

CONDITIONS ATTACHED TO PRIVATE HIRE VEHICLE OPERATORS LICENCE

PLEASE NOTE!

- a. Failure to comply with any of these conditions may lead to your licence being suspended or revoked or not being renewed.
- b. You have the right of appeal against any of these conditions within twenty-one days of the date of this licence to a magistrate's court.

1. **RECORDS**

All the records referred to in these conditions shall:-

- (a) be kept in a suitable form acceptable to the Council; and
- (b) be retained by the operator permanently in the case of vehicles, drivers and complaints (B, C and D below) and for a period of not less than six months following the date of the last entry in the case of bookings (A below).

A. **BOOKINGS**

The records required to be kept by the operator under Section 56(2) of the Local Government (Miscellaneous Provisions) Act 1976 in respect of each booking invited or accepted by the operator shall incorporate the following information entered in the records before the start of each journey:-

- (i) date and time of booking of the vehicle
- (ii) the point of pick-up
- (iii) the destination
- (iv) identification of the driver concerned
- (v) identification of the vehicle concerned

B. **VEHICLES**

The records required to be kept by the operator under Section 56(3) of the Local Government (Miscellaneous Provisions) Act 1976 of the particulars of every private hire vehicle operated by him/her shall incorporate the following information:-

- (i) make and colour of vehicle
- (ii) name and address of private hire vehicle licence holder
- (iii) registration number
- (iv) private hire vehicle licence plate number
- (v) date of issue of vehicle licence
- (vi) date of expiry of vehicle licence

C. **DRIVERS**

Records shall be kept of all drivers of every private hire vehicle operated by the operator incorporating the following information:-

- (i) name and address
- (ii) date of issue of private hire vehicle drivers licence
- (iii) date of expiry of private hire vehicle drivers licence
- (iv) radio call sign, if any.

D. **COMPLAINTS**

Records shall be kept of all complaints received by the operator relating to or arising from his or her business incorporating the following information:-

- (i) name and address of complainant
- (ii) substance of complaint
- (iii) action taken in response to complaint.

2. **STANDARD OF SERVICE**

The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular:-

- (a) ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place
- (b) keep clean, adequately heated, ventilated and lit, any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting
- (c) ensure that any waiting area provided by the operator has adequate seating facilities
- (d) ensure that any telephone and radio equipment provided are maintained in a sound condition and
- (e) that any defects are repaired promptly.

3. **CHANGE OF ADDRESS**

The operator shall notify the Council in writing of any change of home address, or any address from which he/she operates or otherwise conducts his/her business as an operator, during the period of the licence within seven days of such change taking place.

4. **CONVICTIONS**

The operator shall within seven days disclose to the Council in writing details of any conviction

imposed on him/her (or if the operator is a company or partnership, on any of the directors or partners) during the period of the licence.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

GUIDANCE NOTES ON STATUTORY PROVISIONS RELATING TO PRIVATE HIRE VEHICLE OPERATORS

PLEASE NOTE

These notes are for guidance only and are not authoritative not exhaustive. If you would like any further information please contact the Council's Licensing Section or your own Solicitor.

Licensing of Operators

No person may operate a private hire vehicle, ie in the course of business make provision for the invitation or acceptance of bookings for a private hire vehicle, without a current operators licence.

For the purposes of the Act every contract for the hire of a licensed private hire vehicle is deemed to be made with the operator who accepted the booking whether or not he himself provided the vehicle.

Operation of Private Hire Vehicles

No licensed private hire vehicle operator may operate any vehicle as a private hire vehicle:-

- (a) if for the vehicle a current private hire vehicle licence is not in force; or
- (b) if the driver does not have a current licence to drive private hire vehicles.

Licence Conditions

The Council may attach to the grant of an operator's licence such conditions as they may consider reasonably necessary. An operator aggrieved by any of these conditions may appeal within 21 days to the Magistrates Court.

Records

(a) Every licensed operator must:-

- (i) Keep a record in such form as the Council may by licence condition prescribe; and
- (ii) enter therein, before the start of each journey particulars of every booking of a private hire vehicle invited or accepted by him (whether by accepting the booking from the hirer or by under taking it at the request of another operator);
- (iii) produce such record on request to any authorised officer of the Council or to any constable for inspection.

(a) Every licensed operator must keep such records as the Council may by licence condition prescribe of the particulars of any private hire vehicle operated by him and must produce these records on request to any authorised officer of the Council or to any constable for inspection.

Obstruction

Any person who:-

- (a) wilfully obstructs an authorised officer or constable acting in pursuance of this Act; or
- (b) without reasonable excuse fails to comply with any requirement properly made to him by such officer or constable under this Act; or
- (c) without reasonable cause fails to give such an officer or constable so acting any other assistance or information which he may reasonably require of such person for the purpose of the performance of his duties under this Act; or
- (d) in giving any such information as mentioned above, makes any false statement which he knows to be false:
is guilty of an offence.

Penalties

Any operator failing to comply with any of these statutory provisions is liable on conviction to a heavy fine. He is also liable to have his licence suspended or revoked or refused to be renewed.