shall ensure that the licensing identification is returned to the Licensing Office on demand and in any event on expiry of the licence.
- 3.4 The grant of a Hackney Carriage Vehicle Licence is dependant on the vehicle being black in colour, brand new and wheelchair accessible.
- 3.5 The licence holder shall permit the vehicle to be inspected by an Authorised Officer or Police Officer at any reasonable time.
- 3.6 The licence holder shall maintain at all times when a Vehicle licence is in force, valid Public Hire Insurance cover. The licence holder shall provide the current, valid, original insurance document on demand, to an Authorised Officer or Police Officer.
- 3.7 No licence holder shall part with or lend out the vehicle plate issued to them by Walsall MBC in respect of any Hackney Carriage Vehicle.

- 3.8 The licence holder shall have full responsibility for the renewal of all vehicle and driver licences required.
- 3.9 Each licence holder must ensure that a copy, to be supplied by the Local Authority of the Hackney carriage Byelaws is carried in the vehicle at all times and is available for inspection by an Authorised Officer.
- 3.10 The licence holder shall ensure that a copy of these conditions is available for inspection by a hirer at all times.
- 3.11 The following notices shall be displayed within public view within the vehicle at all times:
- Current fare table
 - Vehicle plate number
 - Contact details for Local Authority
 - A notice advertising complaints should be directed to the Licensing Authority
- 3.12 The licence holder shall ensure that the number of passengers carried in the vehicle does not exceed the number permitted by licence.
- 3.13 The licence holder shall notify the Licensing Office in writing of any change of address within 7 days of any change taking place. All documentation produced must show the same address.
- 3.14 The licence holder shall ensure that any conviction, fixed penalty or caution is reported to the Licensing Office in writing, within 7 days of the conviction, penalty or caution.
- 3.15 No vehicles that have been the subject of major conversion or modification will be accepted unless a voluntary SVA, issued by VOSA covering such conversion or modification, is presented at time of licensing the vehicle.
- 3.16 The licence holder shall ensure that the vehicle, including all bodywork, upholstery and fittings, is roadworthy, safe and serviceable, and is in a clean condition subject to prevailing road conditions.
- 3.17 The licence holder shall not fix or cause to be fixed to the vehicle any advertisement without approval from the Licensing Office. Hackney Carriage Vehicles must not display Private Hire Operator advertising.
- 3.18 The licence holder shall ensure that a suitable fire extinguisher and first aid kit, identifiable to that vehicle is carried and is accessible at all times.

- 3.19 The use of citizens band radio is prohibited.
- 3.20 The vehicle must be fitted with a fully operative meter calibrated and sealed to the current Walsall MBC fare rates. A valid Calibration Certificate must be produced on application for a Vehicle Licence. The licence holder shall not operate the Hackney Carriage if the taximeter is defective in any way. If following the calibration of a meter, the tyres or wheel sizes are changed, the meter must be re-calibrated and a new Certificate produced to the Licensing Office prior to the vehicle being operated before it can continue to be used.
- 3.21 A vehicle must not be used for Hackney Carriage purposes after testing **until** the licence has been issued. A vehicle must be licensed within 5 working days of successfully passing a vehicle test, otherwise the vehicle will not be accepted for licensing.
- 3.22 No Hackney Carriage Vehicle will be fitted with windows which have been darkened or tinted after manufacture by whatever means.
- 3.23 No vehicle with windows darkened or tinted by manufacture will be licensed if those windows affect public safety by virtue of the fact that visibility is restricted into the interior of the vehicle.
- 3.24 When the vehicle is presented for testing and fails such a test the Local Authority may remove the plate immediately.
- 3.25 For vehicles fitted with passenger tail lifts, a valid Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), bi-annual certificate must be presented at time of licensing.
- 3.26 No Hackney Carriage Vehicle shall be used in the district under a contract for Private hire except at a rate of fares or charges not greater than that fixed by the Byelaws.

AGE RESTRICTION ON VEHICLES

- 3.27 For the purposes of Hackney Carriage Vehicles, the London Style cab will not be licensed past 18 years from the registration date.
- 3.28 For the purposes of Hackney Carriage Vehicles, the Eurocab i.e. Mercedes, Peugeot and Fiat etc will not be licensed past 12 years from the registration date.
- 3.29 All vehicles up to 3 years old shall be presented for testing by the Authority annually.
- 3.30 All vehicles over 3 years old shall be presented for testing by the Authority every 4 months.

