

This is the Schedule referred to in the foregoing taxi driver's licence issued by the Moray Council.

SCHEDULE

CONDITIONS APPLICABLE TO A TAXI DRIVER'S LICENCE

- ◆ THE LIST OF CONDITIONS BELOW MUST BE FOLLOWED BY YOU WHEN YOU ARE OPERATING AS A TAXI DRIVER.
- ◆ KEEP THEM IN A PLACE WHERE YOU CAN EASILY FIND THEM, TO REMIND YOURSELF OF THE RULES THAT APPLY WHILST YOU HOLD YOUR LICENCE.
- ◆ FAILURE TO FOLLOW THEM CAN HAVE SERIOUS CONSEQUENCES – YOU MIGHT HAVE YOUR LICENCE TAKEN AWAY OR YOU MAY BE PROSECUTED IN COURT.

Display of Licence, Badge etc.

1. You must, at all times while you are in charge of a taxi:
 - Carry the taxi driver's **licence** with you and show it to any Constable or authorised officer of the Licensing Authority if asked to do so;
 - Wear or display the **identification badge** issued by the Licensing Authority in such a way that it can clearly be seen by any passenger, Constable or authorised officer of the Licensing Authority; and
 - Make sure that no other driver's licence or identification is displayed within the passenger compartment of the vehicle.

Passengers

2. You must carry out a hire that you have accepted or see that someone else carries out the hire instead unless you are prevented from carrying it out by unforeseen circumstances, or unless the passenger is allowed to be refused for one of the following reasons:

You do not have to carry out the hire if the passenger is:

- drunk or otherwise not in a fit and proper state to be carried OR
- in a state or his clothing is in a state considered to be offensive or likely to damage the interior of the car OR
- refusing to stop smoking in the car when asked to do so OR
- accompanied by an animal (other than a guide or assistance dog) which is likely to damage or soil the interior of the car OR
- in some other way acting unreasonably

3. You must not pick up or carry another passenger without the consent of the original hirer or passenger.
4. You must not at any time carry more than the number of passengers the taxi is licensed to carry. The number of passengers the taxi is licensed to carry will be specified on the plate.
5. You must carry a guide dog or assistance dog belonging to a passenger, free of charge, unless you have a proven medical condition which would prevent you. This medical condition must have been brought to the attention of the Licensing Authority and special permission given to you that would allow you to refuse to carry a guide or assistance dog.
6. You must not carry a child unless they are secured in an appropriate child restraint.

Luggage

7. You must not refuse to carry luggage in your taxi providing that the luggage can be accommodated safely within the luggage compartment of the taxi.
8. You must give such help and assistance as you are able to give with loading and unloading luggage when asked to do so but to do so, you are not be required to leave the immediate proximity of the taxi.

Lost Property

9. At the end of your shift, you must search your taxi for any property which may have been left by a passenger by mistake. Any property found must, within 24 hours, be returned to the owner of the property if known or must be handed in by you to any police station. You must keep a record of items found and what you have done with them and show these records to any Constable or authorised officer of the Licensing Authority if asked to do so.

Route

10. When you are carrying passengers on exclusive hire, you must drive to the passenger's destination by the shortest practicable route unless instructed otherwise by the hirer.

Shared Hire

11. You must operate on a "shared hire" basis only with the consent of the first hirer or passenger. This condition will apply even where there is displayed on the taxi a sign or other thing or device approved by the Licensing Authority indicating that the taxi is available for shared hire. You will not be required to operate on shared hire if no such sign or other device is displayed on the taxi at the time of the initial hiring.
12. You must take the shortest practicable route which shall serve the destinations of all passengers whom you are carrying at any one time. You will have the

discretion to take "sharing" passengers to their destinations in the order which you consider most appropriate.

13. You will have the discretion to refuse to accept a "sharing" hirer wishing to use your taxi where:
- that person wishes to be carried in a direction which is not convenient or practicable in relation to the routes of the other passenger(s) already being carried; or
 - the further passenger's luggage cannot be accommodated safely within the luggage compartment of the taxi.

Taxi Meters

14. You must ensure, at least once in each day in which you use the taxi and prior to operating the taxi for hire, that the seal on the taxi meter fitted to the car is intact. Should the taxi meter cease to function or the seal become broken or damaged during the time that you are plying for hire, the car must immediately be withdrawn from service.
15. You must ensure that a taxi meter fitted in the taxi in your charge shall be operated at all times within the licensed area and in accordance with the detailed requirements imposed by the Licensing Authority.

Vehicle Condition

16. You must ensure that the taxi, including all bodywork, upholstery and fittings is in a roadworthy, safe and serviceable condition and is in a clean condition subject to the current road and weather conditions.

