

## ITEM 2

### CONDITIONS ATTACHED TO THE GRANT OF A LICENCE TO OPERATE A PRIVATE HIRE VEHICLE

1. Any person wishing to acquire a licence to operate a Private Hire Vehicle shall be a fit and proper person and make the application to the Council solely in their name on the prescribed form and pay such fee as prescribed by the Council. Such fee shall not be returnable under any circumstance, save at the sole discretion of the Council.

Every applicant for an Operators licence shall be required to disclose on the application form details of any conviction for any offence, bearing in mind the provisions of the Rehabilitation of Offenders Act 1974. A summary of these provisions is included in the conditions for your guidance.

Every applicant shall in addition to the information specified in the above two paragraphs, provide the name, date of birth and address of any person if the applicant proposes to operate the business in partnership with any other person(s).

Each operator licence issued by the Licensing Authority shall be issued only in the name of the applicant and that person shall be deemed solely responsible as the operator upon the licence being granted and the licence is not transferable from the first mentioned person to another person.

#### 2. OPERATOR LICENCE

Each operator licence issued by the Licensing Authority shall be valid for such a period as the Licensing Authority may decide.

The current operator licence must be displayed at the business premises to which the licence relates in a prominent position at all times in view of the general public with the exception of such times as the licence is presented to the Licensing Authority for amendment, or it is required to be produced for inspection by an Authorised Officer of the Licensing Authority or a Police Constable.

#### 3. PLACE OF BUSINESS

A licensed operator will only conduct the business from the booking office address specified on the licence, each booking office address requires a separate licence. (NB: Any licensed operator wishing to conduct a business from any address other than that specified on the operator licence shall make application to the Licensing Authority on the prescribed forms which will be regarded by the Licensing Authority as a new application for an operator licence, and the applicant shall satisfy the requirements of the Licensing Authority accordingly). An application on or within the grounds of liquor licensed premises will not be accepted.

The licensed operator shall provide, at the address from which the business is conducted as specified on the operator licence, an enclosed area to which the public have right of access for the purposes of making a booking for the services of a licensed vehicle or awaiting the arrival of a licensed vehicle subsequent to any booking. No operator shall cause or permit any such area to be used by them or other persons for any other purpose than that outlined above.

The premises shall be kept clean, adequately illuminated, heated and ventilated and shall conform to any other relevant legal requirements.

All licensed operators shall have in force a Public Liability Insurance policy providing a minimum of £2,000,000 indemnity in respect of any one incident.

All licensed operators shall have in force an Employers Liability Insurance policy complying with the Employers Liability (Compulsory Insurance) Act 1969 covering death or personal injury arising out of any incident during the course of a person's employment.

#### **4. OFF STREET PARKING**

During the currency of the licence, the operator shall ensure designated off-street parking provision at all times for the number of vehicles being operated.

No licensed operator shall use any land or premises for the said purpose where that operator does not have lawful right of use of that land or premises. The operator, if required to do so by an Authorised Officer of the Licensing Authority or Police Constable, shall produce such documentary evidence as may be reasonably required to establish the operator's lawful right to use such land or premises for the purposes of providing off-street parking provision for private hire vehicles.

#### **5. ACCEPTANCE OF BOOKINGS**

Every contract for the hire of a private hire vehicle shall be deemed to be made with the licensed operator who accepted the booking, whether or not that licensed operator subsequently provides the vehicle(s).

#### **6. RECORD OF BOOKINGS**

Each licensed operator shall keep a full and accurate record of every booking of a private hire vehicle in a register, details to include time and date of booking, time required, customer's name, particulars of the journey (from and to), and the vehicle used. These records must be maintained in a bound book with consecutively numbered pages. Operators must be able to identify from their records which private hire vehicle has undertaken any particular job, e.g. call sign = plate number.

The register must be maintained up to date at all times, and shall be retained at the address from which the business is conducted as specified in the operator licence for a period of not less than 12 months from the date of the last entry in the register.

The register(s) shall be available at any time without notice by an Authorised Officer of the Licensing Authority or a Police Constable who shall be empowered to take away the register(s) from the premises if required.

Licensed operators who wish to operate a computer booking record system **must** have the approval in writing of the Licensing Authority, and must adhere to all other relevant conditions.

#### **7. SPECIFIED VEHICLES**

No licensed operator shall operate any private hire vehicle other than those which have been listed by an Authorised Officer of the Licensing Authority on the Operator Vehicle Schedule (Form OPVS). Any alteration to the form OPVS shall only be made by an Authorised Officer of the Licensing Authority.

When a licensed operator ceases to operate any vehicle specified on the OPVS, the operator shall forthwith, and in any event not later than 72 hours, notify the Licensing Authority for amendment by an Authorised Officer.