- 3.31 Any replacement vehicle must be newer than the vehicle it replaces, black and wheelchair accessible.

ACCIDENT DAMAGE

- 3.32 If a Hackney Carriage Vehicle is damaged in a vehicular accident or by any other means, the licence holder shall report the damage to the Licensing Office as soon as reasonably practicable and in any case within 72 hours of the occurrence thereof. The examination shall determine if the vehicle is roadworthy or in need of repair. An 'Accident Damage Form' will be issued and must be retained in the vehicle. If the vehicle is deemed unfit to be used as a Hackney Carriage Vehicle the licence will be suspended. If the vehicle is not repaired before the expiration of two months from the date of inspection the licence will automatically be revoked. Unless the Authority confirms otherwise, the vehicle shall not be used as a Hackney Carriage from the date of first examination until it has been re-examined and passed fit for use. If the vehicle has sustained major damage then the location of the vehicle must be given and it may be inspected by an Authorised Officer.
- 3.33 The licence holder shall not obstruct any Officer authorised by the Authority in the execution of her/his duties.
- 3.34 If a cheque is tendered that subsequently 'bounces' the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted.



PRIVATE HIRE VEHICLE LICENCE CONDITIONS

A licence is granted to operate a Private Hire Vehicle subject to the holder of that licence complying with the Local Government (Miscellaneous Provisions) Act 1976 associated legislation and the following conditions.

Failure to comply with any of the conditions or the Law may lead to prosecution and revocation or suspension of the licence in relation to Private Hire/Hackney Carriage Vehicles.

- 4.1 The licence holder must ensure that the licensing identification plate issued by Walsall MBC is fixed to the rear exterior of the vehicle, not by magnetic means. The side licensing identification should be positioned on the rear doors between the trim and the window and permanently fixed, not by magnetic means. If any of the licensing identification becomes defaced or lost the vehicle should not be used until replacements have been issued. An exemption may be granted by the Licensing Committee in certain circumstances.
- 4.2 The licence identification remains the property of Walsall MBC. The licence holder shall ensure that the licence identification is returned to the Licensing Office on demand and in any event on expiry of the licence.
- 4.3 The licence holder shall maintain, at all times when a vehicle licence is in force, valid Private Hire Insurance cover.
- 4.4 The licence holder shall provide the current, valid original insurance document on demand, to an Authorised Officer or Police Officer.
- 4.5 Proof of continuous Insurance must be produced to the Licensing Office for the period of the Private Hire Vehicle licence. Failure to do so may result in the suspension of the licence along with refusal to renew the licence.
- 4.6 The licence holder shall ensure that a copy of the current Private Hire Vehicle Licence, MOT and Certificate of Insurance are available for inspection at the Private hire Operators base through which the vehicle is being operated, at all times.

- 4.7 The licence holder shall ensure that the vehicle is only licensed as a Private Hire Vehicle in the controlled district of Walsall.
- 4.8 The licence holder shall not cause the vehicle to which this licence relates, to be driven by any person who does not hold a valid Private Hire Drivers licence issued by Walsall MBC.
- 4.9 The licence holder shall notify the Licensing Office in writing of any change of address within 7 days of any change taking place. All documentation produced must show the same address.

AGE RESTRICTION ON VEHICLES

- 4.10 When a saloon car/MPV is presented for licensing and that saloon car/MPV has not been licensed by Walsall MBC, or if it has previously been licensed by Walsall MBC and the licence allowed to expire, then in each case the vehicle must be five years of age or under (from the date of first registration or manufacture) depending, on which is earlier, in order for that vehicle to be licensed.
- 4.11 Once a saloon car/MPV has been licensed, it may continue to be licensed until it reaches ten years of age providing:
- a) that during the licence period the vehicle conforms to the Conditions of Licence set by Committee.
 - b) that during the licence period, the licence is not allowed to lapse other than by prior arrangement with the Licensing Office.
- 4.12 When a minibus is presented for licensing and that minibus has not been licensed by Walsall MBC, or if it has previously been licensed by Walsall MBC and the licence allowed to expire, then in each case the vehicle must be six years of age or under (from the date of first registration or manufacture whichever is earlier) in order for that vehicle to be licensed.
- 4.13 Once a minibus has been licensed, it may continue to be licensed until it reaches twelve years of age providing:
- a) that during the licence period the vehicle conforms to the Conditions of Licence set by Committee.
 - b) that during the licence period, the licence is not allowed to lapse other than by prior arrangement with the Licensing Office.

