



## **Hackney carriage and private hire driver theory test guidance**

This guide has been compiled to assist you in preparing for the taxi theory test. Take some time to read the contents and learn the relevant legislation, conditions and locations so that you have the best possible chance of being successful.

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## Introduction

Here is the Taxi and Private Hire licensing policy – learn the conditions that you must adhere to as a driver and vehicle owner.

<https://www.barnsley.gov.uk/media/e5ahsjco/taxi-and-private-hire-licensing-policy-2022.pdf>

- Driver code of conduct
- Dual driver conditions
- Hackney vehicle conditions
- Private Hire vehicle conditions
- Operator conditions

The test comprises 80 questions in five sections and you will be required to correctly answer at least 12 questions from each section to pass the test. Most of the questions are multiple choice and a total of four possible answers are provided; one correct answer is required per question.

The test will last a maximum of 70 minutes and will include five sections:

- |                              |              |
|------------------------------|--------------|
| • Highway code               | 16 questions |
| • Local knowledge            | 16 questions |
| • Licence / local conditions | 16 questions |
| • Disability / customer care | 16 questions |
| • Numeracy / literacy        | 16 questions |

Where a person fails three consecutive theory tests within a 12 month period, it will be unlikely that the person will have the appropriate skills and attributes to be a licensed driver with this authority, and therefore the person will be barred from undertaking any further theory tests for a period of **six months** from the date of the last failure, to allow the person to develop the necessary skills.

Before undertaking the theory test you'll watch a presentation which covers some aspects of the test, including customer care, disability awareness and licence conditions and byelaws. It will provide you with important information about your roles and responsibilities once you are a licensed driver.

The presentation should **not** be used as your only revision session and you should thoroughly revise the information within this pack, together with the Highway Code prior to undertaking the theory test. The presentation session will not include information on local knowledge, the highway code, numeracy and literacy aspects of the theory test.

**Failure to prepare thoroughly for the theory test will greatly reduce your chances of passing this test.**

**As these tests are carried out under exam conditions, you will be required to switch off all mobile phones or electronic devices before starting the test and candidates will not be allowed to write down or make records of any of the questions.**

**Anyone found to be cheating will be removed from the test, this also puts doubt on the suitability of the candidate to become a licensed driver.**

## The Barnsley theory test

### Section 1 - Highway Code

This section of the taxi / private hire theory test will comprise 16 questions and will relate to all aspects of the Highway Code, including general knowledge of driving, signage, stopping distances and related guidance.

Copies of the Highway Code are available from most bookshops and newsagents and the whole of the Highway Code should be revised prior to undertaking the test.

The Highway Code is on the GOV.UK website:

<https://www.gov.uk/browse/driving/highway-code-road-safety>

A downloadable version is available at: <https://www.highwaycodeuk.co.uk/>

An example of a highway code question is:

Where are you most likely to see this sign?



- A – In a built-up area
- B – In a car park
- C – On the motorway
- D – In a lay-by

### Section 2 – Disability / customer care

This section of the taxi / private hire theory test will comprise 16 questions and will relate to general disability and customer care issues.

The answers to these questions relate to the requirements by law and a common-sense approach to both disability awareness and customer care and will show that the candidate has knowledge in these areas.

You need to learn Appendix A of this document - guidance for carrying disabled

passengers. An example of a disability / customer care question is:

During a journey the customer complains that you are driving too fast, what should you do?

- A – Ignore the comments and continue as normal.
- B – Refuse to take the person any further and tell them to book a different vehicle .
- C – Slow down even if you are not travelling at excessive speed for the comfort of the passenger.
- D – Stop the vehicle and discuss the quality of your driving with the passenger before completing the journey.

### **Section 3 – Licence / local conditions**

This section of the taxi / private hire theory test will comprise 16 questions and will relate to all existing byelaws and conditions currently in force within the borough of Barnsley.

The council currently has byelaws under Section 68 of the Town Police Clauses Act 1846 and Section 171 of the Public Health Act 1875 in respect hackney carriages licensed and operating in the borough of Barnsley.

In addition, the council also apply licence conditions to all private hire and hackney carriage driver and vehicle licences in accordance with the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1846 and prospective drivers should have a working knowledge of this legislation when taking the theory test. Copies of this legislation can be found at <http://www.legislation.gov.uk/>

The present conditions applied to both drivers and vehicles can be found on the Barnsley Council website at <https://www.barnsley.gov.uk/taxi-drivers-licence/> and the byelaws in Appendix B to this document. They should be revised thoroughly prior to undertaking the test.

The test will include elements from both the hackney carriage and private hire areas of licensing.

An example of a local condition question is:

The correct signage for the front doors of a private hire vehicle should include?

- A – The following wording: “Private Hire - Advance booking preferred”
- B – The following wording: “Private Hire - Advance Booking Only”
- C – Full details of the private hire operator
- D – Full details of the private hire operator excluding the telephone number

### **Section 4 - local knowledge**

This section of the taxi / private hire theory test will comprise 16 questions and will relate to a wide range of local knowledge including local buildings with public access, sports facilities, street names, places of interest and directions to local and regional destinations, such as museums, hospitals, educational establishments and airports.