Taxi Stances

17. You will be, subject to any conditions relating to the zone in which you may ply for hire and subject to there being vacant spaces, entitled to sit at any stance designated by the Licensing Authority in respect of that zone.
18. No driver shall enter a stance except from the rear. All drivers arriving at a stance shall take their stations in order from front to rear in order of their arrival. Hires will be accepted by the driver in that order except when an intending hirer wishes to engage a specific taxi or its driver.
19. You must remove your taxi from the stance on request from an authorised person or driver of any vehicle engaged in the delivery of goods to or uplifting of goods from commercial premises fronting such stance.
20. You must not stand or loiter with the vehicle in any street in the near vicinity to a stance whilst such stance is fully occupied by the authorised number of taxis nor shall cause the taxi to stand in such vicinity.
21. Whilst you are in charge of the taxi you must not canvass or importune in any

public place or street for employment, except, where the taxi is being operated on shared hire, to such extent as is reasonably required to ascertain whether there are any prospective further passengers (in addition to an existing passenger or existing passengers) who wish to participate in shared hire of the taxi. Other than uplifting a passenger on a sharing-basis or uplifting a passenger on the basis of a pre-booked call, a taxi driver shall not uplift any fare within 200 yards of a designated taxi stance.

22. When the taxi is hired or standing for hire, you must either sit in the driving seat of the taxi or stand in the immediate proximity thereto except during any period you may be absent to announce the arrival of your taxi to the hirer, or when assisting the hirer with luggage to or from the taxi, or for any other necessary purpose.

Personal Obligations

23. While in charge of the taxi you must:
- 23.1 Comply with the Licensing Authority's Code(s) of requirements as to knowledge of language, knowledge of the area or medical conditions as published from time to time.
 - 23.2 Be clean and tidy in person and clothing and the licence holder shall comply with the Licensing Authority's Dress Code as published from time to time;
 - 23.3 Conduct yourself in a proper and civil manner; and
 - 23.4 Not smoke whilst carrying a passenger and shall not smoke inside or in the immediate vicinity of the vehicle whilst the vehicle is for hire and/or waiting at the taxi rank.

Note: The obligation to comply with a Code as referred to in 23.1 or 23.2 only applies at any time a Code is published under 23.1 or 23.2. The Licensing Authority will publish any Code on the Council's website under www.moray.gov.uk/licensing It will be the responsibility of the licence holder to check the website and comply with the Code(s).

24. You must not knowingly allow the taxi in your charge:
- 24.1 to be used for illegal or immoral purposes; or
 - 24.2 to carry any article of a dirty, filthy, noxious, explosive or dangerous nature.

Vehicle Breakdown

25. In the event of the car breaking down in the course of the hire, or in any way becoming unfit to carry the hirer to the destination agreed, you must not charge any fare for the distance already travelled. If the hirer chooses to wait until repairs are completed, the full fare due on completion of the journey will become payable, but no charge must be made for the period of waiting.

Zones

26. You must use the taxi in your charge at any time only in the zone within which the taxi is licensed in accordance with the detailed requirements imposed by the Licensing Authority.

Plying for Hire

27. You must not permit the taxi to ply for hire at any time by parking or moving within

the area of the centre of Elgin bounded by Alexandra Road, Northfield Terrace, South Street, Commerce Street and Lossie Wynd. The Licensing Authority may determine from time to time such other place(s) in Elgin or other centres where plying for hire by parking or moving shall not be permitted.

Training

28. You must undergo an induction training course if required to do so by the Licensing Authority. You shall complete the course within one year or otherwise comply with the terms of the Licensing Authority's current policy on induction training as notified to you.

Advice Notes

29. You must comply with any Advice Notes issued from time to time by the Licensing Authority and properly notified to you.

Police Inquiries

30. You must provide every assistance to the Police as regards their investigations and supervision of the licensing system.

DEFINITIONS

In these conditions, what we mean when we say:-

"exclusive hire" is..... a single fare payable by any one passenger, whether or not more than one passenger is carried;

"shared hire" is..... where each passenger is carried at a separate fare, payable to the driver;

"taxi-bus" is..... a taxi which is being used, under a special licence granted under Section 12 of the Transport Act 1985, to provide a local service which is required to be registered under Part 1 of that Act, has been previously advertised and which has a destination and route which are not entirely at the discretion of the passengers.

The term Licensing Authority means..... a Council constituted under Section 2 of the Local Government Etc (Scotland) Act 1994 and for the purposes of this schedule means the Moray Council and any employee, officer or agent authorised to act for and on its behalf.

"zone" is.....

Zone 1 - with reference to the attached plan* (Appendix 1) Zone 1, Elgin is defined as being illustrated by the beginning of the respective 30mph and 40mph limits which surround the city of Elgin.

Zone 2 - with reference to the attached plan* (Appendix 2) Zone 2 is defined as the whole of Moray, under exception of Zone 1 as defined above, being the area of the

licensing authority.”

(These are reduced copies of maps. Full size versions can be viewed at the Council Offices during office hours.)



