**CITY OF CARLISLE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

**CODE OF PRACTICE FOR**

**HACKNEY CARRIAGE DRIVERS**

The holder of a Hackney Carriage driver's licence (hereinafter called the driver) shall observe and perform all the following codes of practice which shall be attached to and form part of his Hackney Carriage driver's licence.

1. This Licence is personal to the driver named herein and the driver shall not in any circumstances assign it or in any way part with the benefit thereof to any other person.

1. The driver shall at all times when acting as a driver of a Hackney Carriage, wear or display

the driver's current year identity card issued by the Council **in such a position and manner** **as to be plainly and distinctly visible to the hirer.**

3. The driver's identity card issued by the Council remains the property of the Council and shall be returned to the Council by the driver or a person appointed by them within seven days of the date of the suspension or revocation of or refusal or failure to renew this Licence.

1. The driver shall not, at any time whilst driving or in charge of any Hackney Carriage (the Hackney Carriage):-

(a) station the Hackney Carriage on any place which is marked out as a bus stop or loading bay, or on any length of highway during times when a prohibition on loading and unloading is in operation;

(b) station the Hackney Carriage on a public highway in such a manner so that it is double parked or otherwise obstructing the free flow of traffic and this condition shall apply at all times and including whilst and before and after the hirer is boarding or alighting from the Hackney Carriage;

(c) station the Hackney Carriage so as to obstruct the exit or fire exits of any place licensed for regulated entertainment or to station the Hackney Carriage in such a way that a condition attached to the premises licence as to access for emergency vehicles cannot be complied with;

(d) leave the Hackney Carriage parked and unattended on any taxi rank.

5 (a) The driver shall not permit or cause or suffer to be carried in any licensed Hackney

 Carriage, a greater number of persons than that specified in the licence for

that Hackney Carriage and shall provide that the seating arrangements are as specified in the licence for that Hackney Carriage.

 (b) The driver shall not allow there to be conveyed in the front of a Hackney Carriage

 beside him:-

 (1) any child below the age of ten years; or

 (2) more than one person.

 unless the Hackney Carriage has been specifically designed to provide more than one

 passenger seat in the front, in which case the above rules apply to each seat.

1. The driver shall not without the consent of the hirer of a Hackney Carriage convey, or permit to be conveyed, any other person or animal in that Hackney Carriage.
2. The driver shall not demand from any hirer of a Hackney Carriage a fare in excess of any

 previously agreed for that hiring between himself and the hirer or in excess of the fare

 shown on the face of the taximeter.

1. The driver of a Hackney Carriage shall not cause the fare recorded on the meter to be

 cancelled or concealed until the hirer has had a reasonable opportunity of examining it and

 has paid the fare.

8. The driver, except where he is the proprietor of the Hackney Carriage, shall report to the

Proprietor of any Hackney Carriage as soon as practicable and in any case within 24 hours of its occurrence, details of any accident in which such Hackney Carriage has been involved.

1. The driver of a Hackney Carriage which has been hired to be in attendance at an

 appointed time and place shall unless delayed or prevented by some sufficient cause

 punctually attend at the appointed time and place.

1. The driver shall when requested by the hirer convey a reasonable quantity of luggage and

 afford reasonable assistance in loading and unloading, including assistance in removing to

 and from the entrance of any house or other place where he collects or sets down his

passengers. The driver shall not accept a hiring if the hirer abandons a shopping trolley on a road or public place unless the driver first returns such a trolley to the store from which it was brought. He shall also provide all reasonable assistance with wheelchair bound, disabled, elderly and vulnerable passengers.

11. The driver shall not refuse to carry within the vehicle any household pets providing they are accompanied by an adult and providing such pets are suitably restrained or contained so as not to cause a nuisance or damage. *‘*

12. At the end of each hiring and before commencing any further hiring the driver shall search the vehicle for any property accidentally left by the immediately preceding hirer. It is the drivers legal obligation to try and reunite all lost property with the owner and shall as soon as practicable and in any case within 48 hours after the discovery of property, attempt to return it to the owner. Failing that and still within 48 hours, all identifiable property shall be handed into the Police Station within the Council’s area and a receipt obtained, which must be kept by the proprietor of the vehicle. Identifiable property can range from purses, bank cards, driving licences, mobile phones, laptops, cameras, i.e anything that can identify the owner.

 ALL unidentifiable property shall be kept by the proprietor for a minimum of 28 days and a record kept of the description.