You will need to know all the road names and locations of all the premises etc. in Appendix C - key locations, streets and places of interest.

You will also need to study the map of the Barnsley council borough and learn where individual villages are situated in relation to other villages in the borough. This map can be found on the Barnsley Council website:

<https://www.barnsley.gov.uk/barnsley-maps/barnsley-interactive-map/>

You will also be required to know the road numbers of the main A roads in the Barnsley

area. An example of a local knowledge question is:

Barnsley football ground is located on which road?

- A – Pontefract Road
- B – Queens Road
- C – Grove Street
- D – Belgrave Road

## **Section 5 – numeracy / literacy**

This section of the theory test will comprise 16 questions and will relate to basic numeracy and literacy skills.

## **Appendix A - guidance for carrying disabled passengers**

**Click on the blue links below for further information.**

**[Transport support services for disabled people: Taxis and minicabs - GOV.UK](#)**

A lot of elderly and disabled people use hackney carriage / private hire vehicles to get around. Hackney carriage /private hire vehicles can be the only way for them to get to a railway station, an airport or a place not on a bus route.

Your behaviour is very important. If you do not help them or treat them properly:

- you will lose some customers, and
- they will lose an important way of getting places.

Ask passengers if they need help because you will not be able to see some disabilities. Know how to use the equipment in your vehicle. Carrying ramps in some vehicles may be a condition of your licence.

The advice below will help you give a good service and get the best from your vehicle wheelchair users.

If the passenger is a wheelchair user and you drive a wheelchair accessible vehicle you should always:

- pull up as close to the kerb as you can;
- ask if they would like to use the ramps;
- if necessary, tip up the back seat to give more space to get the wheelchair in;
- make sure the passenger travels in the correct position, recommended by the vehicle manufacturer.
- in a converted wheelchair accessible vehicle, do what the converter recommends,
- always make sure that the brakes of the wheelchair are on;
- be polite and ask before touching or moving your customer;
- secure the wheelchair and suggest that the passenger also uses the seat belt provided - they may need your help with this
- avoid sudden braking or acceleration;
- lower the back seat, if the passenger would prefer it;
- bring the wheelchair out of the vehicle backwards down the ramp, and ask if the passenger would like the wheelchair brakes on once it is unloaded;
- leave the passenger in a safe and convenient place, which lets them move on without help.

### **Vehicles and wheelchairs**

**Click on the link below for further information.**

**[Wheelchair accessible taxi and private hire vehicles](#)**

- You may still be able to carry wheelchair users if the passenger is able to get in and out and use the seats. Be careful loading a wheelchair into the boot.
- Ask the passenger what help they need.
- Listen carefully to what they say and only do what they ask.

- Wheelchairs are expensive to repair or replace; without their wheelchair a passenger may not be able to get around.

## **Passengers with walking difficulties**

People that cannot get around very well do not always use a stick or crutches because they are painful to use.

If the passenger appears to have walking difficulties, or is frail or elderly, always:

- offer to fit the additional step if there is one – it makes it easier to get in the taxi;
- ask how close to the kerb they want you to stop. It may be easier to slide out of the seat onto the roadside if the kerb is too high;
- help if you are asked:
- listen carefully to what they say, or
- ask what the best way is to assist;
- do not insist on helping if they do not want you to;
- offer the use of the swivel seat (if you have one);
- if you use a swivel seat, lock it back in position once they have got in.

## **Blind or partially sighted passengers**

Always:

- ask a blind or partially sighted passenger how you can help;
- look out for the "TAXI" sign held out by some blind and partially sighted people;
- Remember help may be needed to locate your vehicle.

When collecting a blind or partially sighted passenger:

- knock at the door on arrival;
- do not stay in the cab and hoot your horn;
- tell your passenger whether they are entering a saloon car or purpose-built cab;
- demonstrate which way the doors open;
- if possible, place the blind person's hand on the open door and indicate the position of the roof;
- make sure they know which way the vehicle is facing;
- make sure they are seated and have secured the seat belt (where applicable);
- they may like help with the belt - ask first;
- tell them if you are taking a different route from that which they might expect, or if there is a hold-up or a diversion;
- tell them the fare;
- count out the change into their hand;
- set them down in a safe place and make sure they know where they are going;
- offer to accompany them to the entrance of the building, if they are going to one;
- when accompanying a blind person offer them your arm; holding it just above your elbow will be easiest for them.



## **Guide dogs and service dogs**

- Guide dogs are trained to stay on the floor of a vehicle.
- They will not make a mess in your vehicle.
- You will be breaking your licence conditions if you refuse to carry a guide dog. (See section 9 of the licence conditions.)
- There is more room for a guide dog on the floor in front of a saloon car than in the back.

Your guide to assistance dogs: <http://content.tfl.gov.uk/new-dogs-assistance-leaflet.pdf>

A guide to assistance dogs for private hire drivers: [10 Types of Service Dogs & What They Do: Vet-Verified Info \(With Pictures\) – Dogster](#)

## **Passengers who are Deaf or hard of hearing**

If the passenger is deaf or hard of hearing, always:

- Look at them when you are speaking.
- Speak clearly - but don't shout!
- Always have paper and pen with you.
- Write things down if it makes it easier to understand each other.
- Make sure they know you have understood their instructions or know where they want to go.

