

# APPENDIX F

## PLYING FOR HIRE

1. Only licensed hackney carriages are permitted to ply for hire and only in the administrative area of the Borough Council with which they are licensed. It is ILLEGAL for a private hire vehicle to ply for hire. This means:
  - a) Private hire vehicles MUST NOT carry passengers if the journey has not been pre- booked with a private hire operator by the passenger.
  - b) All private hire vehicle journeys MUST be pre-booked through a licensed private hire operator.
  - c) All bookings MUST be made by prospective passengers with a private hire operator who will dispatch the vehicle. Prospective passengers may instruct a third party, e.g. a restaurant manager or bus station marshal, to make a booking on their behalf but this third party MUST NOT be the private hire vehicle driver.
  - d) A driver of a private hire vehicle is NOT permitted to make the booking on behalf of a prospective passenger, e.g. via their radio or mobile telephone or other device.
  - e) Private hire operators MUST NOT accept any booking made by a driver on behalf of a passenger.
  - f) Private hire vehicle drivers are NOT permitted to make their vehicles available for immediate hire. This means that private hire vehicle drivers MUST NOT physically position their vehicles in such a way as to be waiting in any area that is on view to the public to invite custom, e.g. allowing prospective customers to approach the vehicle and ask, 'Are you free?'
  - g) In most cases, the vehicle will not be insured during a journey that has not been correctly pre-booked.
  - h) Private hire vehicles MUST NOT wait at any taxi rank/stand.
  - i) Private hire vehicles MUST NOT be hailed in the street.
2. Other circumstances may constitute unlawful 'plying for hire'; accordingly, each case of allegedly unlawful 'plying for hire' will be judged on its own facts. Nevertheless, attention is drawn to the Council's position as set out above.
3. Further information about the relevant legislation is available in the Town Police Clauses Act 1847, in particular Section 45, and in Part II of the Local Government (Miscellaneous Provisions) Act 1976, in particular Section 64.