

DECEMBER 2016

APPENDIX H

PRIVATE HIRE OPERATOR'S

LICENCE CONDITIONS

APPENDIX H

PRIVATE HIRE OPERATOR'S LICENCE CONDITIONS

1. Operators Base

- a) The operator must operate from the address identified and specified on the operators licence, referred to as the operator's base. This means that the day to day business of the operator must be carried out there including the taking and recording of bookings.
- b) The physical and/or electronic records required to be kept in accordance with this licence must be kept at the operator's base and be available for inspection by the police or an authorised officer on request.
- c) The operator's base must have a unique and dedicated local prefix (01538 or 01782) telephone number/s registered to this address. Free phone numbers, lo-cost, premium and mobile numbers will have to be registered to the operating base. These telephone numbers must be used for bookings.
- d) Existing Operators will be expected to comply with the new licence conditions set out in this policy upon renewal.

2. Details of Vehicles

The operator must keep on paper or electronically at the premises the following details of all vehicles operated by them:-

- a) The name and address of the proprietor;
- b) The vehicle licence holder;
- c) The vehicle licence expiry date;
- d) The registration number;
- e) Make, type and colour;
- f) Plate number;

- a) Copy of the current Insurance Certificate;
- b) A copy of the vehicle licence

These details must be kept up to date and must be produced in writing on request to an authorised officer or police constable at the premises.

3. Compliance with Vehicle Licence Conditions

The operator must take all reasonable steps to ensure that the vehicles operated by them conform to the private hire vehicle licence conditions.

4. Details of Drivers

The operator must keep at their premises the following details in writing or electronically of all drivers employed or used by him/her:-

- a) Name and address;
- b) Badge number;
- c) Driving licence number;
- e) Expiry date of the combined driver's licence;
- f) A copy of the combined drivers' licence

These details must be kept up to date and must be produced on request in writing to an authorised officer or police constable at the premises.

5. Control of Drivers

The operator must take all reasonable steps to ensure that drivers of vehicles employed, used or controlled by them observe and perform the conditions attached to their combined driver's licence and all other relevant statutory requirements.

6. Record of Bookings

- a) The operator must, before the commencement of each journey, record in a suitable book (the booking record), with numbered pages and set out in a manner approved by the Authority, as much of the following information as is reasonably practicable but in any event sufficient information to allow an authorised officer to properly investigate any complaint relating to any particular booking or bookings:-
 - o The time and date of the booking,
 - o The method by which it was received (e.g. telephone, personal call etc.),
 - o The picking up and setting down points, by reference to street names,

- The date and time when the journey is to commence,
- The name (and address) of the hirer,
- The plate number of the vehicle allocated to the booking,
- The name and badge number of the driver allocated to the booking,
- The call sign of the vehicle allocated to the booking,
- The registration number of the vehicle allocated to the booking;
- Any fare agreed

b) The booking record must be kept at the licensed premises for at least six months from the date of the last entry or such longer period as may, by written notice, be required by an authorised officer;

c) The booking record must be produced immediately on request to an authorised officer or police constable at the premises during times of operation or with notice by the operator presenting them at the Authority's Council offices.

7. Prompt Attendance

The operator must ensure that when a vehicle has been hired to be in attendance at an appointed time and place, the vehicle will, unless delayed or prevented by sufficient cause, punctually attend at the appointed time and place.

8. Fares

Where a request for a hiring is received and the vehicle to be used for that hiring is not fitted with a meter, the operator must so inform the person making the booking and shall not accept the booking without first telling that person the basis of the hire charge and if requested put that information in writing.

9. Lost Property

a) The Operator must instruct the driver immediately after the termination of any hiring or as soon as practicable thereafter carefully search the vehicle for any property which may have been left in it.

- b) The Operator must ensure any property found by the driver in the vehicle or handed to the driver, if not claimed by or on behalf of the passenger within 24 hours, is passed to the vehicle operator. The local authority must be notified of the situation within 24 hours.
- c) The operator shall keep a written or electronic record of all lost property retained by him/her under (b) above.

10. Radio

The operator must ensure that any radio equipment at the operating base used in connection with their business will:-

- a) Be kept in a safe condition and in proper working order;
- b) Comply with the requirements issued by the Home Office or other government department.
- c) Not interfere with any other radio or telecommunications equipment.

11. Waiting and Reception Room

The operator must ensure that any rooms provided at the operating base for the purpose of booking or waiting will be kept clean, adequately lit, heated and ventilated at all times and be provided with adequate seating for customers and must be smoke free.

12. Drunk and Disorderly Persons

The operator must not allow any person who is drunk, or behaving in a disorderly manner, to remain at the operating base.

13. Change of Address etc.

The operator must notify the Authority in writing at least 7 days before any change in:-

- Home address;
- Premises address;
- The name of the firm;

The operator must notify the Authority in writing within 7 days of any change in:-

- The licensed vehicles used or controlled by him/her;
- The name and address of the drivers in his/her employment or under his/her control.

- Any proposed change of legal entity in advance so that arrangements can be made for a new application if needed.

14. Convictions

The operator must within 2 working days of any conviction, fixed penalty notice, driving licence endorsement, criminal behaviour order, restorative justice order or any other relevant order disclose to the Authority in writing details of any such matter. Where the business is a partnership or limited company, the operator must inform the authority of any partner, director or person with significant control (defined as listed at Companies House) being convicted.

The Operator must report to the Authority driver convictions/penalties when they are made aware of them.

15. Loss of Licence

The operator must report the loss of their licence to the Authority in writing as soon as the loss becomes known.

16. Return of Licence

The operator must immediately return their operator's licence to the Authority in the event of the expiry, surrender, suspension or revocation of the licence.

17. Licence Renewal

The operator must apply to the Authority in writing on the appropriate application form and any accompanying documents at least 15 working days before the expiry of the current licence if he/she requires the licence to be renewed for a further period.

18. Payment by Cheque

A licence in respect of which the fee has been paid either in part or in full by cheque shall be of no effect in the event of the cheque being subsequently dishonoured.

19. Nuisance to Nearby Residents

The operator must at all times carry out their business so as not to cause nuisance or annoyance to nearby residents.

20. Complaints

The operator must immediately upon receipt notify the Authority in writing of any complaints concerning a contract for hire or purported contract for hire relating to or arising from their business and of any action, if any, which the operator has taken or proposes to take in respect of such complaint.

21. Picking up and Setting down of Passengers

The operator must, so far as is possible, ensure that drivers in their employment or control do not pick up or set down passengers:-

- a) At hackney carriage stands;
- b) At any place that may cause a risk of accident or obstruction.

22. Additional requirements for Private Hire Operators

- a) The Operator must keep an up to date record of road tax, MOT and motor insurance expiry dates.
- b) The Operator must keep a record of all defect rectification work, routine servicing and safety inspections (whether undertaken by them or an external garage/maintenance contractor), whether or not they own the vehicle (s) operating under their licence
- c) The Operator should undertake regular (at least three monthly) on line DVLA checks for all drivers working for the operator licence holder to ensure that their driving entitlement is still valid and that there are no penalties or driver convictions that have gone unreported.
- d) The Operator should regularly (at least fortnightly) inspect the daily walk around check records for each vehicle operating under their licence, whether or not they own that vehicle.