## **Maintenance of vehicles**

Keep door handles, locks and hinges well oiled. This makes it easier for them to be opened and closed by disabled or elderly passengers.

## **Equipment and converted vehicles**

Know how to use any special equipment. For example:

- know how to use ramps if there are any;
- know how secure and load a wheelchair.

Specially converted vehicles hold wheelchairs in different ways. Know what to do in any vehicle you drive.

## **Appendix B – Barnsley Metropolitan Borough Council byelaws**

Made under Section 68 of the Town Police Clauses Act 1847, and Section 171 of the Public Health Act 1875, by the council of the Metropolitan Borough of Barnsley with respect to hackney carriages in the metropolitan borough of Barnsley.

### **Interpretation**

1. Throughout these byelaws:-

"The Council" means the council of the Metropolitan Borough of Barnsley

"The District" means the Metropolitan Borough of Barnsley

### **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 the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto;
  - (b) A proprietor or driver of a hackney carriage shall:-
    - (i) not wilfully or negligently cause or suffer any such number 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 painting, marking or 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 a 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 means for securing luggage if the carriage is so constructed as to carry luggage;
  - (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;
  - (j) furnish the carriage with an efficient lamp so constructed and affixed as to afford sufficient lighting for the interior of the carriage;
  - (k) the proprietor of a hackney carriage shall cause the carriage to be fitted with a sign which bears the words "**FOR HIRE**" in letters two inches in height and is fitted with the means whereby these words may be electrically illuminated; such sign shall be fitted in the centre at the front of the canopy of the carriage in such a manner that the aforesaid words are clearly and distinctly visible and legible at all times when the sign is illuminated;
  - (l) the driver of a hackney carriage shall cause any sign bearing the words "**FOR HIRE**" which is affixed on the carriage in accordance with the requirements of the foregoing byelaw to be electrically illuminated so as to be clearly visible both by day and by night at all times when the carriage is standing or plying for hire within the district, but not hired.
4. The proprietor of a hackney carriage shall within twelve months of the date of confirmation of these byelaws 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:-
- (a) the taximeter shall be fitted with a key, flag 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 key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
  - (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the byelaw in that behalf;
  - (d) the word "**FARE**" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
  - (e) the taximeter shall be so placed that all letters and figures on the face thereof are 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;

- (f) 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 them except by breaking, damaging or permanently displacing the seals or other appliances.

**Provisions regulating the conduct of 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**

- 5. The driver of a hackney carriage provided with a taximeter shall:-
  - (a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;
  - (b) as soon as carriage is hired by distance, and before beginning the journey, bring the machinery of the taximeter into action by moving the said key, flag or other device, 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;
  - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972 and also at any other time at the request of the hirer.
- 6. 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, with the fittings thereof, or with the seals affixed thereto.
- 7(1) The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:-
  - (a) proceed with reasonable speed to one of the stands fixed by the byelaw in that behalf;
  - (b) if a 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;
  - (e) when the first carriage on the stand remains with the carriage and be ready to be hired at once by any person.

- 7(2) The driver of a hackney carriage shall not, save with the express consent of the hirer, smoke at any time whilst the carriage is occupied by a passenger or passengers.
- 7(3) A proprietor or driver of a hackney carriage shall not use or permit the carriage to be used or occupied by any person for any indecent immoral or improper purpose.
- 7(4) The driver of a hackney carriage who is standing or plying for hire shall at any time when required by any person produce a copy of these byelaws.
8. 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.
9. 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.
10. The proprietor or driver of a hackney carriage who has agreed or had 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.
11. 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.
12. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
13. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
14. 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.

1. Location of Hackney ranks – not included in the theory test
2. Hackney carriage fares – not included for the theory test

3. Hackney carriage fares – Not included for the theory test
4. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the byelaws 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.

**Proprietors securing the safe custody and redelivery of property accidentally left in hackney carriages and fixing the charges to be made in respect thereof**

5. 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.
6. 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) Take the property as soon as practicable to a Police Station within the Barnsley Borough area
  - (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**

7. 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 date during which the offence continued after the conviction therefore.

## Appendix C– Dual Driver Licence Conditions



**BARNSLEY**  
Metropolitan Borough Council

### DUAL DRIVER LICENCE CONDITIONS

**1.1 These are the Standard Conditions attached to a dual driver's licence.**

**Breach of these conditions may constitute an offence under the Local Government (Miscellaneous Provisions) Act 1976. Drivers should read these conditions carefully and ensure they understand and abide by them.**

**1.2 These conditions are to be read in conjunction with the appropriate sections of the Local Government (Miscellaneous Provisions) Act, 1976, Part II, the Town Police Clauses Act 1847 and the Hackney Carriage Byelaws.**

1.3 The Council has a separate set of byelaws which govern the use of a hackney carriage by drivers which are contained in **Appendix H** of the Council's Taxi and Private Hire Policy.

**1.4 Failure to comply with any of the conditions attached to this licence may result in the suspension or revocation of the licence to drive a private hire vehicle.**

**NB** Although a 'dual' licence authorises a driver to drive both a private hire vehicle and a hackney carriage, these conditions only apply to the driver's use of a private hire vehicle.

