

SCHEDULE

Conditions to be attached to a Private Hire Vehicle Operators licence approved by the Taxis Committee on the

Conditions to take effect from

Introduction

The Private Hire Vehicle Operator's licence is granted subject to you complying with the following conditions of licence.

Failure to comply with any of the conditions may lead to a prosecution or lead to your licence being suspended, revoked or not renewed by the Taxis Committee.

In these conditions "**the Council**" means **Dudley Metropolitan Borough Council**, "**Operator**" means the holder of a **Private Hire Operator's Licence** issued by the Council. Any requirements of legislation, which effect the operations carried out under the terms of the licence, shall be regarded as if they were conditions of that licence.

CONDITIONS OF LICENCE-PRIVATE HIRE VEHICLE OPERATORS

1. If you are convicted of any offence whilst this licence is in force you **shall** report the details of the conviction **in writing** to the Licensing Office Unit 1 Hurst Business Park, Narrowboat Way, Brierley Hill, DY5 1UF, **within 7 days from the date of conviction.**
2. If you change your home address at any time whilst this licence is in force, you **shall** inform the Licensing Office **in writing** of your new home address **within 7 days from the date of moving.**
3. This licence is granted to you in respect of the premises notified to the Licensing Office at the time of the application.
 - i. If you intend to change the business address of the operation you **must** first obtain written consent from the Licensing Office.
 - ii. Consent will only be given providing the proposed premises meet the criteria for the grant of a Private Hire Operators Licence. The following are considered relevant for carrying out an assessment of whether or not the facilities are adequate to meet the Council's standards.

Standards Required

- a) Planning permission for the premises to be used as a Private Hire Operators business
- b) Adequate parking facilities for the number of vehicles to be maintained at the premises
- c) Adequate telephone facilities
- d) Suitable customer waiting area (where appropriate)

In order to meet considerations **a)** and **c)** above, the operator will have to provide the necessary documents as evidence. In order to meet considerations **b)** and **d)** above will require an inspection by a **Licensing Enforcement Officer**.

If approved you **shall** return your original licence for amendment

You shall ensure that you comply with the requirements of the Town and County Planning Acts and the Health and Safety at Work Act at all times as far as the business use of the premises is concerned.

4. The Operator **shall not** allow to be displayed on the inside or outside of any vehicle being used in their employ as a Private Hire Vehicle any sign or signage for public display whatsoever that includes the words **“tax” “taxi” “Cab” “taxi-cab” “for-hire” or “hackney”** whether or not as part of another word.
5. The Operator **shall not** use any vehicle in their employ as a Private Hire vehicle that would otherwise give a member of the public reason to believe that, that Private Hire vehicle was immediately for hire.

6. **RECORDS**

Section 56(2) of the Local Government (Miscellaneous Provisions) Act 1976, requires that operators keep records of all Private Hire bookings, vehicles and drivers operated, in a manner specified by the Council. It is an offence under the Act not to do so.

Unless specific consent is given to you in writing to the contrary you are required to keep records of all bookings in a suitable hard back book, which has consecutive page numbers, or on a suitable computer programme. Before each journey is commenced, the following details **shall** be recorded in the book.

- a) The name and signature of the person making the record and the radio operator for each period of duty, together with the name and signature of either the licensed private hire vehicle operator or the person nominated by the licensed operator in writing to the licensing office who is in charge of the operation. (See condition 10)
- b) The time and date of the booking all times to be recorded on a 24 hour clock and each day to commence immediately after midnight
- c) The name and address of the hirer
- d) The time and point of pickup
- e) The destination
- f) The call sign of the driver allocated to the job
- g) The registration number or licence plate number of the vehicle allocated to the booking

- h) The fare agreed for the journey if quoted must be recorded
 - i) In the event that a fare is sub-contracted to another Private Hire Operator, whether licensed by Dudley MBC or not, the name and telephone number of the company the fare was sub-contracted too shall be recorded.
7. The **Operator** shall record in a suitable hard back book, or on a suitable computer programme details of all vehicles licensed to the operator, and any other vehicle in the employ of the Operator, the details **shall** include:
- a) Vehicle Registration Numbers and Licence Plate Number of vehicles licensed by the Operator and operated under the conditions of this licence.
 - b) Names, and driver's licence (badge) number of all Drivers entitled to drive that car together with the call sign allocated to the driver.
 - c) The proprietors name and address details of any other vehicle operated under the conditions of this licence.
 - d) Names, and driver's licence (badge) number of all Drivers entitled to drive that car together with the call sign allocated to the driver.
 - e) Vehicle Registration Number and Licence Plate Number of the vehicle allocated to the booking
8. All drivers must be allocated a call sign unique to that driver.
- a) The call sign or other identification of a particular driver may not be changed on the records without first informing the Licensing Office in **writing**.
9. In a separate suitable hard back book, or on a suitable computer programme the **Operator shall** record details of any complainants concerning the cleanliness or condition of a vehicle in their employ, or of a complainant against a driver, in the employ of the **Operator**.
10. The **Operator shall** keep records referred to in the above conditions, 8 - 11 and make available for inspection on request by an **Authorised Officer of the Council** or a **Police Officer** for a period of not less than **12 months**.
11. If the records are maintained by the use of a computer, the **Operator shall** ensure that a print-out of any record kept can be provided at any time the business is in operation, on request by an **Authorised Officer of the Council** or a **Police Officer** for a period of not less than **12 months**.
12. The following information **shall** be passed to the driver prior to the commencement of the journey
- i. The name of the hirer

