



**S51(2) LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 –
PART II**

BDBC PRIVATE HIRE DRIVER (PHD) LICENCE CONDITIONS

Definitions

In these conditions, unless the subject or context otherwise requires:

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| “authorised officer” | means an officer of the Council authorised in writing by the Council for the purpose of these conditions; |
| “the Council” | means Basingstoke and Deane Borough Council; |
| “road” | means any highway and any other road to which the public has access, and includes bridges over which a road passes. S192 RTA 1988 |
| “Guide/assistance dog” | means a dog which is trained by a specific charity to assist a disabled person with a sensory or physical impairment. |

Licence conditions

The licensee shall observe and comply with the following conditions:

- 1 The licensee shall have £2 million of Personal Public Liability Insurance.
- 2 The licensee shall not while driving or in charge of a PHV
 - (a) tout or solicit on a road or other public place any person to hire or be carried for hire in any PHV;
 - (b) cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried for hire in any PHV;
 - (c) accept an offer for the immediate hire of that PHV while the licensee or that vehicle is on a road or other public place.
- 3 The licensee shall not convey (or permit, cause or suffer to be conveyed) in the vehicle a greater number of persons (excluding the driver) than the number of persons specified in the licence plate provided.
- 4 The licensee shall, when driving a PHV, wear in a conspicuous position the driver’s badge issued by the Council. The badge remains the property of the Council and must be returned to the Council immediately the driver ceases to be licensed by the Council.
- 5 The licence may be suspended, revoked or not renewed by this Council:
 - (a) if the driver has since the grant of the licence been convicted of an offence involving dishonesty, indecency or violence;
 - (b) if the driver commits an offence or otherwise fails to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act, 1976 or any re-enactments thereof;

- c) if the driver becomes disqualified from driving under any of the Road Traffic Acts or re-enactments thereof, in which case the licence shall be automatically revoked;
 - (d) if the driver is suffering from, or has suffered, any illness or disability which in the opinion of the Council's medical advisor, renders him/her unfit to continue to act as a PHD
 - (e) any other reasonable cause.
- 6 During the licence period the licensee shall at the request of any authorised officer of the Council provide a valid DVLA check code (and in any event within 72 hours following such request) to allow the Licensing Team to be able to verify any driving licence details including entitlements and endorsements
- 7 the driver of a Private Hire vehicle which has been hired to be in attendance at an appropriate time and place shall, unless delayed or prevented by some sufficient cause, punctually attend at the appointed time and place;
- 8 the driver shall, when requested by the hirer:
- (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading, including assistance in removing it to and from the entrance of any house or other place where passengers are collected or set down;
- 9 the driver shall immediately after the termination of any hiring carefully search the vehicle for any property that may have accidentally been left therein and, if such property is found, take the same within 24 hours if the property is not claimed by or on behalf of its owner to Basingstoke Police Station or to their PHO office.
- 10 (i) the driver shall agree to carry guide/assistance dogs at no charge to the passenger unless he/she is in possession of an exemption certificate issued by the Council.
- (ii) any driver who is in possession of an exemption notice under para 12 (i) shall exhibit the exemption notice in a prominent position on the dashboard facing upwards or on the windscreen facing outwards
- 11 The driver shall not smoke cigarettes or any smoking substitution or vaping devices whilst located within a PHV.
- 12 The driver shall comply with the Councils dress code and code of good conduct policy.

Any person aggrieved by any of the conditions attached to the grant of this licence, may appeal to the Magistrates Court within 21 days from the date on which notice of the councils requirement.

Public Health Act, 1936 – Section 300

Local Government (Miscellaneous Provisions) Act 1976 – Part II

Section 77