1.5 Sub-sections (2) to (5) of Section 233 of the Local Government Act 1972 shall have effect and are incorporated in these Conditions in relation to any notices required or authorised by these conditions to be given or served on the Proprietor by or on behalf of the Council or by an authorised officer.

1.6 The Local Government (Miscellaneous Provisions) Act, 1976, s 57(2)(a), allows the licensing authority to require such information as may reasonably be considered necessary to determine whether a hackney carriage or private hire driver's licence should be granted and whether conditions should be attached.

1.7 The driver shall at all times when driving a private hire vehicle carry a copy of these conditions and shall make it available for inspection by the hirer or any other passenger(s) on request.

1.8 Where conditions duplicate the provisions of primary legislation the primary legislation will apply.

### Definitions

1.9 In these Conditions:

- “authorised officer” means any officer of the Council authorised in writing by the Service Director, Legal Services of the Council for the purposes of these Conditions;
- “the Council” means the Barnsley Metropolitan Borough Council;
- “driver” means a driver licensed by the Council to drive a hackney carriage or private hire vehicle  
     “private hire vehicle” has the same meaning as in the Local Government Miscellaneous Provisions) Act 1976;
- “hackney carriage” has the same meaning as in the Town Police Clauses Act, 1847;
- “road” means any highway or road to which the public has access, including bridges over which a road passes;

## **General**

1.10 The driver’s licence is issued in respect of the person whose details are printed on the licence and is **non-transferable**. If at any time during the period of the Licence the holder does not wish to retain any of the Licenses, they may surrender the Licenses to the Licensing Office at the Council. Until surrender, the driver remains bound by these Conditions.

1.11 The driver must not carry more passengers than the number prescribed in the licence for the vehicle, regardless of the age or size of the passenger.

## **Accepting bookings for a private hire vehicle**

1.12 The driver cannot accept a private hire vehicle hiring unless it is **pre-booked in advance** through a Barnsley MBC licensed private hire operator

## **Fares**

1.13 The driver cannot charge more than the fare agreed with the operator or displayed on the meter.

1.14 The driver must not without reasonable cause, unnecessarily prolong in distance or time, the journey for which the vehicle was hired.

1.15 Upon request by the hirer, the driver shall provide a receipt for the hiring, showing the date and fare paid, and shall be signed by the driver. Any such receipt shall also be in a form as to identify the driver or operator with whom the hiring was made

## **Notifications**

1.16 The driver shall notify the Council in writing of any change of his/her address during the period of the Licence within 7 days of such change-taking place.

1.17 The driver must notify the Licensing Section **in writing within 5 working days** details of any conviction, binding over, caution, fixed penalty notice\*, warning or reprimand imposed on him/her during the period of the licence.



\*this includes all motoring offences whether endorsable or not and the requirement to attend any speed awareness course

1.18 Specifically, the driver must notify the Council **in writing within 48 hours** of any arrest and release, charge or conviction for any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest or charge for any offence may result in a review by the Council as to whether the licence holder is fit to continue to do so.

1.19 Failure to notify the Council could be seen as behaviour that questions the honesty of the driver and therefore the suitability of the licence holder, regardless of the outcome of the initial allegation might remain open to question.

### **Touting or soliciting**

1.20 The driver shall **not** while driving or in charge of a **private hire vehicle**:

- a) Tout or solicit on a road or other public place for the purpose of hire and reward or to be carried for hire in any private hire vehicle;
- b) Cause or procure any other person to tout or solicit on the road or the public place to hire or be carried for hire in any private hire vehicle;
- c) Offer that vehicle for immediate hire while the driver or the vehicle is on a road or located within a public place;
- d) Accept an offer for the immediate hire of that vehicle while the Licence Holder or that vehicle is on the road or located within a public place, except where such an offer is first communicated to the Licence Holder by telephone or by apparatus for wireless telegraphy fitted to that vehicle;

### **The driver's badge**

1.21 The driver shall at all times when acting in accordance with this licence, wear in such a position as to be plainly and distinctly visible the badge issued to him/her by the Council pursuant to Section 54(1) of the Local Government (Miscellaneous Provisions) Act 1976. Hanging from the internal mirror is not acceptable.

1.22 The driver's badge shall remain the property of the Council and if their licence is revoked or not renewed he/she shall return the badge to the Council within ten working days subject to the exercise by the licensee of any rights of appeal in respect of such decision in which event they may retain possession of the badge pending the outcome of such appeal.

1.23 The driver must report the loss of their driver badge and or licence to the Council as soon as such loss becomes known. The driver badge remains the property of the Council and should be returned on expiry of the licence or surrendered on demand of an authorised officer of the Council or Police Constable.

### **Driver's conduct**

1.24 The driver must at all times operate in a professional manner and comply with the Council's Code of Good Conduct (see **Appendix M** of this Policy).

1.25 The driver must at all times be smart, clean and respectable in his / her dress and person, and behave in a polite and courteous manner to passengers and other members of the public and road-users alike.

1.26 The driver must take all reasonable steps to ensure the safety and comfort of all passengers being transported in, entering, and leaving the vehicle and offer all reasonable assistance with any luggage or other baggage that the passenger may have.