 ALL found property must be reported to the Licensing Section, Civic Centre, Carlisle within 48 hours where a record will be taken ‘

13. The driver shall, every three years, submit via the Council which is a registered body, an application to the Disclosure & Barring Service (DBS) for an enhanced disclosure.

1. The driver shall, every three years, produce to the Council a certificate signed by his registered medical practitioner, to the effect that he is fit to be the driver of a Hackney Carriage. He should come to this decision using Group 2 standards for vocational drivers as laid down in the current issue of “At a glance guide to the current medical standards of fitness to drive” issued by the Drivers Medical Unit, DVLAS, Swansea. In addition he shall if so required, whether or not such medical certificate has been produced, submit to an examination by a registered medical practitioner selected by the Council as to his fitness to be such a driver.
2. The driver shall at the request of any authorised officer of the Council or any police constable produce for inspection his Hackney Carriage Driver's licence either forthwith or before the expiration of seven days beginning with the day following the date of the request:-
3. in the case of a request of an authorised officer of the Council at the offices of the

 Council’s Assistant Director (Governance), or

1. in the case of a request of a police constable at any police station within the Council's

 area which is nominated by the driver when the request is made.

16. The driver shall: -

(a) if requested by the hirer of a Hackney Carriage provide him with a written receipt for the fare paid;

1. at all times be clean and respectable in his dress and person and behave in a civil

and orderly manner;

1. take all reasonable steps to ensure the safety of passengers conveyed in, entering or

 alighting from the vehicle driven by him;

1. not without the express consent of the hirer drink or eat in the vehicle;
2. not without the express consent of the hirer play any radio or sound reproducing

 instrument or equipment in the vehicle other than for the purpose of sending or

 receiving messages in connection with the operation of the vehicle;

1. at no time cause or permit the noise emitted by any radio or other previously mentioned

 equipment in the vehicle which he is driving, to be a source of nuisance or annoyance

 to any person, whether inside or outside the vehicle;

1. at all times when driving a Hackney Carriage carry with him a copy of these

codes of practice and shall make it available for inspection by the hirer or any other passenger on request;

1. at all times ensure that the Hackney Carriage lights are fully operative, the tyres are within the legal limits, the Hackney Carriage is clean and tidy and that it has a serviceable fire extinguisher and fully stocked first aid kit readily available.
2. This licence may be suspended, revoked, not renewed or the holder may be required to undertake a Driving Standards Agency “Taxi” test by the Council:-
3. if the driver commits an offence or otherwise fails to comply with any of the provisions

of Part II of the Local Government (Miscellaneous Provisions) Act 1976, or the Town

 Police Clauses Act 1847.

1. if the driver has been convicted of an offence involving dishonesty, indecency or

 violence;

1. if the driver becomes disqualified from driving under any of the Road Traffic Acts, in

 which case the licence shall be automatically revoked;

1. on any other reasonable grounds;

18. The driver who as a result of any Court decision or other administrative or judicial process, is convicted, sentenced or receives any penalty in respect of any offence or other decision of the Court during the currency of this licence, shall within 7 days inform the Council in writing of such decision. Such notification may not be delayed until the next application for renewal of the licence is due.

19. The Council may at any time add to, delete or alter any of the foregoing code of practice and upon notice thereof having been served upon the Driver such additions, deletions or alterations shall as from the date of such service be deemed to be incorporated herein.

1. Any notice required to be served by the Council under this Licence or under any of the

 provisions of the Local Government (Miscellaneous Provisions) Act 1976, or Town Police

 Clauses Act 1847, shall be deemed to have been properly served if sent by them by

 prepaid post to or left at the last known address of the driver.

1. This Licence shall continue in force for 12 months after the date of grant unless previously suspended or revoked pursuant to any statutory or other provisions.
2. If the driver is permitted or employed to drive a Hackney Carriage of which the proprietor is

 someone other than himself, he shall before commencing to drive that vehicle, deposit his Hackney Carriage Driver's Licence with that proprietor for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle operated by that proprietor.

1. If during the currency of this Licence any of the particulars supplied in the driver's

 application shall change, details of the change shall be notified in writing to the Licensing Manager, Civic Centre Carlisle within seven days. Such notification may not be delayed until the next application for renewal of the Licence is due.

1. The driver shall not drive any wheelchair accessible Hackney Carriage, unless he has passed the wheelchair element of the Driving Standards Agency test, or was granted grandfather rights by the Council and has been issued with the appropriate licence and identity card.
2. In the interpretation of these codes of practice the masculine gender shall be deemed to include the feminine and the singular shall be deemed to include the plural.