- 4.14 All vehicles up to 3 years old shall be presented for testing by the Authority annually.
- 4.15 All vehicles over 3 years old shall be presented for testing by the Authority every 4 months.
- 4.16 A vehicle must not be used for Private Hire purposes after testing, until the licence has been issued. A vehicle must be licensed within 5 working days of successfully passing a vehicle test, otherwise the vehicle will not be accepted for licensing.
- 4.17 When the vehicle is presented for testing and fails such a test the Local Authority may remove the plate immediately.
- 4.18 The licence holder shall have full responsibility for the renewal of all vehicle and driver licences required.

ACCIDENT DAMAGE

- 4.19 If a Private Hire Vehicle is damaged in a vehicular accident or by any other means, the licence holder shall report the damage to the Licensing Office as soon as reasonably practicable and in any case within 72 hours of the occurrence thereof. The examination shall determine if the vehicle is roadworthy or in need of repair. An 'Accident Damage Form' will be issued and must be retained in the vehicle. If the vehicle is deemed unfit to be used as a Private Hire Vehicle the licence will be suspended. If the vehicle is not repaired before the expiration of two months from the date of inspection the licence will automatically be revoked. Unless the Authority confirms otherwise, the vehicle shall not be used as a Private Hire Vehicle from the date of first examination until it has been re-examined and passed fit for use. If the vehicle has sustained major damage then the location of the vehicle must be given and it may be inspected by an Authorised Officer.
- 4.20 The licence holder shall permit the vehicle to be inspected by an Authorised Officer or Police Officer at any reasonable time.
- 4.21 The licence holder shall not fix or cause to be fixed any roof sign, advertisement or other stickers/lettering without the express consent of the Licensing Office.
- 4.22 The licence holder shall ensure that the number of passengers carried in the vehicle does not exceed that stated in the licence.
- 4.23 No Private hire Vehicle shall be fitted with a roof rack or use a trailer.

- 4.24 The licence holder shall ensure that a suitable fire extinguisher and first aid kit, identifiable to that vehicle are carried and are accessible at all times.
- 4.25 The use of citizens band radio is prohibited.
- 4.26 For vehicles fitted with passenger tail lifts, a valid Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), bi-annual certificate must be presented at time of licensing.
- 4.27 No vehicles that have been the subject of major conversion or modification will be accepted unless a Voluntary SVA, issued by the Vehicle Inspectorate (VOSA) covering such conversion or modification, is presented at time of inspection of the vehicle.
- 4.28 The licence holder shall ensure that the vehicle, including all bodywork, upholstery and fittings, is roadworthy, safe and serviceable, and is in a clean condition subject to prevailing road conditions.
- 4.29 No licence holder shall part with or lend out the vehicle plate issued to them by Walsall MBC in respect of any Private Hire Vehicle.
- 4.30 If the holder of a Private Hire Vehicle licence transfers his interest in that vehicle, he shall, within 14 days of the transfer, notify the Licensing Office in writing and complete the relevant Transfer Application Form. Continuous valid Private Hire insurance must be produced up to the transfer date, before any new vehicle licence will be issued.

MINIBUS/MPV

- 4.31 The licence holder shall ensure that any exit doors/signs are clearly identified/illuminated as required.
- 4.32 The seating arrangement in the vehicle shall not without prior approval be changed from the configuration in place when submitted for the initial test.
- 4.33 If the body style or appearance of a vehicle shall lead any person to believe that the vehicle is a Hackney Carriage, then that vehicle will be white in colour.
- 4.34 All applications for Chauffeur driven vehicles will be referred to the Licensing Committee on application.
- 4.35 A valid Calibration Certificate must be produced, if a meter is fitted. If following the calibration of a meter, the tyres or wheels of the vehicle are replaced, the meter must be re-calibrated and a new certificate

produced to the Licensing Office prior to the vehicle being used as a Private Hire Vehicle.