1.27 The driver must not eat or drink in his / her Vehicle whilst carrying fare paying passengers.

1.28 The driver is not allowed to carry his/her own dog in a private hire vehicle whilst it is in use as a licensed vehicle.

1.29 The driver must not without the consent of the hirer play any radio, cassette or CD player or allow any of the equipment to cause annoyance to any person, whether inside or outside the private hire vehicle;

1.30 The driver must not sound the horn of their vehicle to notify the passenger of his / her arrival. The sounding of the horn is only to be used within the guidelines as set out in the appropriate legislation and the Highway Code.

## **Insurance**

1.31 The driver must make sure that any private hire vehicle or hackney carriage they drive has a valid insurance certificate which covers themselves to drive before they do so (a copy of which must be deposited with the operator) and a valid certificate of compliance (or MOT) for the vehicle.

## **Regular maintenance checks**

1.32 There is a requirement on vehicle proprietors to make regularly safety checks of their vehicles. In many cases, the proprietor will also be the driver. However, where the driver of a vehicle is not the proprietor then the driver is required by these conditions to undertake safety and other basic checks each day before the vehicle is used for private hire purposes.

1.33 Before the vehicle commences work each day, the driver must take steps to ensure that the vehicle is maintained in a clean, comfortable, safe, watertight and mechanically sound condition and is in all other respects suitable for the purpose for which it is intended.

1.34 The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition

1.35 The interior shall be free of all stains, splits, tears and the seats shall function in accordance with the original manufacturer's specification. All lights, doors, door locks, boot / tail gate and locks, bonnet, hinges and catches, windows, sunroofs and hoods should be operating correctly

1.36 The boot must be kept clear for use by the passengers except for storage of a spare wheel and jack and any other essential tools and / or spare parts. There must be adequate means for securing a reasonable amount of luggage;

1.37 The exterior of the vehicle shall be free of dents, rust or unrepaired accidental damage and shall at all times have uniform paintwork equivalent to that supplied by the manufacturer.

1.38 The driver must ensure that the licensed vehicle has a daily safety check. As a minimum this must be a visual check on all lights, oil, water, tyres, mirrors and seat belts. A written record must be made of each safety check, details of faults recorded and remedial action taken. The record must be signed by the person undertaking the safety checks and kept on the vehicle for a minimum of 30 days and then for a further six months by the licence holder. On being so required by an authorised officer, the driver of the vehicle shall produce, to that officer, the recorded daily checks kept on the vehicle and the licence holder, on request by that officer, shall produce those recorded checks in his possession and/or those kept in the vehicle.

### **Reporting accident damage**

1.39 The driver must immediately report to their operator and the vehicle proprietor the occurrence of any accident / incident involving their licensed vehicle, whether or not any damage materially affecting the safety, performance or appearance of the vehicle has occurred.

### **Maintaining medical fitness to drive**

1.40 The driver must immediately report to their operator (if someone other than themselves) and the Council of any changes in his / her medical condition, whether such change should result from aging, illness, injury or any other cause and includes any deterioration of eyesight, diabetes or any other condition or illness

1.41 If the driver cannot satisfy the required medical standards, they may not be entitled to drive any vehicle and so their private hire or hackney carriage drivers licence could be subject to suspension, revocation or not renewed.

### **Carrying passengers with a disability**

1.42 The driver must carry a guide dog or other assistance dog belonging to a passenger free of charge unless the driver has a certified medical condition that would preclude such action **and** has been given a Medical Exemption Certificate from the Council.

1.43 Such a certificate must be carried by the driver at all times when driving a private hire vehicle.

1.44 A driver of a wheelchair accessible vehicle must before the commencement of any journey ensure that all wheelchairs are firmly secured and that the brakes of all wheelchairs have been applied.

1.45 If, for some reason, a passenger in a wheelchair cannot be secured properly using the appropriate equipment installed in the vehicle, the driver must arrange with the operator for a suitable alternative vehicle to be provided for the safe passage of the hirer.

### **Vehicles constructed or adapted for wheelchair use**

1.46 No person, other than a Barnsley MBC licensed driver who has satisfied the Council of their competency to safely load, unload and secure a wheelchair and its passenger, may drive the

proprietor's private hire vehicle. **Notwithstanding** that they are a licensed private hire vehicle driver."

### **Use of CB radio, radio scanning devices and other mobile communications**

1.47 The use of a Citizen Band (CB) transmitter/receiver and the use of radio scanning devices in any private hire vehicle is prohibited. Such equipment must not be fitted or carried in a licensed private hire vehicle at any time.

1.48 The driver must not use any handheld communications or navigation devices or similar (such as mobile telephone, two way radio, satellite navigation device or personal digital assistant) whilst driving. All Communications Devices must be securely fitted within the vehicle and appropriately located as to not interfere with operation of the vehicle.

### **Smoking in the vehicle**

1.49 The Smoke Free Regulations 2007 state that any private hire or hackney carriage vehicle shall be smoke free if used by a member of the public whether or not for hire and reward.

1.50 A driver is not allowed to smoke in their vehicle **at any time** or permit any other person to smoke in their vehicle, whether they are working or not. Under the Health Act 2006 all private hire / hackney carriage vehicles are required to be smoke-free **at all times** even when not being used for work purposes.

