## PRIVATE HIRE OPERATOR LICENCE - CONDITIONS OF LICENCE

All of the offences listed in the Penalty Points Scheme are included as relevant conditions.

The Operator must keep a record and maintain such a record at his/her premises detailing the particulars of all vehicles operated by him or her, which shall include the following:

* the licence plate numbers;
* the registration numbers;
* the names and addresses of the proprietors;
* the names and addresses of drivers;
* the licence (badge) numbers of drivers;
* copies of licences for all licensed vehicles and drivers; and copies of insurance certificates for all licensed vehicles.

The Operator must, before a hiring starts, record in a suitable book the pages of which are numbered consecutively, or by use of a suitable computer programme the following particulars:

* the date and time of the booking;
* the name and contact telephone number / email address (if either are available) of the hirer and, where the booking is received from another operator, the name of that operator;
* the manner in which the booking was made (i.e. whether by telephone, in person, or by electronic means);
* the time and place at which it is intended that the passenger shall be collected;
* the destination (which may be recorded electronically at the conclusion of the journey using GPS tracking);
* the time at which the driver was allocated the booking;
* the registration number and licence plate number of the vehicle allocated to the booking;
* the name and driver licence number of the driver who will attend the booking;
* where the booking is passed onto another operator by way of “sub-contracting”, the name and address of that operator, together with the Operator’s licence number and issuing authority;
* the name of the individual responding to the booking request; the name of the individual that dispatched the vehicle.

The Operator must keep the records referred to in the above conditions and make available for inspection on request by an authorised Officer of the Council or a Police Officer for a period of not less than 12 months. If the records are maintained by the use of a computer,

the operator shall ensure that a print-out of any record kept can be provided at any time the business is in operation, on request by an authorised officer of the Council or a Police Officer for a period of not less than 12 months.

A register of all staff that will take bookings or dispatch vehicles will be retained for a period of not less than 12 months.

The Operator must within 5 working days of any request made by any Authorised Officer, make available any records or other information that would reasonably assist with an investigation. Any failure to comply with the reasonable request of an Authorised Officer will be considered relevant when assessing the suitability of the applicant to continue to hold a Private Hire Operator licence.

The Operator must have a complaints procedure in place which can be audited and checked by the licensing authority upon request.

The Operator must not invite or accept a booking for a Licensed Vehicle, or control or arrange a journey to be undertaken by such vehicle, without first making available in writing, or giving orally, or by means of electronic communication to the person making the booking information as to the basis of charge for the hire of the vehicle.

The Operator must not charge a higher price for any journey, for a person who requires “mobility assistance” than would otherwise be charged for a person without such a need for “mobility assistance” for the same journey.

The Operator must not accept a booking for a vehicle to carry more passengers than the vehicle is licensed to carry.

The Operator must not take any bookings requested directly by the driver of any licensed vehicle.

The Operator must, when accepting a booking for a vehicle to attend at an appointed time and place, ensure that unless delayed or prevented by some sufficient cause, a suitable vehicle attends at that appointed time and place. If an Operator sub-contracts a booking ( under the Deregulation Act, 2015 ) the operator shall inform the customer prior to the vehicles arrival at the pick-up point, of the details of the sub- contractor that will be conducting the journey and give them the contact number and licensed name of that Operator.

The Operator must provide, and ensure that any vehicle that is fitted with a taxi-meter carries and displays a list of the tariffs charged by the Operator.

The Operator must take all necessary measures, including those requested by an Authorising Officer or Police Officer to prevent vehicles in its employment, from parking or congregating in such a manner as to cause a nuisance to any reasonable person.

The Operator must make all necessary measures to ensure drivers in their employment do not park in a prominent position that may encourage unlawful hire.

The Operator must maintain an adequate supply of livery, and provide such livery upon request to the driver of a Licensed Vehicle in his or her employ should such livery be found to be absent, deteriorated or perished.

The Operator must not, knowingly or without the prior written consent of the Council, engage in partnership with, or allow or tolerate any involvement in the management of the licensed Operator by:

* 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
* any person who, for the purposes of Part II of the said Act, has been found by any Licensing Authority not to be a fit and proper person to hold a Hackney Carriage & Private Hire (Combined) Driver Licence or Private Hire Operator Licence.

Operator licence holders are required to notify the licensing Authority within 48 hours of an arrest and release, charge or conviction of any offence or alleged offence. This includes being interview under caution by the police about any alleged offence. An arrest or interview under caution for any offences will result in a review as to whether the licence holder is fit to continue to hold a licence.

This should not be seen as a direction that a licence should be withdrawn, it is for the licensing authority to consider what, if any, action in terms of the licence should be taken based on the balance of probabilities. A failure by a licence holder to disclose an arrest that the licensing authority is subsequently advised of might be seen as behaviour that questions honesty and therefore the suitability of the licence holder regardless of the outcome of the initial allegation,

The operator must notify the Council in writing of the acceptance of any fixed penalty endorsement within 5 working days. The driver must subsequently inform the Council immediately following its endorsement.

The Operator must be responsible for the actions of any manager, supervisor or any other person appointed to run the Private Hire Operator business on his / her behalf.

If provision is made by the Operator on his or her premises for the reception of members of the public proposing to hire a vehicle, the Operator must ensure that the premises are in a clean and tidy condition at all times, and that adequate arrangements are made for the seating of customers within the premises.

The Operator must not permit any person who is behaving in a manner likely to give rise to concerns regarding the safety of other members of the public, to remain upon the premises in respect of which this licence is in force.

The Operator must understand that a Private Hire Operator licence is not transferable.

The Operator must notify the Council immediately (and in any case within 5 working days) of any change in the Operator’s business address, in the vehicles operated by the Operator or in the drivers employed to drive them; and make payment of any associated fee for the re-issue of the licence following such amendments being made.

The Operator must ensure that every driver employed to drive the vehicles operated by the Operator holds a Hackney Carriage & Private Hire (Combined) Driver Licence and is acquainted with the conditions attached to such a driver licence.

The use of a driver who holds a PCV licence and the use of a public service vehicle such as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire vehicle operator’s licence without the informed consent of the hirer.

The Operator must ensure that the holder of any Hackney Carriage Vehicle Licence or Private Hire Vehicle Licence relating to a licensed vehicle operating under his / her Operator licence is acquainted with the conditions attached to such a vehicle licence.

The Operator must inform the licensing authority if he/she intends to be absent or unavailable for 7 days or more, giving details of a responsible person.

The Operator will complete Safeguarding, (including Child Lines) Sexual Exploitation and Disability Awareness training and a refresher every three years on.