

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
PRIVATE HIRE OPERATOR LICENCES

CONDITIONS OF LICENCE

A Licensing Administration

A1

The private hire operator shall:

- provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular:
- Ensure that when a Private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place

A2

The private hire operator shall:

- If sub-contracting work to a private hire operator not licensed with Lancaster City Council, must have regard to the standards in place by both licensing authorities and take steps to ensure Lancaster's licensing standards are not undermined by the subcontracting (Example, has the driver got good topographical knowledge of the Lancaster area)

A3

The private hire operator shall:

- Notify the Licensing office in writing (email will suffice) of any change of address within seven days of such change taking place.

A4

The private hire operator shall:

- For the duration of the licence, the Licensee shall pay the reasonable administration charge or fee attached to any requirement to attend training, or produce a relevant certificate, assessment, validation check or other administration or notification process.

A5

The private hire operator shall:

- Ensure that adequate training is provided to staff (paid or unpaid) on:
 1. Licensing Law,
 2. Complaints,
 3. Safeguarding Policies
 4. How and when to accept bookings.

This training must be undertaken within one month of the commencement of these conditions or employment and thereafter, at least every two years. The Operator must keep a documented record of the aforementioned training which has been signed by the operator and the member of staff.

A6

The private hire operator shall:

- Co-operate fully with any authorised officers in respect of any enquiries or investigations carried out relating to drivers or vehicles connected to the business or formerly connected to the business.
- Co-operate fully with authorised officers in the business of the private hire operator respect of any investigations or inspections regarding.

A7

(a) The private hire operator shall:

Not allocate any bookings to any driver or vehicle without having a copy of the current driver/ vehicle licence on file. (i.e. they shall not allocate any bookings to a driver/ vehicle licence holder whose licence has expired).

(b) The private hire operator shall:

Inform the Licensing office in writing (email will suffice) if they are going to be absent from the day to day running of the business for a period of 2 consecutive months. In doing this the operator must give the name of the person that will be responsible for running of the business on their behalf.

A8

The private hire operator shall:

Adopt, implement, review and update a data protection policy and in doing so must ensure that any personal information obtained during the course of the business is stored securely. Access to the information must be restricted to persons who will use it for the purpose for which it has been collected.

A9

The private hire operator shall:

- Submit to the Licensing Office for approval company door signs compliant with the signage requirements detailed in the taxi policy.
- The door signs shall provide details of the private hire name and contact telephone number, and display information as required by the council's taxi licensing policy in respect of pre-booking requirements.
- Only door signs approved by the City Council can be displayed on licensed vehicles.

A10

The private hire operator shall:

- Adopt, implement, review and update its documented equality policy which details how the operator will comply with its requirements under the Equality Act 2010 including disability awareness and the carrying of assistance animals.

B Taking and Recording of Bookings

B1

The private hire operator shall record the following information in respect of each booking:

- Time and date booking received
- Name and contact details (phone number or address) of person making the booking
- How the booking was made e.g. Telephone/Online etc.
- Time of pick up
- Location of pick up
- Specific destination
- ID of dispatched driver (i.e. name /call sign)
- ID of dispatched vehicle (Licence/fleet number)
- ID of person taking booking (excludes electronic bookings)
- Any special requirements e.g. wheelchair accessible/child seats/ luggage
- Details of any subcontracting to or from another PHO
- Any fare quoted at time of booking, if requested by the person making the booking.
- Detail any subcontracting arrangements to or from another private hire operator.

B2

A private hire operator shall:

Advise a customer if the booking is being subcontracted to another operator and if so will provide the name of the sub contracted operator who will be undertaking the booking.

B3

A private hire operator shall:

Appendix P

- ensure that booking records are:

- a) Available for immediate inspection by an authorised officer
- b) Able to be printed onto paper or downloaded in an electronic format
- c) Continuous and chronological
- d) Not capable of retrospective alteration or amendment
- e) Kept as one set of records. Cash and credit account bookings can be separately identified but must not be in separate sets of records.
- f) Are clear, intelligible, and retained for a minimum of 12 months from the date of the last entry

B4

The private hire operator shall ensure:

- the use of a driver who holds a PCV licence and the use of a public service vehicle such as a minibus to undertake a private hire vehicle booking will not be permitted without the informed consent of the person making the booking
- Where a PSV is to be utilised for a booking the person making the booking should be advised that the driver has not been subject to an enhanced DBS check. No such notification is required if the PSV driver is also a Lancaster licensed private hire/hackney carriage driver

C Records Required (Other than Booking Information)

C1

The private hire operator shall:

- keep detailed, up to date, records of every vehicle operated by him (whether licensed as private hire or hackney carriage) The records must include:
 - a) Name and home address of the vehicle licence holder
 - b) A copy of the current vehicle licence including expiry date
 - c) The date the vehicle was first used by the PHO to fulfil bookings and the date the PHO ceased using the vehicle to fulfil bookings (where applicable)
 - d) The vehicle registration number
 - e) A list of unique radio/call sign allocated to the driver and vehicle have a system in place to ensure that no vehicle is operated when the licence or insurance has expired
 - have a system in place to ensure that no vehicle is operated when the licence or insurance has expired

C2

The private hire operator shall:

- keep detailed, up to date, records of every driver operated by him (whether licensed as private hire or hackney carriage) The records must include:
 - a) Name and home address of the driver
 - b) The dates the driver commenced fulfilling bookings from the PHO and the date the driver ceased taking bookings from the PHO (where applicable).