- 4.36 No vehicle with windows darkened or tinted by manufacture will be licensed if those windows affect public safety by virtue of the fact that visibility is restricted into the interior of the vehicle. No windows tinted after manufacture may be fitted.
- 4.37 If a cheque is tendered that subsequently 'bounces' the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted for a twelve month period.

LICENCE CONDITIONS APPLICABLE TO LIMOUSINES & SPECIAL EVENT VEHICLES

A licence is granted to operate a Private Hire Vehicle subject to the holder of that licence complying with the Local Government (Miscellaneous Provisions) Act 1976 associated legislation and the following conditions.

Failure to comply with any of the conditions or the Law may lead to prosecution and revocation or suspension of the licence in relation to Private Hire/Hackney Carriage Vehicles.

The definition of a Limousine for the purposes of Licensing in Walsall is 'any vehicle manufactured as a stretch vehicle, such as a Ford Lincoln, Volvo, Mercedes or equivalent, or any other vehicle deemed to be a Limousine by the Licensing Office. The criteria for these vehicles are the same as for other private hire vehicles, in addition however:-

- 5.1 The vehicle will be presented for an MOT test at a test centre nominated by the Authority every 4 months.
- 5.2 The vehicle may be left or right hand drive.
- 5.3 No vehicle that has been the subject of major conversion or modification will be accepted unless a Voluntary SVA, issued by the Vehicle Inspectorate covering such conversion or modification, is presented at time of licensing.
- 5.4 Side facing and rear facing seats will be permitted, subject to adequate seat belt installations being in place.
- 5.5 The vehicle will be licensed for a maximum number of 8 passengers.
- 5.6 The vehicle will not be subject to any age restriction for the purposes of licensing.
- 5.7 If a cheque is tendered that subsequently 'bounces' the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted.



Walsall Council

HACKNEY CARRIAGE BYELAWS

Byelaws with respect to Hackney Carriages made by The Walsall Metropolitan Borough Council, acting under section 68 of the Town Police Clauses Act 1847 and section 171 of the Public Health Act 1875

INTERPRETATION

1. Throughout these byelaws 'the Council' means the Walsall Metropolitan Borough Council and 'the District' means the Walsall Metropolitan Borough.

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 plates to be supplied by the Council, stating the number of the licence granted to him in respect of the carriage and the number of seats for which it is licensed, to be affixed on the outside and inside of the carriage in positions to be approved by the Council.
- (b) A proprietor or driver of a hackney carriage shall:-
 - i) not wilfully or negligently cause or suffer any such plate 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 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;

- (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
- (d) cause the seats to be properly cushioned or covered;
- (e) cause the floor to be provided with a proper carpet, mat or other suitable covering;
- (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
- (g) provide satisfactory means for carrying luggage and protecting it from the weather;
- (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use;
- (i) 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.

Byelaws requiring the fitting of (a) a taximeter with a flag or (b) a taximeter without a flag, and a separate 'For Hire' sign.

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,
 - (i) If the taximeter is fitted with a flag or other device bearing the words 'FOR HIRE':-
 - (a) The words 'FOR HIRE' shall be exhibited on each side of the flag or other device in plain letters at least one and a half 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
 - (b) 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
 - (c) 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
 - (ii) If the taximeter is not fitted with a flag or other device bearing the words 'FOR HIRE':-

- (a) 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
 - (b) Such a 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
 - (iii) 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 in that behalf for the hire of the carriage by distance
 - (iv) The word 'FARE' shall be printed on the face of the taximeter in plain letters so as to clearly to apply to the fare recorded thereon
 - (v) 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 carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring
 - (vi) 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 tem 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 a half 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 if 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:-
- (i) if the taximeter is fitted with a flag or other device bearing the words 'FOR HIRE':-