1.51 'No Smoking' signage must be displayed in the vehicle in accordance with the legislation. Failure to comply with the above may lead to a fixed penalty notice being issued or a criminal prosecution

1.52 The use of electronic / vapour cigarettes is also **not** permitted to be used in a licensed vehicle.

### **Punctuality**

1.53 The licensed driver who has agreed or has been hired to be in attendance with the vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such vehicle at such appointed time and place.

### **Parking**

1.54 The driver shall not park or position the vehicle in such a manner as to cause obstruction on a public highway.

1.55 The driver of a private hire vehicle shall not park the vehicle at such 'public' locations or positions whereby the vehicle appears as if it is available for immediate hire. Similarly, the driver must not wait or park in a location, especially near to a place of entertainment hospitality or leisure which may encourage an approach from a member of the public to enquire as to the vehicle's availability for hire.

### **Lost Property**

1.56 At the end of every journey the driver shall carefully search the vehicle for any property which may have been accidentally left in the vehicle. If the driver finds any such property, or it is handed by any other person carried in the vehicle, the driver must hand the property over to the Operator with whom the booking was made.

## Appendix D – Private Hire Vehicle Licence Conditions



# **BARNSLEY**

## **Metropolitan Borough Council**

### PRIVATE HIRE VEHICLE LICENCE CONDITIONS

**1.1** These are the Standard Conditions attached to a private hire vehicle licence. Breach of these conditions may constitute an offence **under the Local Government (Miscellaneous Provisions) Act 1976**.

**1.2** The commission of any criminal offence could result in the licence being reviewed, which could result in revocation in addition to any criminal prosecution that might be brought by the police, the Council or any other prosecuting authority for the original offence.

**1.3** In addition, it is an offence under that Act to obstruct an authorised officer or Police Officer in his/her duty.

**1.4** Vehicle proprietors should read these conditions carefully and ensure they understand and abide by them.

**1.5** These conditions are to be read in conjunction with the appropriate sections of the Local Government (Miscellaneous Provisions) Act, 1976, Part II.

**1.6** Where conditions duplicate the provisions of primary legislation the primary legislation will apply.

### **Definitions**

**1.7** In these Conditions: -“authorised officer” means any officer of the Council authorised in writing by the Service Director, Legal Services of the Council for the purposes of these Conditions;

- “the Council” means the Barnsley Metropolitan Borough Council;
- “private hire vehicle” has the same meaning as in the Local Government Miscellaneous Provisions) Act 1976;
- “licence plate” and “interior licence plate” mean any plate issued by the Council for the purpose of identifying the vehicle as a private hire vehicle duly licensed by the Council;
- “Proprietor” means the person or persons or body named in this Licence as the Proprietor of the Vehicle and includes a part Proprietor;
- “the vehicle” means the private hire vehicle in respect of which this Licence is issued;

## **General**

1.8 The licensed vehicle can only be driven by a person who is a Barnsley MBC licensed driver.

1.9 The vehicle can only be used for hire for pre-booked journeys made in advance through a Barnsley MBC licensed Private Hire Operator.

1.10 The vehicle cannot be used as a hackney carriage, i.e. by plying, standing, waiting for touting for hire (such activity may constitute illegal plying for hire, whether or not an actual hiring took place).

## **Notifications**

1.11 The proprietor shall notify the Council in writing of any change of his/her address during the period of the Licence within 7 days of such change-taking place.

1.12 The proprietor must notify the Licensing Section **in writing within 5 working days** details of any conviction, binding over, caution, fixed penalty notice\*, warning or reprimand imposed on him/her during the period of the licence.

\*this includes all motoring offences whether endorsable or not and the requirement to attend any speed awareness course

1.13 Specifically, the proprietor must notify the Council **in writing within 48 hours** of any arrest and release, charge or conviction for any sexual offence, any offence involving dishonesty or violence. An arrest or charge for any offence may result in a review by the Council as to whether the licence holder is fit to continue to do so.

1.14 Failure to notify the Council could be seen as behaviour that questions the honesty of the proprietor and therefore the suitability of the licence holder, regardless of the outcome of the initial allegation might remain open to question.

1.15 Sub-sections (2) to (5) of Section 233 of the Local Government Act 1972 shall have effect and are incorporated in these Conditions in relation to any notices required or authorised by these conditions to be given or served on the Proprietor by or on behalf of the Council or by an authorised officer.

## **Insurance**

1.16 The vehicle must have valid insurance for the purpose of hire and reward, the carriage of passengers and public liability, which must also comply with the requirements of Section 143 of the Road Traffic Act 1988.

1.17 On request by an authorised officer or constable the proprietor must produce a relevant and fully compliant certificate of insurance.

## **MOT Testing and alterations, modifications to the vehicle**

1.18 The licensed vehicle must, when in use as a private hire vehicle, have a current MOT / Statement of Compliance issued by one of the Council's Appointed Garages or any other Testing Station the Council may specify.

1.19 No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the prior written approval of the Council at any time while the licence is in force.

