

HACKNEY AND PRIVATE HIRE DRIVER CODE OF CONDUCT

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Wards Affected: All
Key Decision No
Report to Council-30th January 2019

Purpose of Report

- 1 To seek the Council's agreement to include within the Taxi Licensing Policy a Code of Conduct for all licensed drivers.

Recommendations

Council is recommended to approve the Code of Conduct for all licensed drivers contained in Appendix 1.

Background

- 2 Hackney Carriage and Private Hire Operators, Drivers and Vehicles are principally governed by the Local Government (Miscellaneous Provisions) Act 1976, Town Police Clauses Act 1847, Council's Byelaws and the Rules, Regulations and Conditions set by the Licensing Committee.
- 3 The purpose of the Code of Conduct for Licensed Drivers is to promote the Taxi and Private Hire licensing objectives which are:
 - The protection of public health and safety;
 - The establishment of a professional hackney carriage and private hire trade;
 - Help to promote access to an efficient and effective public transport service; and;
 - The protection of the environment.
- 4 The Licensing Team have received complaints from hackney carriage drivers regarding the conduct of other drivers whilst on the taxi ranks in recent months. It is therefore felt appropriate to consider introducing a code of conduct.
- 5 The Licensing Department have had a meeting with the Mid Sussex Taxi Association (MSTA) to seek their initial views on introducing a code of conduct and they were supportive of the principle.
- 6 The proposed Code of Conduct was fully supported and endorsed by the Licensing Committee on the 18th September 2018.
- 7 There have been reports of conduct and driver behaviour which is not specifically covered within the byelaws or the Hackney Carriage and Private

Hire Driver and Vehicle licence conditions. This can prove to be an obstacle when attempting to deal with complaints relating to these incidents either from the trade or from members of public.

- 8 Codes of Conduct have been successfully introduced by other local authorities including Ashford Borough Council, Portsmouth City Council, Crawley Borough Council and Wealden District Council.
- 9 It is proposed that the Code of Conduct would be included in the Council's Taxi Licensing Policy with any breaches been dealt with under the penalty point scheme. Breaches of the code would attract 4 penalty points. The penalty point scheme would be amended accordingly.

Policy Context

- 10 The Licensing Policy is produced pursuant to powers conferred by the Local Government (Miscellaneous Provisions) Act 1976 as amended, which places a duty on the Council to carry out its licensing functions in respect of hackney carriage and private hire vehicles.

Financial Implications

- 11 None Identified

Equality and Customer Service implications

- 12 The Taxi Licensing Policy is intended to protect the public, including those who are vulnerable owing to their age or disability. The proposed Code of Conduct reminds all drivers of their responsibilities whilst operating as a licensed driver and to ensure a professional level of service is provided to the travelling public.

Background papers

Appendix 1- Proposed Code of Conduct

CODE OF GOOD CONDUCT

This Code should be read in conjunction with the other statutory and policy requirements set out in this document. Ordinarily, but without prejudice to any other disciplinary procedures detailed in this Policy, breaches of the Code of Good Conduct can be dealt with by use of the Penalty Points System contained with the Licensing Enforcement Policy of the Council.

1. Responsibility of the hackney carriage and private hire trade

Licence holders shall endeavour to promote the image of the Hackney Carriage and Private Hire trade by;

- (a) Complying with this Code of Good Conduct;
- (b) Complying with all the conditions of their licence, byelaws and the Authority's Hackney Carriage and Private Hire Licensing Policy;
- (c) Behaving in a civil, orderly, non-discriminatory and responsible manner at all times.

By accepting their licence, the holder is deemed to have accepted the above terms and conditions.

2. Responsibility to Passengers

Licence holders shall:

- (a) maintain their/your vehicle(s) in a safe and satisfactory condition at all times;
- (b) Keep their/your vehicles clean and suitable for hire to the public at all times;
- (c) Attend punctually when undertaking pre-booked hires;
- (d) Assist, where necessary, passengers into and out of the vehicle;
- (e) Provide reasonable assistance to passengers with their luggage.
- (f) Take all reasonable steps to assist disabled passengers

3. Responsibility to Residents

- (a) not sound the vehicle's horn illegally between 11:30pm and 7:00am or from a stationary vehicle (except when another road user poses a danger);
- (b) keep the volume of music being played within the vehicle to a minimum;
- (c) switch off the engine if required to wait; and
- (d) take whatever additional action is necessary to avoid disturbance to residents, which might arise from the conduct of your business.

4. Responsibility at Ranks

Hackney Carriage Licence holders shall;

- (a) rank in an orderly manner and proceed along the rank in order and promptly;
- (b) remain in attendance of their vehicle;
- (c) not allow the music being played within the vehicle to cause a disturbance to residents and businesses;
- (d) take whatever action is necessary to avoid disturbance to residents and businesses in the area that may arise from the conduct of your business;

- (e) not to sound the vehicle's horn from a stationary vehicle whilst sitting waiting at the taxi rank. This includes using the horn to request other drivers to move up the rank.
- (f) Where a rank feeder system is in place at Railway Stations proceed at all times to the rear of the feeder route and to join the main rank only via the feeder system.

5 General

Drivers shall:-

- (a) pay attention to personal hygiene and dress so as to present a professional image to the public; non-tailored shorts and flip-flops or loose sandals are not to be worn; Footwear should fit around the heel of the foot
- (b) be polite, helpful and fair to passengers;
- (c) drive with care and due consideration for other road users and pedestrians;
- (d) obey all Traffic Regulation Orders and directions at all times;
- (e) undertake a visual check on the vehicle before starting their shift and in particular ensure the lights of the vehicle are working and to check the condition of the tyres;
- (f) not consume alcohol immediately before or at any time whilst driving or being in charge of a hackney carriage or private hire vehicle;
- (g) not drive whilst having misused legal or taken illegal drugs;
- (h) fulfil their responsibility to ensure that adequate rest periods are taken during and after the working day;
- (i) not eat in the vehicle in the presence of passengers; and
- (j) respect Officers and Council members of staff at the Authority offices and elsewhere during the normal course of their duties.

PLEASE NOTE:

The Council shall take a very serious view of any driver being found to have had any alcohol or having misused any drugs whilst in charge of a licensed vehicle.