

Telford & Wrekin Council's Private Hire Operator Licence Conditions

Private Hire Operator Conditions	
1. General Requirements	
1.1	Throughout the currency of his/her Licence, the holder of a Private Hire Operators Licence shall be a fit and proper person to hold such a licence. All licence holders will be subject to an annual Basic Criminal Record Disclosure check.
1.2	The Licence holder shall notify the Council in writing within 48 hours of an arrest and release, charge or conviction of any criminal offence, and any motoring or vehicle offence (including fixed penalties) recorded against him/her by any Authority.
1.3	The Operator must ensure that all private hire drivers and employees are aware of the meaning of plying for hire and that private hire drivers are not permitted to ply for hire under any circumstances.
1.4	The Operator must not accept any booking made by a driver on behalf of a passenger.
1.5	The Operator must ensure that all licensed drivers and employees are made aware of the provisions of section 167 of the Criminal Justice and Public Order Act 1994 with respect to touting and that subject to certain provisions as outlined in the Act, it is an offence in a public place to tout people to hire their vehicles in order to carry them as passengers.
1.6	The Operator shall be required to display his/hers Operators licence in a prominent position at the premises and have available a copy of these conditions for public scrutiny if requested.
2. LG(MP) Act 1976 – Conditions Attached To Licences	
2.1	The Operator shall make available, on any premises from which he /she operates, for inspection by members of the public, these conditions and the conditions of hackney carriages and private hire vehicles and driver licences whichever is applicable.
3. Records Of Vehicles And Drivers	
3.1	Except with reasonable care the Operator shall have in his/her care:-
3.1.1	A copy of the current Dual Driver licence issued by the council of any driver employed as a private hire driver whether or not the vehicle is owned by him/her (unless the vehicle used is operated by another licensed Operator by sub-contact); and

3.1.2	A copy of the current Private Hire Vehicle licence issued by the council of any vehicle operated by him/her (unless the vehicle used is operated by another licensed Operator by sub-contract).
3.2	The Operator shall maintain an up-to-date list of the owners, the description and registration numbers of all private hire vehicles employed by their business and their drivers which shall include details of any radio or computer call sign used to identify a vehicle. The Operator shall produce such a list on request to an Authorised Officer of the Council or to a Police Constable.
3.3	The Operator shall immediately notify the Council by email when any vehicle or driver ceases in his/her employ, or any vehicle or driver commences in his/her employ.
3.4	The Operator shall notify the Council by email of any change of his/her address. The Operator shall notify the Council by email within 7 days when a driver or vehicle ceases to operate under this licence.
3.5	The Operator shall provide the council with a complete and up to date list of all drivers and vehicles operated by the company by 31st January every year and upon renewal of their licence.
3.6	Any information relating to licensed Operators, vehicles and drivers must be produced to an Authorised Officer on demand.
4.	Telephones, Staff And Facilities
4.1	The Operator shall provide adequate telephone facilities and staff to provide an efficient service to the public using the Operators facilities.
4.2	The Operator shall ensure that where any passenger waiting area is provided, it is kept physically separate from any driver rest area and radio operations room and that any company staff member, driver or vehicle proprietor do not congregate in any passenger waiting area or room.
4.3	The Operator, where a waiting area or room is provided for the use of passengers or prospective passengers;
4.3.1	Shall provide adequate seating for the use of those passengers and prospective passengers and
4.3.2	Shall ensure that such a room or area is kept clean, adequately heated, ventilated and lit; and
4.3.3	Shall ensure that the interior and exterior of the premises is kept in good repair, to the satisfaction of an Authorised Officer of the Council.
5.	Child Safety Seats
5.1	The Operator in conjunction with the Vehicle Proprietor and the Driver, shall provide and make available to any customer so requesting, an approved infant or booster seat or the provision of extra equipment to facilitate the safe conveyance

	of children during private hire vehicle bookings. All seats provided shall conform to current National Standards.
5.2	The Operator in conjunction with the Vehicle Proprietor and the Driver shall ensure that any infant seat used during a Private Hire booking will be suitable for the child's weight and size and will be used in accordance with the manufacturer's instructions.
5.3	Based upon supply and demand, the Operator in conjunction with the Vehicle Proprietor and Driver shall decide, whether or not the seats provided by them are kept at the company base, and made available to drivers as and when required, or kept upon selected licensed vehicles or both.
6.	Hiring And Recording of Hiring
6.1	The Operator will make all reasonable provision that the system in place works effectively and that it enables the company to honour any bookings that they accept and the Operator shall be responsible for monitoring the system to make certain that drivers and vehicles are available to fulfil the arrangements agreed by the company and the Hirer.
6.2	When the Operator accepts a hiring he/she shall, unless prevented by some sufficient cause, ensure that the licensed Private hire vehicles attend at the appointed time and place.
6.3	The use of a Public Service Vehicle (PSV) driven by a 'Passenger Carrying Vehicle' licensed driver to fulfil a fare, without the informed consent of the booker is prohibited. The booker must be informed that the driver is subject to different checks and not required to have an enhanced DBS check.
6.4	The Operator must not purchase, hire or install any computerised booking or dispatching system without prior written consent from the Council, based upon the system meeting approved technical specifications and the Local Government (Miscellaneous Provisions) Act 1976.
6.5	Where the Operator employs any form of computerised data entry, bookings may be entered via a computer subject to a hard (paper) copy being printed from the records at the request of an Authorised Officer of the Council. Where an Operator employs a system of manual entries of hiring's on to a booking sheet, those records or a copy of those records must be made available on request to an Authorised Officer of the Council.
6.6	The records of hiring's accepted by the Operator is required to be kept under Section 56 of the Local Government Miscellaneous Provisions Act 1976 and shall be the responsibility of the Operator who, immediately prior to the commencement of the journey, will enter all the details of the hirer legibly in ink on to the company record sheets or into a computer system in the prescribed manner. The records shall contain the following:
6.6.1	The name of the hirer.
6.6.2	The time of the pick-up.