**8. SPECIFIED DRIVERS**

The operator shall notify the Licensing Authority of each and every private hire driver employed or used by the operator in his Operator Driver Schedule (Form OPDS). Where an operator ceases to employ or use any licensed private hire driver, the operator shall forthwith, and in any event within 72 hours, notify the Licensing Authority in writing and present the form OPDS to the Licensing Authority for amendment by an Authorised Officer. The private hire driver licence must be returned to the driver.

Each operator will retain at the address from which the business is conducted, the private hire driver licence of every licensed private hire driver employed or used by that operator.

The private hire driver licences shall be available at all times for inspection by any Authorised Officer of the Licensing Authority or Police Constable who may take the licence(s) away from the premises if so required.

Every private hire driver licence retained by the operator must display the trade name and operator licence number relating to his licence.

**9. RADIO EQUIPMENT**

No licensed operator shall use any radio equipment for the purpose of conducting the business specified in the operator licence, other than equipment approved by the Department of Trade and Industry (DTI) under the provisions of the Wireless Telegraphy Act 1949. The operator shall produce such licence for inspection if required to do so by any Authorised Officer of the Licensing Authority or Police Constable.

**10. ADVERTISING**

No operator may use the word **TAXI** or **CAB** or **HACKNEY CARRIAGE** or any combination or derivation thereof in any advertising manner in any media, and any such advertising shall include the words Licensed Private Hire.

Where any operator in the course of business uses the trading name of business address specified on the operator licence to offer the services of a Hackney Carriage to the general public, the operator shall not use the words **TAXI** or **CAB** or **HACKNEY CARRIAGE** or any combination or derivation thereof in any advertising manner unless the number of Hackney Carriages that the operator can offer (without engaging the services of any other company or trading concern) is not less than 49% of the number of licensed private hire vehicles specified on the form OPVS.

**11. STANDARD OF SERVICE**

The operator shall provide a prompt, efficient and reliable service to members of the public at all times and shall ensure that when a private hire vehicle has been hired to be in attendance at an appropriate time and place, that vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that time and place.

**12. GUIDE DOGS**

Every proprietor, driver and operator of a licensed private hire vehicle shall ensure that guide dogs are carried within the passenger compartment of the vehicle on request.

13. **LOST PROPERTY**

All property carried or articles of any description left by any person booking or waiting for a private hire vehicle at the address from which business is conducted shall forthwith, and in any event not later than 72 hours, be delivered to:

The Taxi and Private Hire Licensing Section  
225 York Road Leeds LS9 7RY.

14. **NOTIFIABLE ALTERATIONS**

**Place of Residence** - During the currency of the licence, the operator shall notify the Licensing Authority in writing of any temporary change of residence which is for a period in excess of 21 days. In either case, the Licensing Authority shall be notified in writing within 7 days of such change taking place.

**Radio Equipment** - Where any licensed operator is granted a licence by the DTI to use radio equipment, and where that equipment is to be used for the purposes of conducting the business specified on the operator licence, the operator shall within 7 days of the grant of a licence issued by the DTI notify the Licensing Authority in writing stating the serial number and letters of the licence and any transmission frequencies authorised for use. The operator shall also notify the Licensing Authority in writing of any authorised change in transmission frequencies or of any additional frequencies within 7 days of such changes taking place.

**Convictions** - During the currency of an operators licence, the person named on the licence shall forthwith, and in any event within 7 days of any conviction, notify the Licensing Authority in writing of such conviction(s).

**Disposal of Business** - Each operator, when disposing of any business interest, shall within 14 days give notice in writing to the Licensing Authority that the business registered in his/her name has terminated.

15. **COMPLAINTS**

Operators on receiving any complaint of a serious nature regarding any person licensed by the Authority must immediately inform the Taxi and Private Hire Licensing Section as to the identity of the person involved and the nature of the complaint.

16. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976, PART 2**

All licences in connection with the driving and operation of private hire vehicles and all conditions attached to the grant of such licences are issued by the Licensing Authority in accordance with the provisions of the 1976 Act.

Each operator shall make themselves aware of the provisions of the 1976 Act and any other relevant legislation including the Licensing Authority conditions attached to the grant of a private hire operator, driver or vehicle licence.

**PLEASE NOTE THAT SHOULD YOU FEEL AGGRIEVED BY ANY OF THE CONDITIONS IMPOSED ON THE LICENCE, YOU HAVE THE RIGHT OF APPEAL TO A MAGISTRATES' COURT WITHIN 21 DAYS FROM THE DATE WHEN THIS LICENCE WAS ISSUED TO YOU.**