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c) A copy of the driver's current private hire or hackney carriage driver licence including the expiry date of that licence.

- have a system in place to ensure that driver is allocated any work once the driver's licence has expired

C3

The private hire operator shall:

- Adopt, implement review and update a Customer Service and Complaints Policy which includes conduct of drivers and the timeframe for responding to complaints, the following are specific requirements in relation to the handling of complaints.

The private hire operator shall:

1. Record in writing or digitally every complaint received against its service (including any driver/vehicle complaints) and details of the outcome of the complaint/ action taken including details of the licence holder(s) identified as the subject of the complaint.
2. Investigate the complaints and provide a response to the complainant outlining the findings of the investigation and any action taken.
3. Where the operator has concerns regarding the conduct of a licence holder or a pattern of complaints, this should be notified to the licensing office by email and a copy of the email kept in the complaints record.
4. Where a complaint has not been resolved 14 days after receipt. The operator shall within the next 7 days (following the 14 days) notify the Licensing office in writing (email will suffice) of the complaint and the findings outcome of the investigation.
5. Take additional action as required by licence condition c4 in respect of complaints that fall within the category listed in respect of C4.

C4

The private hire operator shall:

- notify the Council immediately by email (or in any case within 24 hours) of any complaints, police enquiries or notification of convictions involving any driver that is registered to carry out bookings for the operator which relates to matters of a sexual nature, dishonesty, indecency, violence or threats of violence, equality or drugs, serious motoring offences.
- In accordance with the above requirement provide at the time of any such notification to the council the identity of the driver involved and the nature of the complaint/enquiry including the complainant's details. This notification to the Council must take place regardless of whether the operator ceases any contractual arrangement with the driver.

C5

The private hire operator shall:

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Provide a copy of the complaints record every six months to the Licensing Office. This shall be in the form of a copy of the complaint log required as per licence condition C3 detailing all complaints received, licence holders identified as the subject of the complaint and action taken. The report should be provided no later than one month after the end of the reporting period.

C6

The private hire operator shall:

- Keep a written record (manual or digital) of lost property that is handed to him by drivers or passengers. The record must include the date the item is handed to the Operator, details of where it was found and a description of the property, and if it was claimed claimant contact details. The log must always be available for inspection by an Authorised Officer and any information entered onto the record must be kept for a period of 12 months from the date of entry.
- Securely store lost property for a period of 6 months, after which time it should be disposed of in a secure manner, or if appropriate donated to charitable purposes.

C7

A private hire operator shall:

- Keep all records and make them immediately available to authorised officers on request for a period of not less than 12 months following the date of last entry.

D Convictions

D1

A private hire operator shall:

- Provide a DBS basic disclosure to the Licensing office on an annual basis.

Where the applicant / private hire operator is a company or partnership each director/partner will be required to comply with the requirements of the basic disclosure described in the paragraph above.

The above requirement will not be enforced in respect of any operator who currently holds a Lancaster hackney carriage/ private hire drivers' licence.

D2

A private hire operator shall:

- Within 48 hours notify the council in writing (email will suffice) providing full details of any conviction, fixed penalty, binding over, caution, charge or arrest for any matter (whether or not charged) imposed on him/ her during the period of the licence.

E Safeguarding

E1

The private hire operator shall:

- require all individuals working/ involved in bookings and or dispatching vehicles or having contact with private hire users (paid/ unpaid) for the business to provide the operator with a basic DBS disclosure dated within 1 month of the start date of employment/ placement in the operator premises.
- require existing individuals working/ involved in bookings and or dispatching vehicle or having contact with private hire users (paid or unpaid) for the business to provide the operator with a basic DBS disclosure without delay and in any event within 1 month of the date of grant of this licence.

E2

The private hire operator shall:

- training provided in respect of safeguarding
- have a documented safeguarding policy in place that details
- how to report matters of concern regarding safeguarding
- recruitment and suitability policy on employing/ volunteers who are ex-offenders and consideration of matters detailed in a DBS
- whistleblowing policy

The policy shall be implemented, reviewed and updated as necessary.

E3

The private hire operator shall:

- keep up to date records of all individuals working/ involved in any capacity (paid or unpaid) for the business as follows:
- Full Name
- Address
- Date of Birth
- Contact Details (Phone and Email)
- DBS issue date and certificate number (in respect of persons falling within the definition of condition E1 above)
- Start and finish dates of employment
- Job Title

F Premises and Equipment

F1

The private hire operator shall:

- provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular: -
 - (a) 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.
 - (b) Ensure that any waiting area provided by the operator has adequate seating facilities.
 - (c) Ensure re that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.

F2

The private hire operator shall:

Ensure all reasonable precautions are to be taken to ensure that activities within the Operator's office and from licensed vehicles do not create a nuisance to others.

F3

The private hire operator shall:

Shall obtain and maintain in force at all times a public liability insurance policy in respect of his/her premises to which the public have access and produce the same to an authorised officer on request.

F4

Where the private hire operator has premises to which the public have access, they shall display the following at their premises at all times:

- a) A copy of the current Operator Licence.
- b) A schedule of fares.
- c) Information provided by the Licensing office in respect of passenger information
- d) A copy of the public liability insurance policy certificate.

The above shall be displayed in a prominent position, where the public have access and, where it can be easily read.

- If the Operator has a website and/or uses Application based technology to attract bookings, the notices listed above must also be available to view on the relevant website.