



## Private Hire Operator's Licence

### Standard licence conditions

The following conditions will attach, pursuant to section 55(3) of the Local Government (Miscellaneous Provisions) Act 1976 ("the 1976 Act"), to all private hire operator's licences issued by Dacorum Borough Council, unless a specific exemption has been granted by the authority. The attachment of these conditions does not affect the Council's entitlement to attach any other condition to a licence in response to a specific issue arising from a particular application.

#### 1. Interpretation

a. In these conditions:

"the Council" means Dacorum Borough Council;

"the Operator" means the holder(s) of the private hire operator's licence issued by the Council;

"vehicle" means any licensed private hire vehicle (and hackney carriages, if bookings are also invited and accepted for fulfilment by these vehicles) operated by the Operator.

b. Terms defined under section 80 of the 1976 Act shall bear the meanings set out therein.

#### 2. Records

a. The records required to be held by the Operator under section 56(2) of the 1976 Act shall be kept in a suitable written or electronic form approved by the Council, and the Operator shall enter therein before the commencement of each journey the following particulars of every booking of a vehicle invited or accepted by the Operator, whether by accepting the same from the hirer or by undertaking it at the request of another operator, and such record must be maintained for at least one year from the date of the journey:

i) The date and time at which the booking was received

ii) The date and time of commencement of the proposed journey

iii) The name of the hirer

iv) The starting point of the journey

v) The destination of the journey

vi) A unique identifying reference for the vehicle provided to fulfil the booking, with sufficient detail to enable immediate identification of the vehicle from the records

vii) A unique identifying reference for the driver of the vehicle provided to fulfil the booking, with sufficient detail to enable immediate identification of the driver from the records

viii) If the booking was undertaken at the request of another operator, the name of that operator

ix) If the booking was passed to another operator to fulfil, the name of that operator.

b. The Operator shall keep a record of the following particulars of any vehicle operated by him, and such record must be maintained for at least one year from the cessation of operation of the vehicle:

i) The registration number of the vehicle

- ii) The number of the identification plate provided by the Council pursuant to s.48(5) of the 1976 Act
  - iii) The make and model of the vehicle
  - iv) The name and address of the proprietor(s) of the vehicle
  - v) The number of passengers permitted to be carried in the vehicle, as shown on the licence
  - vi) The start and expiry dates of the vehicle's licence issued by the Council
  - vii) The date on which the vehicle was added to the operator's fleet
  - viii) The date on which the vehicle was withdrawn from the operator's fleet.
- c. The Operator shall keep a record of the following particulars of all licensed drivers engaged/employed to drive any vehicle operated by him, and such record must be maintained for at least one year from the cessation of the engagement:
- i) The full names of the driver
  - ii) The permanent address of the driver
  - iii) The drivers date of birth
  - iv) The drivers licence (badge) number
  - v) The start and expiry dates of the driver's licence issued by the Council
  - vi) The dates the driver's engagement/employment was commenced and terminated.
- d. The Operator shall produce all or any of the records specified in this condition for inspection on request to an authorised Council officer or a constable.

### **3. Use of licensed vehicles and drivers**

- a. The Operator shall not invite or accept bookings for private hire work for any vehicle which is not currently licensed by the Council for such work.
- b. The Operator shall not employ or engage, whether directly or indirectly, any driver to drive any vehicle operated by him unless the driver holds a valid private hire or hackney carriage driver's licence (as applicable) issued by the Council.
- c. The Operator shall notify the Council upon the commencement or cessation of operation of a vehicle, or the employment/engagement or termination of a driver, within 7 days of such an event.

### **4. Vehicles**

- a. The Operator shall ensure that any vehicle he operates is in a suitable mechanical condition, safe, comfortable, clean and presentable, and that the licence plates provided by the Council are affixed to the vehicle in the manner and position stipulated in the conditions applied to the vehicle's licence.
- b. The Operator shall ensure that any vehicle he operates displays door signs of a design approved by the Council bearing the name and contact details of the Operator, in the position stipulated in the conditions applied to the vehicle's licence.
- c. The operator shall immediately notify the Council of any damage sustained by a vehicle operated by him.

### **5. Passengers**

The Operator shall ensure that bookings are fulfilled by licensed vehicles with sufficient capacity to carry all members of the hirer's group, as advised at the time of booking.

## **6. Standard of Service**

The Operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times, and in particular shall:

- a. Ensure that when a vehicle has been hired to be in attendance at the agreed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place;
- b. Publish a complaints handling procedure, detailing how members of the public may make complaints to the Operator, in respect of any aspect of the service provided, and investigate any complaints received in a timely manner, making details of such complaints and investigations available to authorised Council officers upon request;
- c. Keep any facilities provided to the public for the purpose of making bookings or waiting, clean, adequately heated, ventilated and lit;
- d. Ensure that any waiting area provided by the operator has adequate seating facilities;
- e. Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.

## **7. Display and availability of licence**

- a. A copy of the private hire operator's licence issued by the Council shall be displayed in a prominent position where visible by the public, at every booking office maintained by the Operator which is accessible by members of the public. The licence, or a copy thereof, shall be produced for inspection on request to an authorised Council officer or a constable.
- b. A copy of the private hire operator's licence issued by the Council shall be kept securely at any location at which, by virtue of the licence, bookings may be accepted or invited but to which members of the public do not have access, and shall produce the licence, or a copy thereof, for inspection on request to an authorised Council officer or a constable.

## **8. Change of Address**

The Operator shall notify the Council in writing, within 7 days, of any change to an address shown on the licence (including any address from which the Operator conducts his business as an operator) during the period of the licence.

## **9. Convictions, cautions, insolvency and disqualification**

The Operator shall notify the Council in writing, within 7 days, if he is convicted or receives a caution for any criminal offence, or if he is declared insolvent, or if he is disqualified as a company director (or if the operator is a company or partnership, on conviction, caution, insolvency or disqualification of any of the directors or partners) during the period of the licence.

## **10. Limited company directors**

*The following condition applies only where the operator's licence is issued to and held by a limited company:*

The Operator shall notify the Council within 21 days in the event of:

- a. The termination of appointment of a director of the limited company;
- b. The appointment of a new director of the limited company; or
- c. The liquidation or dissolution of the company, or the appointment of administrators.

Where the Operator notifies the Council under sub-paragraph b., a basic disclosure issued in the name of the new director no earlier than 3 months prior to the date of notification, shall be provided to the Council at the earliest opportunity, and in any event no later than 2 months after notification.

**11. Small operators**

*The following condition applies to operators granted a licence under the small operator provisions only:*

The Operator shall be responsible for the invitation and acceptance of bookings for no more than 3 vehicles at any time. Where three vehicles are currently operated, a vehicle must be removed prior to the addition of a new vehicle to the operator's fleet.

**12. Conditions**

The Council reserves the right to vary, delete or waive any of the foregoing Conditions

Applicants aggrieved by any of the Conditions attached to this licence, including both these standard conditions and any further conditions imposed in response to specific issues, may appeal to a Magistrates' Court within 21 days of the service of the licence, in accordance with sections 55 and 77 of the 1976 Act, and sections 300 to 302 of the Public Health Act 1936.