### **Fixing and display of licence plates**

1.20 The Proprietor shall cause the number of the Licence to be fixed and displayed on the vehicle at all times during which the vehicle is used as a private hire vehicle in the manner prescribed in a) and b) below. Such number to be displayed by means of the licence plate/s and the interior licence plate issued by the Council to the Proprietor.

- a) The interior licence plate shall be fixed and displayed inside the vehicle in such a manner and place that the particulars thereon are clearly visible to any passengers being conveyed in the vehicle;
- b) Licence plate/s shall be fixed and displayed outside and on the front and rear of the vehicle in a position that the vehicle's registration mark is not obscured, with the particulars thereon facing outwards and in such a manner and place that the licence plate is clearly visible;

1.21 All licence plates shall remain the property of the Council and shall be returned forthwith to the Licensing Section of the Council if the Private Hire Vehicle licence expires, is suspended or is revoked.

### **Vehicle capacity and seatbelts**

1.22 The Proprietor shall not allow more passengers to be carried in the vehicle than the maximum number specified on the licence, subject to the availability of an MOT compliant seatbelt for each person carried.

### **Other signage and operator livery**

1.23 The vehicle when working must **permanently\*** display on its front doors the words **Private Hire Vehicle Advanced Booking Only**. The vehicle when working must also display on the rear offside and near side doors of the vehicle **the maximum of two** operator trade or business name/s and telephone number/s. No other signs or words whatsoever shall be displayed.

**\*Magnetic "Private Hire Advanced Booking Only" signs are not permitted.**

1.24 The **"Private Hire Vehicle Advanced Booking Only"** signage must be in a contrasting colour to the vehicle, be at least 19" x 6" in area and be in a prominent position in the centre of the door panel.

1.25 Except for the signs permitted by law and this condition and without prejudice to the generality of the prohibition upon all other signs it is stated for the avoidance of doubt that the



proprietor shall not display, suffer or permit to be displayed on or from the vehicle any word (including the words **taxi** and/or **cab**), sign, notice, mark, illumination or other feature which, having regard to the time and place at which it is displayed and to the circumstances, may suggest to any person that the vehicle is available for the purpose of carrying passengers for hire or reward as a licensed hackney carriage.

1.26 The company name on the door panels must be exactly the same as the name on the operator licence.

1.27 Operator livery shall not be displayed on any part of the vehicle other than the rear nearside and rear offside doors unless prior written authority is obtained from the Senior Licensing Officer.

1.28 No goods or services shall be advertised in, on or from the vehicle.

### **Requirement to carry a fire extinguisher and first aid kit**

1.29 All licensed vehicles must carry a fire extinguisher which must be a minimum of 1kg dry powder type and comply with British Standard EN3. This must be located and securely fixed in an accessible location.

1.30 All licensed vehicles must carry a first aid kit. The contents should contain sufficient items, which would meet any minor emergency.

### **Regular maintenance checks**

1.31 Before the vehicle commences work each day the proprietor must ensure that the licensed vehicle has a daily safety check. As a minimum this must be a visual check on all lights, oil, water, tyres, mirrors and seat belts. A written record must be made of each safety check, details of faults recorded and remedial action taken. The record must be signed by the person undertaking the safety checks and kept on the vehicle for a minimum of 30 days and then for a further six months by the licence holder. On being so required by an authorised officer, the driver of the vehicle shall produce, to that officer, the recorded daily checks kept on the vehicle and the licence holder, on request by that officer, shall produce those recorded checks in his possession and/or those kept in the vehicle.

1.32 The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition

1.33 The interior shall be free of all stains, splits, tears and the seats shall function in accordance with the original manufacturer's specification. All lights, doors, door locks, boot / tail gate and locks, bonnet, hinges and catches, windows, sunroofs and hoods should be operating correctly

1.34 The exterior of the vehicle shall be free of dents, rust or unrepaired accidental damage and shall at all times have uniform paintwork equivalent to that supplied by the manufacturer.

1.35 The boot must be kept clear for use by the passengers except for storage of a spare wheel and jack and any other essential tools and / or spare parts. There must be adequate means for securing a reasonable amount of luggage.

### Proprietor's responsibility for the driver

1.36 Before the proprietor allows any other person to drive the private hire vehicle, the proprietor must:

- a) Ensure that the driver holds a current Barnsley MBC dual driver's licence; and
- b) Must retain a copy of that driver's licence until such time as the driver ceases to be employed to drive the vehicle;

### Use of CB radio and radio scanning devices

1.37 The use of a Citizen Band (CB) transmitter/receiver and the use of radio scanning devices is prohibited and must not be fitted or carried in a licensed private hire vehicle at any time.

### Reporting accident damage to the vehicle

1.38 Without prejudice to the Provisions of Section 170 of the Road Traffic Act 1988, the Proprietor of a private hire vehicle licensed by the Council shall report to the Senior Licensing Officer, in writing, as soon as reasonably practicable, and in any case **within seventy two hours** of the occurrence thereof, any accident to such private hire vehicle causing damage materially affecting the safety, performance or appearance of the private hire vehicle, or the comfort or convenience of persons carried therein.

1.39 Without prejudice to the provisions of the previous condition the Proprietor shall present the vehicle for inspection and testing by or on behalf of the Council within such a period and at such a place within the area of the Council as they may by notice reasonably require provided that the Council shall not under the provisions of this condition require the Proprietor to present the same vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.