- ii. The time and point of pick up
- iii. The destination
- iv. The fare (if quoted)

13. Records of Vehicles, Insurance and Drivers

- a) The following information regarding vehicles insurance and drivers **shall** be retained on the operators' premises and be available for inspections by an **Authorised Officer of the Council**, or a **Police Officer immediately**.
- b) A true copy of the originals of all records of vehicles and drivers **must** be immediately available upon a reasonable request from an **Authorised Officer of the Council** or a **Police Officer**

14. For all vehicles operated under this licence:-

- a) A copy of the vehicle licence issued by the council
- b) A copy of the current insurance cover note/policy in force in relation to each vehicle
- c) A copy of the current M.O.T. certificate for each vehicle

15. For all drivers operated under this licence

- a) A copy of the driver's DVLA licence and the Private Hire driver's licence issued by the Council under Section 51 of the Local Government (Miscellaneous Provisions) Act 1976

- 16.** If the vehicle operated is fitted with a meter, the rate of fares at which the meter is calibrated shall be displayed in the vehicle.
- 17.** The **Operator shall** ensure that all vehicles display at all times a notice advising passengers that a list of rates by which charges are calculated is available from the driver the said notice **must** also display the name, address and telephone number of **Dudley Licensing Authority**.
- 18.** This licence is granted on condition that all fees due to the **Council** in respect of its grant are payable in full prior to the commencement of the licence.
- 19.** A copy of the current Private Hire Vehicle Operator's Licence **shall** be displayed on the premises in a prominent position.
- 20.** In the case of a passenger who is accompanied by a guide or hearing dog, the **Operator shall** not refuse to accept the hiring merely because the guide or hearing dog is accompanying the passenger and **shall** ensure that no additional charge is made for carrying the dog.
- 21.** The **Operator shall** ensure that every proprietor of a Private Hire vehicle, or driver of a Private Hire vehicle operating under their Operator's licence a licence and is acquainted with, understands, and observes the conditions attached to that licence.

22. The **Operator shall** take all of the necessary measures, including those requested by a **Licensing Enforcement Officer, Police Officer, or Other Authorised Officer** to prevent vehicles in its employment, from parking or congregating in such a manner as to cause a nuisance to any reasonable person.
23. The **Operator shall** take all of the necessary measures, including those requested by a **Licensing Enforcement Officer, Police Officer, or Other Authorised Officer**, so as to prevent Private Hire vehicles in their employ from parking or congregating in a “prominent position” (i.e. where people are likely to congregate, locations with a high level of footfall , near to taxi ranks) and being in attendance of the vehicle without a prior booking for that location, that may encourage any person(s) to approach the vehicle in belief that the driver and vehicle are available for immediate hire.
24. The **Operator** shall within 7 days of any request made by an **Authorised Officer**, make available any records or other information that would reasonably assist with an investigation Any failure to comply with the reasonable request of the **Authorised Officer** will be considered by the **Council** when assessing the suitability of the **Operator** to continue to hold a Private Hire Operator licence.
25. The **Operator shall** ensure that any person left in charge of the premises in the absence of the **Operator** is fully aware of these conditions of licence, particularly those relating to the keeping and maintaining of records for drivers, vehicles, and bookings, and the need to comply with those conditions **at all times**

It is a condition of this licence that the appropriate planning permission has been granted in relation to the proposed use of the premises situated at and known as:

Name & address of private hire company

NOTE

If you have any difficulty in understanding any of the above conditions, please let the Licensing office know immediately so that arrangements can be made to assist you.

Dated

Director of Corporate Resources

NOTES

- i. This licence is not transferable and must be renewed every year
- ii. The Borough Council may suspend or revoke or refuse to renew this licence on any of the following grounds, viz:-
 - a. Any offence under, or non-compliance with, the provisions of the Local government (Miscellaneous Provisions) Act 1976 in relation to private hire cars or hackney carriages:

