



THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

DRAFT OPERATORS' LICENCE CONDITIONS

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DRAFT OPERATORS' LICENCE CONDITIONS

Herefordshire Council licenses Private Hire Operators under the provisions of Part 11 of the Local Government Miscellaneous Provisions Act 1976 and the Town and Police Clauses Act 1847.

These conditions were approved by the Herefordshire Council's Regulatory Committee on ???????? these conditions will replace all previous conditions and will remain in place until such time the regulatory committee approve any amendments or review the conditions.

All applications received which fall outside the Licensing Authorities Conditions or Policy will be referred to Regulatory Committee for determination and will incur additional costs to be paid by the applicant.

(Herefordshire Council will use Government Guidance and Herefordshire Councils Hackney Carriage and Private Hire Licensing Policy to base its decisions)

1.0 LICENCE

- 1.1 Granting of an Operators' Licence for private hire shall be for a period of 3 years.
- 1.2 The licence is not transferable.
- 1.3 Only the maximum number of vehicles stated on the licence shall operate from the licensed Booking Office.

2.0 INSURANCE

- 2.1 Before the licensed vehicle is used such insurance or securities as are required under Part V1 of the Road Traffic Act 1972 shall be obtained in respect of the vehicle and the certificate in respect of the policy of insurance shall be produced to the Licensing Section for inspection.
- 2.2 On the expiry of the Insurance the original cover note or original Certificate of Insurance renewing cover must be produced to the Council prior to or on the day of expiry of the previous certificate. Faxed copies will only be accepted if received from the Insurance Company/Broker direct.
- 2.3 The licence holder shall notify the Council of any change of insurer or any change to the insurance particulars and shall provide full details thereof within two working days of such change.
- 2.4 For premises open to the public evidence of appropriate public liability insurance must be provided.

3.0 CONDUCT OF THE OPERATOR

- 3.1 The Operator shall operate the business in all respects in a manner which does not cause nuisance or inconvenience to the public at large or to persons in occupation of premises adjoining or adjacent to the premises at which he keeps private hire vehicles when not in use.
- 3.2 When booking, the operator shall provide a prompt, efficient and reliable service.
- 3.3 Ensure that when a licensed vehicle has been hired to be in attendance at any appointed time and place, if the vehicle is delayed or prevented by sufficient cause of attending at the appointed time and place, the hirer be notified where possible of any change to the original booking.
- 3.4 The Operator shall not knowingly permit to be conveyed in a licensed vehicle, any greater number of persons than that prescribed in the licence plate issued by the Council and affixed to the outside of the vehicle.
- 3.5 All documents and equipment listed in the conditions must be available for the council to inspect.

4.0 PREMISES

- 4.1 The premises from which the private hire vehicle operates must be within the County of Herefordshire District Council area.
- 4.2 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.
- 4.3 Ensure that any waiting area provided by the Operator has adequate seating facilities.

5.0 CONSENTS

- 5.1 The Operator shall be responsible for ensuring that Planning Permission is in force in respect of the premises from which the licensee operates. Evidence of appropriate Planning Permission must be shown at the time of application. Including exemptions where they apply.
- 5.2 The Operator shall ensure the number of vehicles used at the premises comply with any planning permission in force.

6.0 CHANGE OF DETAILS

- 6.1 The Operator shall disclose to the Council in writing within seven days, any changes in the particulars shown on the application form relating to this licence.
- 6.2 The Operator shall notify the Council in writing of any changes of address (including any address from which he operates or otherwise conducts his business as an Operator) within seven days of the change taking place.

7.0 CONVICTIONS

- 7.1 Within seven days the Operator shall notify the Council in writing of any convictions imposed on him/her (or if the Operator is a company, any conviction imposed on the company) during the period of the licence, giving full details of the charge, conviction, and any penalty imposed together with any other information that the Council may request.

8.0 RECORD KEEPING

- 8.1 The licensed operator shall keep and maintain at all times for a period of not less than six months, a record of hiring showing the particulars of every booking of a private hire vehicle, including any booking accepted at the request of another operator.
- 8.2 The record shall be kept in the form of a log sheet or computer database detailing in particular.
- (a) Time and date of booking.
 - (b) Name and where possible address of hirer.
 - (c) How the booking was made (i.e. by telephone, personal call, etc).
 - (d) Time of pickup.
 - (e) Point of pickup.
 - (f) The destination.
 - (g) Time at which a driver was allocated to the booking.
 - (h) Registration/unique identity number of the vehicle allocated for the booking.
 - (i) Remarks (including details of any subcontract).
- 8.3 For record of bookings the entries shall be numbered consecutively and the information shall be entered before the commencement of each journey.
- 8.4 The licensed operator who wishes to operate a computer booking system must have permission from the council.
- 8.5 Where a computer system has been agreed the operator must provide details of the security arrangements in relation to the entry of booking and provide a list of persons authorised to make those entries.
- 8.6 The Operator shall also keep records of all particulars of all private hire vehicles operated by them, to include:
- (a) Type and make of vehicle.
 - (b) Vehicle registration number.
 - (c) Owner of vehicle.
 - (d) Driver of vehicle.
 - (e) Private Hire vehicle plate number.
 - (f) A copy of a suitable policy of insurance.

- 8.7 The Operator shall not as part of his trading name use the words “taxi” or “cab”, unless 70% of the fleet consists of licensed hackney carriage vehicles. On Private Hire vehicles the word Taxi or Cab must not be used even if it forms part of the Company name.
- 8.8 The Operator shall keep a record of dual drivers employed by them and shall produce to the Council on demand details of the drivers employed.
- 8.9 The Operator shall notify the Council in writing, within seven days, the name and address of any driver who ceases to be employed by the Operator for whatever reason.

9.0 TELEPHONE/RADIO EQUIPMENT

- 9.1 Ensure that any telephone facilities and radio equipment provided are maintained in a appropriate working condition and that any defects are repaired promptly.
- 9.2 The licensed Operator shall 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 D.T.I licence.

10.0 DRIVERS USED BY THE OPERATOR

- 10.1 Only drivers currently licensed by Herefordshire Council as dual drivers may be employed to drive by the Operator.

11.0 COMPLAINTS

- 11.1 The operator shall keep a record of all written complaints, which must be available for inspection by an Authorised Officer at all times.

Data Protection Act 1998

This policy covers the treatment of personal data that Herefordshire Council may collect when you e-mail us, complete an application form, or when you complete and submit an online form on our web site.

When completing forms you may be asked for personal information such as name, address, postcode etc. It is only when you supply this type of information that you can be personally identified.

Herefordshire Council is registered with the Data Protection Act 1998 for the purpose of processing personal data in the performance of its legitimate business. Any information held by the Council will be processed in compliance with the principles set out in the Act.

Further information relating to the Data Protection Act 1998 can be sent to you on request. If you have concerns about the processing of your personal data by the Council you may contact the Council’s Data Protection Officer:

Data Protection Officer,
County Secretary and Solicitor
Herefordshire Council
Brockington
35 Hafod Road
Hereford HR1 1SH