### Transfer of the proprietor's interest in the vehicle

1.40 If the Proprietor transfers his interest in the private hire vehicle he shall **within fourteen days** after such transfer give notice in writing to the Principal Licensing Officer of the Council, specifying the name and address of the person to whom the private hire vehicle has been transferred.

1.41 With reference to Section 49 (1) of the Local Government (Miscellaneous Provisions) Act 1976, the person to whom the vehicle is transferred must supply the Council's licensing office with the information required by the transfer of a private hire vehicle licence application form, within the **period of 14 days** specified in the said section.

### Taximeters in private hire vehicles

1.42 If the licensed vehicle is fitted with a taximeter the proprietor shall notify the Council immediately if, for any reason, this meter's seal is broken. Vehicles fitted with a taximeter shall not operate unless the meter is in working condition and has been checked and sealed by an independent qualified engineer supplying or fixing the meter and a written certificate to this effect had been delivered to the Council. "No Smoking" signage must be displayed in the vehicle in

accordance with the legislation. Failure to comply with the above may lead to a fixed penalty notice being issued or a criminal prosecution.

### **Parking the vehicle when not carrying passengers**

1.43 The licensed vehicle shall not be parked or positioned in such a manner as to cause obstruction on a public highway.

1.44 The licensed vehicle shall not be parked at such 'public' locations or positions whereby the vehicle's appearance makes it look like the vehicle is available for immediate hire or wait / park in a location which may encourage an approach from a member of the public to enquire as to the vehicle's availability for hire.

### **Vehicles constructed or adapted for wheelchair use**

1.45 No person, other than a Barnsley MBC licensed driver who has satisfied the Council of their competency to safely load, unload and secure a wheelchair and its passenger, may drive the proprietor's private hire vehicle. **Notwithstanding** that they are a licensed private hire vehicle driver."

### **Trailers**

1.46 No licensed vehicle may tow any trailer unless evidence of valid insurance to cover such use for hire and reward has been produced to a Licensing Officer.

1.47 An additional vehicle licence plate, which shall be obtained from the Council, must be clearly displayed on the rear of any trailer used, this licence plate is in addition to that on the rear of the vehicle.

1.48 The contents of the trailer must be secured and covered in a proper manner. Any trailer used must comply with regulations in all respects and where required, the licensed driver must hold the appropriate licence category as issued by the DVLA.

## **Appendix E - key locations, streets and places of interest**

Please be aware that this is not an exhaustive list.

### **Public Houses:**

The Old Post Office Public House  
The Old Bakery  
The Talbot Inn  
Carlton WMC  
Royal British Legion, Penistone  
Millers Inn  
Saville Square  
Lord Nelson, Hoylandswaine  
Nineteenth  
The Norman Inn  
The Strafford Arms  
The Horseshoe Public House  
The Old No.7  
The Edmunds Arms  
The Spencer Arms, Cawthorne  
The Old Post Office  
The Beggar and Gentleman Public House  
The Cock Inn  
The Elephant and Castle  
The Chestnut Tree  
The Pack Horse Public House

### **Places of Entertainment and Libraries:**

Penistone Paramount Cinema  
Barnsley Civic  
The Academy Theatre  
Library @ the Lightbox

### **Museums, Galleries and Historical Sites:**

Cannon Hall Museum  
Birthwaite Hall  
Monk Bretton Priory  
Elsecar Heritage Centre  
The Experience Barnsley Museum  
Worsbrough Mill Museum  
Dearne Valley Country Park  
Locke Park  
Cooper Gallery  
Sports venues:  
Barnsley Golf Club  
Barnsley Football Club  
The Metrodome  
Silkstone Golf Club  
Everlast  
Highgate Greyhound Stadium  
Dearneside Leisure Centre

**Schools:**

Darton Academy  
Outwood Academy School  
Greenacre School  
Springwell Community School  
Horizon Community College  
Northern College

**Business Premises:**

Gist  
Manor Bakeries  
Ardagh Glass (formerly Redfearns Glass)  
The Stagecoach Depot  
Peel Centre  
Greensprings Caravan Park  
The Trust Ford Garage  
Stairfoot Tesco  
Billington Steels  
Metalliform  
Lidl (Town Centre)  
Morrisons (Town Centre)  
Asda  
Barnsley Main Post Office  
Vets4Pets  
Tesco, Penistone  
ASOS

**Hotels and restaurants:**

Pot House Hamlet  
Thaal Restaurant  
Mezzaluna Restaurant  
Puccini's Restaurant  
Holiday Inn  
Premier Inn  
Tankersley Manor  
1Momento Restaurant

**Police and Railway Stations:**

Barnsley Police Station  
Wombwell Train Station  
Darton Train Station  
Thurnscoe Railway Station  
Barnsley Magistrates Court

**Medical Centres and Information Centres:**

Barnsley District General Hospital  
Priory Campus  
New Street Clinic

**Cemeteries and Churches:**

Barnsley Cemetery  
Ardsley Crematorium  
Holy Rood Church

St Mary's Church, Barnsley

**Miscellaneous:**

Area around Locke Park