6.6.3	The point of pick-up.
6.6.4	The hirers required destination.
6.6.5	Information indicating the vehicle dispatched and the driver used.
6.6.6	Remarks, including details of any instructions from the hirer or regarding sub-contract to or from another Operator.
6.7	The Operator shall not dispose of any record of hiring's made under the LG(MP) ACT 1976 within six months of the last hiring contained therein.
6.8	At the start of each shift the Operator shall ensure that a full record of <u>all</u> vehicles and drivers used by the company for that shift are kept. Such record will include details of vehicle registration numbers and vehicle radio or computer call signs. It will also include drivers' full names and driver licence numbers and such record will be attached to the relevant days booking sheet or other appropriate systems.
7.	Employment Of Private Hire Drivers & Other Staff
7.1	The Private Hire Operator shall not, knowingly or without prior consent of the council, employ or be employed by, engage in partnership with, or allow any involvement in the management of the licensed operation:-
7.1.1	Any person who has been convicted of an offence under the Local Government (Miscellaneous Provisions) Act 1976 or any other legislation relating to Private Hire and Hackney carriage Licensing; and
7.1.2	Any person who, for the purposes of Part II of the said Act, has been found not to be a Fit and Proper Person to hold a Drivers, Vehicle or Operators licence ; and
7.2	The Operator shall be responsible for the actions of any manager, supervisor or any other person appointed to run or play any part in the management of the private hire business;
7.3	The Operator shall keep a register of all staff that will take bookings or dispatch vehicles and shall be required to evidence that they have had sight of a Basic DBS for all staff. A copy to be sent to the Licensing Authority.
7.4	The operator shall have in place a policy on employing ex-offenders in roles that take bookings or dispatch vehicles.
7.5	The Operator shall, ensure that they have examined the Dual Driver licence issued by the Council and that it is valid.
7.5	The Operator shall display on the premises, information relating to Child Sexual Exploitation provided by Telford & Wrekin Council. This information should be prominently displayed where it is clearly visible to the licensed drivers and telephone operators.
8.	Radios And Call Signs

8.1	The Operator shall ensure that any radio equipment that is fitted to any licensed vehicle operated by the company, is correctly licensed by the relevant authority and is fitted to the vehicle in the approved manner. It must at all times be kept in a safe and sound condition and maintained in proper working order and that the use of such a system is disclosed to the Operators and/or vehicle proprietor's Insurance company.
9.	Complaints
9.1	The Operator shall set up an effective internal procedure to deal with complaints made by the public against the company, vehicle proprietors and/or drivers.
9.2	The procedure shall be approved by the Council and must be set up in such a way that complaints are dealt with by the Operator or a member of his/her staff not directly connected with dealing with the invitation of Private Hire bookings or the dispatching of drivers and vehicles.
9.3	The Operator shall ensure that all complaints received by the company are properly recorded in the first instance and all information relating to any action taken is also recorded. Such information shall include details of the booking (who accepted it on behalf of the company) and of the vehicle, and driver involved. Records will be made in a book (or other appropriate recording method) and not on loose leaf paper and pages shall be consecutively numbered.
9.4	The Operator shall on receipt of any complaint relating to a contract for hire or purported contract for hire relating to or arising from his /her business, immediately notify the complainant of their right to forward the complaint to the Council.
9.5	Any complaint shall be investigated immediately by the Operator or by his/her independently appointed representative within the company and the complainant kept informed and notified of the outcome within a reasonable amount of time.
9.6	Where a complaint is received by an Authorised Officer of the Council the Operator shall conform to any directions of the officer in respect of that complaint.
9.7	The complaint book kept by the Operator shall be made available upon demand to any Authorised Officer of the Council and its contents may be used as evidence in investigating said complaints.
9.8	The Operator shall from time to time monitor and if necessary review the company complaint's procedure to ensure that it is being conducted correctly and effectively.
10.	Accidents
10.1	The Operator shall, notwithstanding his/her responsibilities under the Road Traffic Act, report to the Council within 72 hours, any accident involving a Private hire vehicle under their control. In any case the licence holder shall notify the Council immediately, of any vehicle being under their control which has suffered damage of any kind which materially affects the safety performance or appearance of the vehicle, or the comfort convenience of the fare paying passengers.

11.	Insurance
11.1	Operators shall provide to the council proof of Public Liability Insurance to a minimum value of £5,000,000.
12.	Advertisements
12.1	All operator company/business logos must be approved in writing by the Council and must not contain national, political, racial, cultural, sexual or potentially offensive language, symbols, flags or emblems.
12.2	The Operator shall ensure that no executive vehicle owned or operated by them bears any form of advertising whatsoever.
13.	Executive Vehicles
13.1	The Operator will only permit vehicles which are licensed as executive vehicles to undertake executive work and not for general private hire usage.
N.B.	Additional Notes (Not to be considered as Licensing Conditions)
1.	This list of conditions should be read in conjunction with Telford & Wrekin Council's Hackney Carriage and Private Hire Licencing Policy.
2.	Any requirements of legislation which effect the operations being carried out under the terms of this licence shall be regarded as if they are conditions of this licence. Wherever there appears in the licence conditions or policy, a summary of any statutory provision you are advised that such summary is not exhaustive. If you are in any doubt about any information contained in this document please contact the Licensing Service for advice on 01952 381818, email licensing@telford.gov.uk