- (a) when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible
 - (b) 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
 - (ii) if the taximeter is not fitted with a flag or device bearing the words 'FOR HIRE':-
 - (a) 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
 - (b) 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
 - (c) 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
 - (iii) cause the dial of the taximeter to be kept properly illuminated throughout any part of the hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 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, or with the fitting thereof.
8. Every driver of a hackney carriage when plying for hire in any street and not actually hired shall:-
- (a) proceed with reasonable speed to and station the carriage on one of the stands appointed by the Council
 - (b) if such 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 his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward
9. 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.
 10. 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.
 11. The driver of a hackney carriage shall not at any time, when driving for hire, smoke tobacco or any other like substance except with the permission of the person hiring or being conveyed.
 12. The driver of the first hackney carriage upon any stand shall be in attendance with such carriage, and be ready to be hired by any 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 a carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
 16. If a badge has been provided by the Council and delivered to him either with a licence granted to him by the Council or afterwards, the driver of a hackney carriage shall, when standing, plying or driving for hire, wear that badge in such a position and manner as to be plainly and distinctly visible.
 17. 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 such person
18. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of a carriage the rate or fare prescribed by the under mentioned table, the rate or fare being calculated by the distance unless the hirer express at the commencement of the hiring his desire to engage by time.

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 said table which may not be possible to record on the face of the taximeter.

FARES FOR DISTANCE

(i) MILEAGE	New Pence
If the distance does not exceed one mile for the whole Distance (minimum charge)	25
If the distance exceeds one mile for the first mile	25
For each subsequent 40 yards or uncompleted part Thereof	5
 (ii) WAITING TIME	
For each period of 2 1/2 minutes or uncompleted part Thereof	5
 (iii) EXTRA CHARGES	
For hirings begun between midnight and 6.00am	10
For hirings undertaken between 6.00am and midnight On 25th and 26th December	10
For each article conveyed outside the passenger Compartment of the carriage	5
For each person in excess of one	5

19. (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 fixing the stands of hackney carriages:-

Each of the several places specified in the following list shall be a stand for such number of hackney carriages as is specified in the list.

	Place	No. of Hackney Carriages
1.	Bridge Street, Walsall	10
2.	High Street, Aldridge North side from a point opposite Croft Parade in a westerly direction for approximately 60 feet	4
3.	Upper Lichfield Street, Willenhall East side between its junctions with Lower Lichfield Street and John Street	4
4.	Church Road, Brownhills South side from a point 13 yards to the East of its junction with High Street in an Easterly direction for approximately 30 feet	2
5.	Bloxwich	2

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,
- (a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the office of the council, and leave it in the custody of the Officer in charge of the office on is giving a receipt for it
 - (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever be the greater) but not more than five pounds.

PENALTIES

23. 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 five pounds for each day during which the offence continues after conviction therefor.
24. The following byelaws are hereby repealed:-
- (a) The Byelaws relating to hackney carriages made by the Mayor, Aldermen and Burgesses of the County Borough of Walsall on the 5th day of January 1973 as amended by the byelaw made by the Walsall Metropolitan Borough Council on the 25th day of April 1975 and confirmed by the Secretary of State on the 10th day of May 1973 and the 6th day of June 1975, respectively
 - (b) The Byelaws relating to hackney carriages made by the Urban District of Aldridge on the 12th day of September 1963 and confirmed by one of Her Majesty's Principal Secretaries of State on the 9th day of March 1964.

The COMMON SEAL of the WALSALL METROPOLITAN BOROUGH COUNCIL was hereunto affixed the sixth day of February 1976, in the presence of:-

B.F. DALE Associate Town Clerk

The fore-going byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 26th day of March 1976.

Signed by authority of the Secretary of State

R. F. D SHUFFERY An Assistant Under Secretary of State, Home Office,
Whitehall. 26th March 1976.



PRIVATE HIRE OPERATOR LICENCE CONDITIONS

The licence is granted, subject to all licensed operators and designated managers complying with the following conditions of Walsall Metropolitan Borough Council and the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

Failure to comply with any of the conditions or the law may lead to prosecution and revocation or suspension of the licence in relation to Private Hire/Hackney Carriage Vehicles.

- 6.1 No person licensed under the Local Government (Miscellaneous Provisions) Act 1976 shall operate any vehicle in the controlled district of Walsall MBC:
- i) if the vehicle does not have a licence issued under section 48 of the Act, or
 - ii) the driver does not hold a licence issued by Walsall MBC to drive that vehicle.
- 6.2 Any change of home address or home telephone number must be reported to the Licensing Office in writing within 7 days following any such changes.
- 6.3 The licensee shall ensure that the following details are recorded for every Private Hire booking clearly and legibly into a register, to be approved by the Authority:-
- Name of hirer
 - Time and point of pick up
 - Destination of passengers
 - Private Hire plate number or other identifying code/call sign of the vehicle during the driver's duty period must be clearly recorded in the base record
 - Call sign of the driver carrying out the booking
 - Any fare agreed
- 6.4 Licensee(s) must ensure that all records are made readily available and surrendered if so required to any Authorised Officer of the Local Authority or Police Officer at any time during operating hours.

