
PRIVATE HIRE OPERATORS' GENERAL CONDITIONS (APRIL 2016)

RECORDS

Under Section 56(2) of the Local Government (Miscellaneous Provisions) Act, 1976, private hire operators are required to keep records giving particulars of every booking of any private hire vehicle invited or accepted by the operator. Records shall be kept for a minimum 12 months from the date of the last entry

In relation to records of **bookings** the following details should be recorded:-

the name of the driver
the date and time of the booking
the name of the hirer
the date and time of pick up
pick up and destination points
private hire plate and registration number of the vehicle

In relation to records of **vehicles** the following details should be recorded

(a) make, colour and registration number of the vehicle
private hire plate number and expiry date of the licence

In relation to records of **drivers** the following details should be recorded

(a) driver's full name and current address
(b) driver's badge number and licence expiry date
(c) date that employment commenced and terminated (if appropriate)

In relation to records of **complaints**, the following details should be recorded.

(a) date and time complaint made
(b) date and time of the incident
(c) how the complaint was made (letter, telephone etc)
(d) name and contact details of the complainant
(e) nature and summary of the complaint
(f) vehicle and driver licence numbers;
(g) action taken by operator

These records shall be available for inspection at any reasonable time, without notice, by an authorised Officer of the Council or any Police Officer.

OPERATING PREMISES

Operators shall ensure that they have relevant permissions in respect of planning, or from the landlord, for the premises from which they are operating.

Operators must declare any change of operational address to the council within 7 days of the change.

Public Liability insurance must be held for any business premises open to the public.

BUSINESS SERVICE STANDARDS

The operator shall provide a prompt, efficient and reliable service to the public at all reasonable times. In particular, the operator shall ensure that:-

- (a) each vehicle shall attend punctually at the appointed time and place, unless delayed or prevented by sufficient cause;

premises to which the public have access are kept clean, adequately heated, ventilated and lit. Waiting areas are to have adequate seating facilities

communications and radio equipment are maintained in a sound condition and any defects repaired promptly. Radio equipment is to be licenced by the home office. This licence must be available to the Council on request.

The business of the operator shall not cause any nuisance or annoyance to the owners or occupiers of nearby premises.

The operator will be familiar with the Councils requirements and conditions regarding private hire operators, drivers and vehicles.

ADVERTISEMENTS AND ROOF SIGNS

The words "cab", "taxi-cab" or "taxi" shall not be used on any sign or notice displayed on any private hire vehicle.

If the licensee does not operate any licenced hackney carriage vehicles, then the words "cab", "taxi-cab" or "taxi" may not be used in any advertisement

Advertisement is classified as circulars, publications, posters and flyers, photographs or pictures, computer generated images, sound broadcasting, television or film broadcasts, digital streaming, websites, or hard copy promotional media such as CD/DVD and videotape.

Private hire vehicles must be fitted with the approved roof sign.

CONVICTIONS AND FORMAL CAUTIONS

The operator shall, within 7 days, disclose to the Council, in writing, details of any convictions or formal cautions imposed on him/her during the period of this licence.

If the operator is a limited company, the operator shall, within 7 days, disclose to the Council, in writing, details of any convictions or formal cautions imposed on the company, or any director thereof, during the period of this licence.

If the operator is a partnership, the operator shall, within 7 days, disclose to the Council, in writing, details of any convictions or formal cautions imposed on the partnership, or any partner thereof, during the period of this licence.

This includes any offence which is the subject of an appeal

SUSPENSION, REVOCATION OR REFUSAL TO RENEW LICENCE

The operator's licence may be suspended, revoked or not renewed by the Council:-

- (a) if the operator is convicted of an offence under, or otherwise fails to comply with, any of the provisions of Part II of the Local Government (Miscellaneous Provisions) Act, 1976;
- (b) if any conduct of the operator appears to the Council to render him/her unfit to hold an operator's licence;
- (c) if the circumstances of the operator, on the basis of which the licence was granted, have changed in a material way since the licence was granted.
- (d) any other reasonable cause

ANY PERSON WHO:-

- (a) wilfully obstructs an authorised Officer or Police Officer acting in pursuance of Part II of the Local Government (Miscellaneous Provisions) Act, 1976
- (b) without reasonable excuse fails to comply with any of the requirements properly made to him by such Officer or Police Officer under Part II of the Local Government (Miscellaneous Provisions) Act, 1976
- (c) without reasonable cause, fails to give such an Officer or Police Officer any other assistance or information which he may require for the performance of his functions under Part II of the Local Government (Miscellaneous Provisions) Act, 1976

shall be guilty of an offence.

REVOCATION OR MODIFICATION OF CONDITIONS

The Council reserves the right to waive any requirements of these conditions at its absolute discretion.

The Council reserves the right to amend or add to any of the foregoing conditions, and notice thereof will be served on all licensees.

Offence	Points	Person Responsible
Carrying more passengers than specified in licence for vehicle	6	Driver
Licensed vehicle failing to display or to correctly display, the exterior plate	6/Stop Notice	Driver/Proprietor
Failing to have current insurance certificate.....	6/Stop Notice	Driver/Proprietor
Failing to have current MOT certificate	6/Stop Notice	Driver/Proprietor
Tyres, windscreen wipers/washers, exhaust, lights, reflectors, spare wheel and tyre, brakes, not maintained in good condition	4 points each defect, or Stop Notice	Driver/Proprietor
No tools to change spare wheel and tyre, or defective or unsuitable tools	4	Driver
No fire extinguisher/fire extinguisher not in good working order/not of correct type.....	4	Driver
Vehicle displaying signs not authorised	4	Proprietor
Vehicle failing to display compulsory roof sign.....	4	Proprietor
Dirty interior/exterior of vehicle	4	Driver/Proprietor
Failing to produce insurance certificate on request of authorised Officer	4	Proprietor
Any breach of condition not specified above.....	1-4	Driver/Proprietor
<u>METERS [if fitted]</u>		
Fare card not displayed	3	Driver/Proprietor
Taximeter not displaying current tariff.....	4/Stop Notice	Driver/Proprietor
Taximeter obscured or not visible to passengers.....	3	Driver/Proprietor

Where 12 or more points are issued to a driver/proprietor/operator within any period of one year, a report will be submitted to the Licensing Panel with a view to the suspension, revocation or refusal to renew such a licence.

The licence is issued on condition that you fully accept the preceding conditions and the penalty point's scheme, as laid down.

I, the undersigned, have read and understand the preceding conditions and penalty point scheme. I fully understand the Council's requirements for private hire operators and agree to abide by the conditions and accept the administration of the penalty point scheme.

Signed:

Date:

Full name:

