



## **GUIDANCE NOTES FOR NEW APPLICANTS FOR PRIVATE HIRE OPERATORS' LICENCES**

Applicants for a private hire operators' licence who are not already licensed as a private hire or hackney carriage driver will require a basic disclosure (criminal record check) from the Disclosure and Barring Service for the grant and renewal of an operator licence. On submission to the taxi licensing office, this disclosure must be less than one calendar month old. Information on how to obtain a basic disclosure can be found at <https://www.gov.uk/government/publications/basic-checks>

Applicants that hold a private hire or hackney carriage driver's licence must have undergone an enhanced disclosure through taxi licensing with the Disclosure and Barring Service within three years of making an application for an operator's licence. A further enhanced disclosure will be required if it is more than three years since the last one.

Applicants are required to obtain planning consent, where necessary, for the premises from which they intend to operate. If planning permission is required, this must be obtained by the applicant before the issue of the operator's licence. Due to this requirement, applicants must provide details of where vehicles will be parked. If planning permission is not required, documentary evidence to this effect must be supplied to the licensing department.

A private hire operator's licence is not transferable. The holder of an existing licence must notify the Council immediately in writing of any proposed changes of the person authorised to operate under the terms of the licence. A person who is buying an existing private hire business must complete an application form and pay the relevant fee for a new licence.

Applicants for operators' licences cannot use the same (or similar) name as any private hire firm currently operating within the district or any name previously used within the district and registered by the operator at Companies House.

Vehicle sideplates must bear the name of the private hire firm and the telephone number and/or the website address. This means a private hire operator can choose to display a telephone number or a website address or both can be displayed. In all instances the name of the private hire firm must still be displayed. The website address cannot contain the words "for hire", "taxi" or "hackney carriage". Vehicle sideplates must also include the wording "**PRIVATE HIRE VEHICLE – PRE BOOKED ONLY**" in suitable lettering at least 50mm (2") high. The sign must not include the words "FOR HIRE", "TAXI", or "HACKNEY CARRIAGE".

Artwork for vehicle sideplates must be submitted to the Council's Taxi Licensing Section for approval and must comply with the following guidelines:-

- The design of the sideplate must be uncluttered and must clearly show the information required by the private hire vehicle licence conditions

- All lettering must be in solid block print, not just an outline and contrast in colour from the background so as to be easily read from a distance
- Sideplates may include the private hire company logo
- Advertising of third party products or services is not permitted on sideplates
- Sideplates must not contain any offensive or indecent information

To “operate” private hire vehicles means in the course of business to make provision for the invitation or acceptance of bookings for private hire vehicles at the premises specified in the licence. All telephone bookings must be made via a landline at the address specified in the licence and cannot be taken on a mobile telephone.

Private hire operator licenses are granted for a maximum period of five years. Licences may be granted for a lesser period depending on the circumstances of the application.



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

### **NEW APPLICANTS AND RENEWALS**

1. All applicants are required to complete an application form and are reminded that it is an offence to knowingly or recklessly make any false statement or omit relevant information.
2. The booking office premises of a Private Hire Operator shall be approved by the Council and shall conform to all planning regulations and other legal requirements in respect of business premises. Details must be provided of where vehicles will be parked when waiting for bookings. In the event that it is found that the booking office is operating without all necessary planning consents or in breach of planning conditions, the Private Hire Operator's licence will be deemed suspended until planning consent is obtained.
3. The current Private Hire Operator's licence must be displayed at the business premises to which the licence relates in a prominent position at all times in view of the general public with the exception of such times as the licence is presented to the Council for amendment.
4. The licensed Operator shall have in force a Public Liability Insurance policy providing a minimum of £2,000,000 indemnity in respect of any one incident where there is public access to a booking office. This policy will be produced to the Council annually.
5. The licensed Operators, who have employees, shall have in force an Employers' Liability Insurance policy complying with the Employers' Liability (Compulsory Insurance) Act 1969 covering death or personal injury arising out of any incident during the course of a person's employment. This policy will be produced to the Council annually.
6. During the currency of the licence, the Operator shall notify the Council in writing within 7 days of any temporary change of residence which is for a period in excess of 21 days.
7. The licensed Operator shall inform the Council within 14 days of any change of the partners or Directors of the company, or any change on the Secretaryship or Chairmanship thereof.
8. Each Operator, when disposing of any business interest, shall within 14 days give notice in writing to the Council that the business registered in his/her name has terminated.

