

## Appendix D – Private Hire Operator Licence Conditions

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## **1 General**

- 1.1 Operators must ensure that only licensed drivers carry out bookings and are appropriately trained for their role.
- 1.2 Operators must be able to demonstrate how they will achieve this by way of a policy to include any training (or checks) provided by the operator, customer service company policies and practices, including disability equality.
- 1.3 Operators must be aware of their obligations under the Immigration Act and only provide bookings to persons who have the right to work in the UK. Failure to observe this requirement or to provide due diligence checks may be subject to enforcement action by the relevant Home Office department.
- 1.4 All work undertaken by private hire vehicles (and drivers), must be pre-booked via a licensed operator. All three licences (private hire vehicle, private hire driver and operator) must be issued by the same Licensing Authority. Operators will be committing an offence if this provision is not strictly adhered to.
- 1.5 Licensed operators can accept bookings and can subcontract these bookings, but only to another licensed operator. However, the operator who accepted the initial booking remains responsible for that booking.

## **2 Standard of Service**

- 2.1 The licensee shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall adhere to the conditions below.
- 2.2 When a private hire vehicle has been hired to pick up at an appointed time and place the vehicle shall, unless unavoidably delayed or prevented by from being able, attend at the appointed time and place.
- 2.3 When a private hire vehicle has been hired, the vehicle shall be clean inside and display on the external rear of the vehicle, the current private hire vehicle licence plate provided by the council.
- 2.4 The operator's name and contact information must be displayed on the vehicle unless a valid private hire plate exemption has been issued.
- 2.5 When a private hire vehicle has been hired the price of the journey shall be given to the hirer at the time of the booking.
- 2.6 Any additional prices, such as waiting times or soilage fees be made available to the hirer at the time of booking.
- 2.7 The operator will ensure that any vehicle completing bookings on its behalf shall have provisions to provide the customer with the option of paying by card or cash.

- 2.8 Ensure that at the time of the booking the hirer will be informed that in the case of a lone person travelling they shall be informed that they are required to travel in the rear of the vehicle unless requested otherwise at the time of the booking.
- 2.9 Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.
- 2.10 Operators have a responsibility along with the driver and proprietor to ensure that the vehicles utilised are clean, fit for the purpose of the booking and comply with the conditions applied by this council. It is expected that where operators have a dedicated fleet, they have a planned maintenance programme in place for all vehicles.

### **3 The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022**

- 3.1 The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 made amendments to the Equality Act 2010 outlining strict offences for private hire operators if they fail to adhere to the requirements as listed below.
- 3.2 Section 167A makes it an offence for a PHV operator to refuse or fail to accept a booking from, or on behalf of, a disabled person because (i) the person is disabled or (ii) to prevent a driver from being subject to the duties at sections 164A, 165, or 165A. It also makes it an offence for a PHV operator to make, or propose to make, an additional charge for carrying out of any duty imposed on the driver of the private hire vehicle under section 164A, 165 or 165A.
- 3.3 Section 170 makes it an offence for a PHV operator to refuse or fail to accept a booking from, or on behalf of, an assistance dog user: because the person will be accompanied by an assistance dog or; to prevent a driver from being subject to the duties at section 170
- 3.4 Operators should book trips for assistance dog users as they would for any other passenger, for example using the nearest driver to the point of pick-up, regardless of any preference that driver may have not to carry a dog.

### **4 Premises**

- 4.1 A private hire operator is licensed to operate from a designated address which must be within the Huntingdonshire District Council authority area. The licence does not grant permission to operate from any other address unless specified.
- 4.2 Where a private hire operator has a premises open to members of public to enter for the purposes of booking or waiting for a private hire vehicle, they must adhere to the conditions below.
- 4.3 The private hire operator must have valid public liability insurance.
- 4.4 Any area of the premises which the public have access to, whether for the purpose of booking or waiting, must be kept clean, adequately heated, ventilated and well lit.

- 4.5 Any waiting area provided must have adequate seating facilities.
- 4.6 Where a premises is open to the public during the 'Night-Time Economy' hours of 1800hrs to 0600hrs, the private hire operator must conduct an ongoing risk assessment to ensure that where it is considered necessary, sufficient SIA security officer/doorman will be employed at the premises.
- 4.7 Hot food or drinks, including those provided by a self-serve vending machine, must not be sold between the hours of 2300hrs and 0500hrs, unless the premises has a Late Night Refreshment licence.
- 4.8 Gaming machines are not permitted.
- 4.9 Where a private hire operator is licensed to operate from a home address, the operator must ensure that an accumulation of parked vehicles does not occur unless the relevant planning permission has been granted allowing use of the property for such purposes.
- 4.10 If a private hire operator intends to operate from multiple locations within the authority area, each location must have approval and be included on the licence. This includes kiosks or cabins at locations such as car parks or trains station.
- 4.11 If a private hire operator intends to re-locate to another address within the HDC district, a change of address application must be submitted prior to any move.

## **5 Training**

- 5.1 A private hire operator must ensure that all staff, including office-based workers, are suitably trained to conduct the work required of them.
- 5.2 The training required is not prescribed by the licensing authority, but may be demonstrated by way of company policies, safeguarding and disability awareness training, customer service training and any other check conducted by the operator.
- 5.3 Where a private hire operator is dispatching a wheelchair accessible vehicle, the operator must ensure that the driver is suitably training in how to safely load, unload and transport passengers.
- 5.4 All training must be documented and provided upon request by an authorised officer as detailed in section 7.

## **6 Record Keeping**

- 6.1 A private hire operator must keep and maintain several records as required by both legislation and condition. These records must be maintained for the duration of the licence and made available upon request by an authorised officer or police constable.

