

# **PRIVATE HIRE OPERATOR'S LICENCE CONDITIONS.**

## **THE RECORDS TO BE KEPT BY THE OPERATOR:**

Booking records shall be kept in a non-erasable form in a suitable log or book, the pages of which are numbered consecutively, or in an appropriate electronic format.

Prior to each journey, the operator shall record the following particulars of every booking of a private hire vehicle accepted:

- date of the booking,
- name and address of the hirer,
- time of pick-up,
- address of the point of pick-up,
- destination,
- licence number (or other identification) of the driver allocated to the booking,
- plate number (or other identification) of the vehicle allocated to the booking,
- fare agreed between the operator and hirer at the time of booking,
- the name of any individual that responded to the booking request, and
- the name of any individual that dispatched the vehicle.

The operator shall keep the following records of the particulars of all private hire vehicles operated by them:

- type, make, model, colour and engine size of vehicles,
- year when the vehicle was first licensed for private hire,
- vehicle registration numbers,
- number of seats for passengers,
- owners of the vehicles,
- insurance details of vehicles,
- method of charging, i.e. whether or not a meter is fitted, and
- private hire vehicle plate number.

The operator shall keep the following records of the particulars of all drivers of private hire vehicles operated by them:

- driver's name, address and call sign,
- date employment commenced,
- date employment ceased,
- any change of address, including the date the address changed,
- any illness, disability or condition which may affect the driver's ability to safely carry out his duties, and
- expiry date of driver licence.

All records maintained by the operator shall be kept for at least twelve months after entry and shall be produced for inspection, on request, by an authorised officer of the Council or a police officer.

Private hire vehicle operators have a duty under data protection legislation to protect the information they hold. The Information Commissioner's office provides comprehensive on-line guidance on registering as a data controller and how to meet these obligations.

### **Operator Address**

Upon the grant of a private hire operator licence the Council will specify on the licence the address from which the operator may accept bookings and despatch vehicles. This address will ordinarily be the address stated on the application form.

The operator must notify the Council in writing of any proposed change of address during the period of the licence in order that the Council can consider its suitability. The operator may not change operating address until such time as the change has been approved in writing by the Council.

### **Staff Register**

Any person involved in the operation of a private hire business with access to sensitive information, for example office managers and call handlers, will be required to provide the operator with a basic DBS disclosure. Therefore, private hire operators will be required to advise the Council of any change in staff. It is a condition of the granting of an operator licence that a register is kept (as a live document) of all staff that will take bookings or dispatch vehicles and also a record that the operator has viewed their DBS.

A record that the operator has had sight of a basic DBS check certificate (although the certificate itself should not be retained) should be retained for the period that the individual is on the register. Should an employee cease to be on the register and later re-entered, a new basic DBS certificate should be requested and sight of this recorded.

### **Disclosure of Convictions**

The operator shall, within seven days of conviction, notify the Council in writing of any conviction or fixed penalty imposed on them during the period of duration of his/her operator licence. If the operator is a company or partnership, this requirement shall equally apply if any of the directors or partners receives a conviction or fixed penalty.

### **The Standard of Service**

The operator shall provide a prompt, efficient and reliable service to the public, and for this purpose in particular:

- Ensure that when a private hire vehicle has been booked that the driver attends at the appointed time and place punctually, unless delayed or prevented by sufficient cause.

- Ensure that premises are kept clean, adequately heated, ventilated and lit, whether for the purposes of booking or waiting.
- The premises comply with all health and safety regulations.

## **Complaints**

It is important that operators do all they can to assist in the resolution of complaints about their service or about the service provided by the drivers working for them. Timely resolutions of complaints is important for customer service, wellbeing and safeguarding purposes.

Applicants for an operator's licence must submit a complaints policy to the Council at the time of making their application. The policy must be comprehensive and easy to understand.

The operator shall notify the Council in writing of any complaints concerning a contract for hire arising from their business, for example for their own protection against frivolous or vexatious complaints, or allegations of misconduct against a driver. Such notification must include the action taken, or proposed, as a result of the complaint.

## **PROVISIONS REGULATING THE CONDUCT OF THE OPERATOR:**

- The operator shall immediately notify the Council in writing of any complaint concerning the standard of any vehicle or a complaint against the driver.
- Similarly the Council undertake to inform the operator if a complaint is received at the Licensing Office.
- The operator shall notify the Council in writing of any change of address during the period of the licence within seven days of such change. No operator may change the address from which they operate without prior agreement in writing from the Council and all licence requirements being met.
- The operator shall within seven days disclose to the Council, in writing, details of any convictions (motoring or otherwise) imposed upon them, or if the operator is a company or partnership, on any director or partner during the period of the licence.
- The operator shall cause any driver to inform the Council of any change in circumstances concerning that driver.
- The operator shall notify the Council when a driver leaves their employment or alternatively when a new driver is employed.

## **Private Hire Insurance**

The operator shall ensure that a certificate of motor insurance covers every private hire vehicle operated by them under the operator licence, which is compliant with current legislation regards the carriage of passengers for hire or reward.

## **Private Hire Driver Licences**

The operator shall ensure that every driver engaged by them has obtained a private hire driver licence from the same licensing authority which issued the private hire operator licence. The operator shall use their best endeavours to ensure that all drivers have a badge issued by the Council and that the drivers wear the badge at all times whilst available for hire or display the badge within vehicle at all times whilst available for hire.

### **Planning Consent**

To operate a private hire business from a residential property, planning permission may be required. A private hire operator licence will not be granted without evidence that either planning permission has been issued for the premises concerned, or planning permission is not required for the limited use proposed.

### **Safeguarding Training**

The Council acknowledges the importance of safeguarding training for all private hire operators regarding vulnerable adults and children as they are in a position to witness potential victims of abuse or exploitation.

As from the date of adoption of the Policy, it will be a mandatory requirement for all private hire operators to attend safeguarding awareness training delivered by a provider prescribed by the Council as part of the grant or renewal of an operator's licence. The cost of the training will be met by the applicant or licensed operator.

If the private hire operator has attended safeguarding training as a current licensed driver, there will be no requirement to attend as a private hire operator.

If the private hire operator is a company, any person involved in the day-to-day management of the business will be required to attend safeguarding training as part of the grant or renewal of the operator licence.

Failure to attend safeguarding training will preclude a licence being granted or renewed until such time as the training requirement has been fulfilled.

All private hire operators, new or existing, are permitted to attend the mandatory safeguarding training up to three months prior to the grant or renewal of a licence.

The Council will introduce the requirement to attend the mandatory safeguarding training on a phased basis and will notify operators of the opportunities for this to be undertaken.

**The council has power to revoke or suspend an operator's licence for any offence under or non compliance with Part II of the 1976 Act for any conduct on the part of the operator which appears to the Council to render them unfit to hold an operator's licence, for any material change in any of the circumstances of the operator on the basis of which the licence was granted, or for any other reasonable cause.**