9. The licensed Operator must notify the Council and nominate a responsible person to take responsibility on an interim basis if they are absent from the business for 15 days or more.
10. The licensed Operator will ensure that the Council has his/her most up to date contact details, including a mobile telephone number and email address. There should also be a generic email address for the company.
11. The licensed Operator shall keep a record, for a period of not less than 36 months, of the hackney carriage/private hire vehicle licence number, plate number, registration number and make and model of all hackney carriage/private hire vehicles operating from his/her office. Such records shall be sent to the Council annually and be available at all reasonable times for inspection by the Council.
12. The licensed Operator shall keep a record, for a period of not less than 36 months, of the hackney carriage/private hire driver's licence number, badge number, personal identity code name or number and name and address of each driver operating from his/her office. Such records shall be sent to the Council annually and be available at all reasonable times for inspection by the Council.
13. The licensed Operator shall make sure that hackney carriage/private hire vehicles and driver's operating from his/her office have had their licence(s) renewed by the Council.
14. The licensed Operator shall display in a prominent position visible to customers visiting his premises at his/her place of business a list of fares and booking fees chargeable by the Operator. The Council shall be supplied with an up to date list of fares within 14 days of any changes made.
15. The licensed Operator will ensure that the licence issued by the Department of Trade and Industry for all radio equipment used is current and valid. All equipment must only be used on the frequencies stipulated in the DTI licence and the licensed Operator must allow the Council access to inspect all equipment and DTI licences.
16. The licensed Operator shall keep and maintain at all times, for a period of not less than six months, a record of hirings showing the particulars of every booking of a hackney carriage/private hire vehicle, including any booking accepted at the request of another Operator.

The record must be kept in the form of a log sheet or computer database detailing in particular:-

- a) The date and time of each booking
- b) The name and address of the hirer (if known)
- c) The dates, time and place of the commencement of each hiring
- d) The destination
- \*e) The vehicle licence number and the name of the driver
- f) For booking transferred to another operator, details of that operator and information detailed in point 'e' above

(\* This information may be given by reference to an incorporated code)

All records shall be maintained and kept up to date at all times and shall be available for inspection at all reasonable times, without notice, by an Authorised Officer, the Police or DVSA. For the purpose of further investigation, records may be removed from the premises if so required or copied.

17. The licensed Operator shall keep a register of complaints by the public for a period of not less than 12 months.
18. Upon receiving a complaint or allegation regarding any person licensed by the Council in relation to the following matters:
  - a) sexual misconduct, sexual harassment or inappropriate sexual attention
  - b) racist behaviour
  - c) violence
  - d) dishonesty
  - e) breaches of equality

the licensed Operator shall report it immediately to the Council when the taxi licensing office is open.

19. The licensed Operator is not permitted to accept bookings forwarded by their private hire drivers.
20. Private hire operators must provide the Council with a current table of fares, including mileage fare chart.
21. If used, private hire operators must make sure all meters and PDA systems are calibrated to the correct fare scale.
22. The licensed Operator shall provide a prompt, efficient and reliable service to members of the public at all times, ensuring that when a private hire vehicle has been hired to be in attendance at an appropriate time and place, that vehicles shall, unless delayed, attend punctually at that time and place.
23. The licensed Operator remain accountable for service delivery even upon the transfer of a booking to another licensed Operator.
24. The maximum number of vehicles that may operate from the licensed Private Hire booking office are detailed on the licence, this number will not be exceeded without prior written notification to the Council.