- 6.2 Each vehicle that is used by the operator, whether company or driver owned, must be recorded in a register of all vehicles. This register must include the following information as detailed in the table below:

<b>Detail Required</b>	<b>Notes</b>
Private Hire Vehicle Licence	This must be a copy of the paper private hire vehicle licence. A photo or copy of the private hire licence plate is not acceptable.
Certificate of Compliance	Date of expiry for the CoC and MOT if applicable
Proof of Insurance	Cover must include use for private hire purposes
Proof of Vehicle Excise Duty	Commonly known as 'Road Tax'
Date the vehicle was first added to fleet	
Date the vehicle was removed from fleet	
LOLER Certificate	If the vehicle is fitted with a tail-lift, the vehicle licence holder is required to obtain a LOLER Certificate every 6 month. You must retain a copy of this.

- 6.3 Each driver who completes booking for the operator, whether employed directly or working self-employed, must be recorded in a register of all drivers. This register must include the following information as detailed in the table below:

<b>Detail Required</b>	<b>Notes</b>
Private Hire Driver Licence	This must be a copy of the paper private hire driver licence. A photo or copy of the driver's badge is not acceptable.
Contact Information	A full address and telephone number
Date the driver first employed	
Date the driver left employment	

- 6.4 Where an internal numbering system is used by the operator to record driver or vehicle details, the numbering system must be provided alongside the registers required in Sections 6.2 and 6.3.
- 6.5 When a driver leaves employment or a vehicle is removed from service and there is an internal numbering system in place, the operator must ensure that they can provide details of which driver/vehicle was allocated to a specific number at any time.
- 6.6 The operator must maintain a register of all staff that have contact with the public and/or oversee the dispatching of vehicles or have access to booking records. This register must include the following information as detailed in the table below:

Detail Required	Notes
Name, Address and Date of Birth	
Basic DBS Check	You must be able to demonstrate that you have had sight of a basic DBS certificate at the start of employment.
Right to Work Check	Where applicable
Start date of employment	
End date of employment	
Job Title	

- 6.7 Due to the requirement of all dispatch staff requiring a basic DBS certificate, as referenced in the DfT Statutory Guidance, it will not be permitted for overseas call centres to be used by private hire operators.

## 7 Company Policies

- 7.1 It is a requirement of all licensed private hire operators to have a written policy for the below subjects shown in the table below:

Policy Required	Notes
Complaints Policy	This must detail how you will record and resolve complaints raised by customers. This policy must be made available to customers upon request.
Training Policy	You must have a training policy that documents all training that you will provide to staff and drivers.
Training Policy Sign Off	In addition to the training policy, you must maintain a sign off sheet which documents the date and time in which

	the training was provided and must be signed by the person receiving the training.
Employing Ex-Offenders	You must have a policy which details the operator's position on employing people with criminal records.
Safeguarding Policy	You must have a company policy on how you will safeguard vulnerable children and adults from any harm that may arise during a journey.
Lost Property	The local police stations no longer accept lost property unless it is a high value item or of a sensitive nature. You must therefore have a policy on what drivers are required to do with any property left in vehicles.

7.2 These policies must be maintained for the duration of the licence and made available upon request by an authorised officer.

## 8 Record of Bookings

8.1 The operator shall keep a comprehensive record of each journey containing the details listed in the table below.

Detail Required	Notes
Name of the hirer	If the booking was received from another operator you must indicate the name of the operator who sent the booking.
Date and Time of the Booking	You must record the date and time the booking was made
Date and Time – Start of Journey	You must record the date and time the journey starts
Date and Time – End of Journey	You must record the date and time the journey finished
Pick Up Location	This must be a complete address including house/building name or number and post code. Where a full address cannot be obtained, as much detail as possible must be recorded.
Drop Off Location	This must be a complete address including house/building name or number and post code. Where a full address cannot be obtained, as much detail as possible must be recorded.
Details of any additions stops	All addresses for additional stops must be recorded
Details of the Vehicle Dispatched	If internal numbering system used, you must provide a register showing the vehicles details as required in Section 6.2
Details of the Driver	If internal numbering system used, you must provide a register showing the vehicles details as required in Section 6.3
Subcontracting	If the booking is to be sub-contracted to another operator, you must record which operator the booking was passed to.

- 8.2 These records must be maintained for the duration of the licence period.
- 8.3 All entries must be made in ink or stored digitally.
- 8.4 The record of booking must be made available to an authorised officer or police constable upon request.

## **9 Sub-Contracting of Bookings**

- 9.1 A private hire operator may sub-contract a booking to another licensed operator or Hackney Carriage, whether in the same district or not.
- 9.2 When sub-contracting to a Hackney Carriage, you must inform the driver of the agreed fare. The Hackney Carriage driver is not permitted to charge a fare greater than the price shown on the meter for that journey, as per Section 24 of the Licensing Policy.

## **10 Education Transport and Private Contracts**

- 10.1 Any education transport route completed must be recorded in accordance with Section 8.1 above.
- 10.2 Any private contract, such as a care home or hospice etc, where a passenger is conveyed, must also be recorded in accordance with Section 8.1 above.
- 10.3 Any private contract, such as blood transport etc, where no passengers are conveyed are not considered a private hire journey. It is however expected that these journeys will be conducted separate to any private hire journey.

## **11 Notification of Changes**

- 11.1 You must notify the Licensing Authority of any changes which may affect the status of your licence within 7 calendar days. This includes but is not limited to the following: Additional Drivers or Vehicles, Removal of Drivers of Vehicles, Change of Company Director, Change of Company Address, Change of Operating Address.
- 11.2 You are required to notify the Licensing Authority of any arrest, caution or convictions within 72 hours.
- 11.3 You are required to notify the Licensing Authority of any change to your immigration status.