- 6.5 The licence is specific to those persons named on the licence and cannot be transferred or sold to a third party.
- 6.6 Incoming telephone calls shall not be diverted to a telephone located anywhere other than in the controlled district of Walsall.
- 6.7 The licensee shall ensure that all conditions of planning permission and radio communication licences are fully complied with in every respect.
- 6.8 The licensee will ensure that a written record of complaints is kept along with any response or action taken.
- 6.9 The licence holder shall not advertise in any form anything other than the full trading name specified on the Operator's licence.
- 6.10 The Licensing Office shall have the right to refuse to register any trading name that is likely to cause confusion to the general public, or is similar to a trading name registered to another licensed operator. The trading name shall not incorporate the words 'taxi', 'hire' or 'cab'.
- 6.11 The Licensee shall maintain the following records for every vehicle and driver operating via the licensed base:-
- A copy of the current Private Hire Drivers Licence
 - A copy of the current Private Hire Vehicle Licence
 - A copy of a valid Certificate of Insurance
 - A copy of the current MOT Certificate
- 6.12 The licensee will ensure that all records are kept and be readily available for a minimum period of 6 months.
- 6.13 It is the responsibility of the licensee to ensure that:-
- Any driver employed holds a current Private Hire Drivers Licence
 - Any driver employed wears the Walsall Private Hire Drivers badge in the prescribed manner
 - Any driver employed conforms to all conditions in every respect
 - They return to the Licensing Office the 'Base Copy' of the Private Hire Drivers Licence within 7 days of a driver ceasing to work via the base

- 6.14 The licensee shall provide a prompt and efficient service and ensure that:-
- Vehicles are clean inside and out
 - Drivers are suitably dressed (vests and shorts or torn and dirty garments are not appropriate)
 - Drivers attend bookings punctually at the appointed time unless delayed by unforeseen circumstances
 - Any lost property handed in by the driver is either returned to the owner or handed in at the nearest Police Station and advised to the Licensing Office
- 6.15 Any fixed penalties, cautions or convictions of the licensee (s) must be reported to the Licensing Office in writing within 7 days of the notification of the penalty, caution or conviction.
- 6.16 The licensed premises must always have in force a policy of Public Liability Insurance - Premise risk only.
- 6.17 The licensee(s) must ensure that there is a valid Radio Communications Licence held for the operating base at all times (if applicable).
- 6.18 No licensee may use the words 'taxi', 'cab' or 'hackney carriage' or any combination thereof in any advertising manner or media.
- 6.19 Any advertising should use only the words licensed private hire.
- 6.20 If the licensee of a firm operates a hackney carriage vehicle from his/her base for which there is in force at all times a current and valid hackney carriage licence then a nominal proportion of the advertising may include such words.
- 6.21 If a cheque is tendered that subsequently 'bounces' the licence holder will be subject to a supplementary administration charge as detailed on current fees scale and no further cheques will be accepted.

USEFUL CONTACTS

<p>Criminal Records Bureau (CRB) PO Box 110 Liverpool L3 6ZZ Disclosure Tel: 0870 9090 844 Dispute Tel: 0870 9090 778</p>	<p>VOSA SVA Testing facility Levens Drive Harlescott Shrewsbury SY1 3EG Telephone: 01743 462621</p>
<p>Radio Communications Agency New Kings Beam House 22 Upper Ground London SE1 9SA 24 hour enquiry service: 0171 211 0211 Fax: 0171 211 0507</p>	<p>Health & Safety Executive Regional Office Birmingham Telephone: 0121 607 6200 General Enquiries Line: 0870 154 5500</p>
<p>Walsall MBC Planning Department 2nd Floor Civic Centre Darwall Street Walsall Telephone: 01922 652452</p>	<p>Walsall MBC MOT facility Norfolk Place Walsall Telephone: 01922 653760</p>