

# Private Hire Operator Licence Conditions

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## 1. Records

### Bookings

(a) The record required to be kept by the operator under Section 56(2) of the 1976 Act shall be kept in suitable form in order to facilitate inspection by any authorised officer of the Council or by any constable and the operator shall take in writing before the commencement of each journey and keep the following particulars of every booking of a vehicle invited or accepted by him for the purposes of private hire.

- (i) The date and time of booking.
- (ii) The method and source by which the booking was taken
- (iii) The point of pick-up.
- (iv) The destination
- (v) The time at which a driver was allocated the booking.
- (vi) Identification of the vehicle and driver allocated for the booking.
- (vii) The records of bookings (or duplicate) shall be kept at the premises where the booking was taken

(b) (i) If an operator is unable to provide a vehicle at the pre-booked time, they shall: as soon as they are aware of this, contact the customer, if the vehicle is delayed they shall ring the customer to keep them up dated at ten minute intervals, and log any action taken.

(ii) If an Operator is unable to supply a vehicle they should contact the customer as soon as this information comes to their notice. If a booking is transferred to another operator the original operator shall contact the customer and provide details of the new vehicle provider.

### Vehicle Details

(b) The records required to be kept by the operator under Section 56(3) of the 1976 Act shall be kept in a suitable form in order to facilitate inspection by any authorised officer of the Council or by any constable and shall show the following particulars with respect to each private hire vehicle operated by him:

- (i) The registration number of the vehicle.
- (ii) The number of the identification plate provided by the Council pursuant to Section 48(5) of the 1976 Act.
- (iii) The name and addresses of all proprietors of the vehicle.
- (iv) The names and addresses of all the drivers of the vehicle.
- (v) The number of passengers permitted to be carried in the vehicle.
- (vi) Any radio call sign used in connection with the vehicle.
- (vii) The date on which he commenced operating the vehicle and, if appropriate, the date on which he ceased operating the vehicle.
- (viii) Remarks.

(c) All records kept by the operator shall be preserved for a period not less than six months following the date of the last entry.

(d) Private Hire Operators shall maintain a written or computer record for each vehicle operating under their auspice and enter into this record information, which will include such information as: renewal dates for Insurance, MOTs, DVLA car tax, also details of accidents etc. The vehicle will be inspected a least once a week by the operator or a member of their staff and any defects or damage noted on the record, the remedial action required, date HBC was informed and date the action was completed.

## 2. Standard of Service

The operator shall provide a prompt, efficient and reliable service to members of the public at all times and for this purpose shall in particular -

- (a) Ensure that when a vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place.
- (b) Keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting.
- (c) Ensure that any waiting area provided by the operator has seating facilities of a number & type to be approved by the council.

(d) All Private Hire Operators shall ensure that a nominated named member of their staff is in charge of the operation of the business when the Operator themselves are not able to be in day to day control (e.g. on holiday, ill, night shift, days off, etc). This person shall be known as the 'duty manager'

(e) Any Private Hire Operator that has an office to which the public has access to, shall ensure that the name of the person in charge of the day to day operation of that business shall be prominently displayed, this being the Operator or Duty Manager.

(f) A Private Hire Operator shall have a published complaints procedure that has been approved by the council and deals with Customer & Employee complaints. Copies of this document shall be held on the Private Hire Operator's file at the council offices, copies shall be also available at the Operators office for use of customers and staff. The complaints procedure shall be used when dealing with any complaint and a member of staff (that may be the operator themselves) shall be named as the complaints officer.

(h) All operators shall have suitable insurance policy (ies) in place to allow them to carry out their business legally.

(i) All operators shall have carried out a Health & Safety risk assessment, this risk assessment shall be published and a copy supplied to the council, the policy must be reviewed on a regular basis or when there are significant changes in the operators business

### **3. Change of Address**

The operator shall notify the Council in writing of any change of their address (including any address from which they operate or otherwise conduct their business as an operator) during the period of the licence prior to such taking place.

### **4. Convictions**

The operator shall within seven (7) days notify the Council in writing of convictions of any kind imposed on him/her (or if the operator is a company, any convictions imposed on the company) during the period of the licence, giving particulars of the date and place of conviction, the nature of the charge and penalty imposed together with such further information concerning the offence as the Council may require.

### **5. Drivers & Other staff**

(a) If a driver is permitted or employed to drive a Hackney Carriage or Private Hire vehicle by an operator he shall, before commencing to drive that vehicle, deposit his private hire driver's licence with that operator for retention by him until such time as the driver ceases to be permitted or employed to drive for that operator when the private hire drivers licence must be returned to the driver. Operators shall ensure that all drivers are licensed and comply with the conditions of the licence

(b) Proprietors must ensure that all drivers are in possession of a current Driver's licence issued by the DVLA - The DVLA Licence must show the drivers current home address

(c) The Operator shall ensure that any hackney Carriage or Private Hire Vehicle parked on a public highway at or in the vicinity of the operators premises shall do so in a legal manner, vehicles shall not be left unattended on yellow lines or other restrictive road markings when those restrictions are in force. Vehicles shall not cause an obstruction or cause a nuisance in the vicinity of the operating base. Operators without off road parking or unrestricted parking outside their office shall discourage drivers from returning to the premises between fares.

(d) Every employee, contracted worker, casual worker and driver, shall have a written contract of employment, a copy of which must be handed to him or her. This document should include: details of work hours, any fees charged by the operator and for what purpose.

(e) (i) Private Hire Operators shall encourage control room & office staff to undertake training in customer handling.

(ii) Private Hire Operators shall carry out sufficient checks on the background of their control room staff to ensure they are a fit and proper person to carry out their tasks and duties in a professional and confidential manner

(f) (i) No alcohol shall be consumed by control room, office staff or drivers whilst on duty.

(ii) No alcohol shall be consumed by ANY person on the operator's premises.

(iii) If it comes to the notice of an operator or his staff that a driver of one of the operator vehicles may be under the influence of alcohol, illegal substances or abusing prescription drugs, they shall not allow the driver to continue on duty and shall inform the driver accordingly. The operator must inform the council's licensing department with 72 hours of the incident.

The Operator shall ensure that they comply with all legislation regarding the employment of staff, Health & Safety etc, and provide adequate staff facilities.

## **6. Vehicles**

Operators shall ensure that all vehicles comply with the conditions of licence are properly insured and will notify the Council of any damage to vehicles howsoever occurring.

## **7. Advertising**

No advertising material, letter headings or other stationary, or any business name used by the operator, shall include the words "taxi" or "cab" whether in the singular or plural and whether they form part of another word or not, unless the vehicle used is a licensed Hackney Carriage.

These conditions are in addition to the provision of Part II of the Local Government (Miscellaneous Provisions) Act 1976. The requirements of this legislation, which affect the operations being carried out under the terms of this licence, shall be regarded as if they are conditions of this licence.

If you are aggrieved by any of the conditions attached to this licence you may appeal to a Magistrates Court within 21 days of the service of this licence on you. (See Sections 55 and 77 of the 1976 Act and Section 300 of the Public Health Act 1976).