

### Appendix 3 – List of proposed changes to Private Hire Operator conditions

Current condition	Proposed condition	Description of change
The definitions and common conditions contained at General conditions section pages 5 to 7 including this appendix are incorporated into these conditions.	N/a	Definitions added to beginning of draft conditions
The Licensee shall be not less than 18 years of age.	A Private Hire Operator licence holder shall be not less than 18 years of age.	Further to definitions update
<p>The Licensee shall provide and keep a register of bookings in such form as shall agreed by The Council, which register shall be retained for a period of not less than twelve months from the date of last entry and in which register shall be entered, contemporaneously and in writing before commencement of each journey the following particulars</p> <ul style="list-style-type: none"> <li>-the time of hire;</li> <li>-name of Passenger;</li> <li>-pick up point;</li> <li>-destination;</li> <li>- licence number of vehicle and</li> <li>- name of driver to whom work is allocated.</li> </ul> <p>It is important that Licensees note the need to record bookings contemporaneously in the register. The practice of copying up at a later stage from dockets or some other ad hoc system is contravention of these conditions. Such a contravention renders the condition of little or no effect in terms of issues of great importance to the Council such as enforcement and protection of the public – and indeed the protection of drivers from whom, for example, evidence of a proper booking can be imperative in answering an allegation of plying for hire.</p>	<p>At the time of accepting each booking the Operator shall ensure that an entry is made in a register either a record book or computerised booking and dispatch system that shall include:</p> <ol style="list-style-type: none"> <li>a. The name and signature of the person making the record and the radio operator for each period of duty (Record book only);</li> <li>b. The name/initials or other identifier of the person making the record (Computerised records only);</li> <li>c. The date on which the booking is made and if different, the date of the proposed journey;</li> <li>d. The name of the person for whom the booking is made and if different the name of the passenger;</li> <li>e. The agreed time and place of collection, or, if more than one, the agreed time and place of the first place of collection;</li> <li>f. The destination(s);</li> <li>g. The time a vehicle was allocated to the booking;</li> <li>h. The Private Hire Drivers badge number and Private Hire Vehicle plate number allocated the booking;</li> <li>i. The fare agreed for the journey (where appropriate);</li> <li>j. Any particular needs of the customer (where appropriate);</li> <li>k. If appropriate, the name of the other operator for whom a booking was received and / or to whom the booking was subcontracted and any relevant notes;</li> <li>l. How the booking was made (i.e. in person, telephone, online);</li> <li>m. Whether the booking was fulfilled and if not the reasons why it was not fulfilled.</li> </ol> <p><i>Note: The register must be updated contemporaneously and in writing before the commencement of each journey. The practice of copying up at a later stage from</i></p>	<p>This has been expanded to include details of the person making the booking, further information on the booking, when the vehicle was allocated, the fare agreed, badge number of drivers, the needs of customer, information relating to subcontracting, how booking made and whether or not booking was fulfilled.</p>

<p>Contravention therefore renders the Licensee liable to enforcement action, which in appropriate circumstances could result in the suspension or revocation of the Licence.</p>	<p><i>dockets or some other ad hoc system is contravention of these conditions. Contravention renders the Operator liable to enforcement action, which in appropriate circumstances could result in the suspension or revocation of the Licence.</i></p> <p>Where the booking register is a record book it shall be a suitable hardback book which has consecutive page numbers. All entries shall be clearly and easily legible, with no line spaces or blank pages.</p>	
<p>n/a</p>	<p>The register of bookings shall be retained at the Premises for at least 12 months from the date of last entry.</p>	<p>No current timescales for retention of bookings register.</p>
<p>n/a</p>	<p>The Operator shall ensure that any staff responsible for making booking records are competent to do so and are capable of using the system used for the keeping of records including providing records on request to an authorised officer or the police.</p>	<p>No current condition relating to this</p>
<p>The Licensee shall provide and keep a register of Vehicles in the form of a bound book which register shall be retained for a period of not less than twelve months from the date of last entry and in which register shall be entered, in writing the following particulars of each Vehicle under his control –</p> <ul style="list-style-type: none"> <li>- make;</li> <li>- registration number;</li> <li>- Licence number;</li> <li>- Proprietor;</li> <li>-date control commenced and</li> <li>-date upon which control ceased.</li> </ul> <p>The Licensee shall provide and keep a register of Private Hire Drivers in the</p>	<p>The Operator shall maintain and keep an up-to-date a register containing the following information:</p> <ul style="list-style-type: none"> <li>-Name, date of birth and home address of every Private Hire Driver operated by them;</li> <li>- Details including date of expiry of the Council Private Hire Driver licence, badge number and licence number of every Private Hire Driver licence holder operated by the Operator;</li> <li>-Any call sign/codes allocated to each Private Hire Driver;</li> <li>-The date the driver commenced and ceased carrying out bookings on behalf of the Operator ( if applicable);</li> <li>-Name and home address of the proprietor of every Private Hire Vehicle working on behalf of the Operator;</li> <li>-Details including The Council licence plate number, licence number, expiry date, vehicle make and vehicle registration number of every Private Hire Vehicle used to carry out bookings.</li> <li>-The date the Private Hire Vehicle commenced and ceased being used for carrying out bookings on behalf of the Operator;</li> </ul> <p>This register must be made immediately available for inspection on demand by any authorised Officer or Constable.</p>	<p>Conditions for drivers and vehicle merged and include personal details of drivers/vehicle proprietors, expiry dates, details of licence, call signs,</p>

<p>form of a bound book, which register shall be retained for a period of not less than twelve months from the date of last entry and in which register shall be entered in writing the following particulars of each driver working for the Licensee –</p> <ul style="list-style-type: none"> <li>6.1. name;</li> <li>6.2. badge number;</li> <li>6.3. date driver commenced working for the Licensee;</li> <li>6.4. date driver ceased working for the Licensee</li> </ul>		
<p>The Licensee shall retain, until at least the date referred to in condition 5.6 above, the Vehicle Licence or a certified copy of it in respect of every Vehicle that is required to be recorded in accordance with condition 5 above and shall immediately produce the same when required by an Authorised Officer or Constable.</p> <p>The Licensee shall retain, until at least the date referred to in condition 6.4 above, the Private Hire Drivers Licence (and/or the Hackney Carriage Drivers Licence where applicable) or a certified</p>	<p>For every Private Hire Driver and Private Hire Vehicle working on behalf of the Operator the following shall be kept and maintained;</p> <ul style="list-style-type: none"> <li>a. A copy of the drivers current Private Hire Drivers licence ;</li> <li>b. A copy of the drivers current Private Hire Drivers badge;</li> <li>c. A copy of photographic proof of identification ;</li> <li>d. A copy of the current Private Hire Vehicle licence;</li> <li>e. A copy of the Private Hire Vehicles current MOT certificate;</li> <li>f. A copy of the Private Hire Vehicles current insurance certificate or cover note in respect of the driver using the Private Hire Vehicle;</li> <li>g. A copy of the Taximeter calibration certificate, where appropriate;</li> </ul> <p>Where the licensed Private Hire Vehicle register is paper based it shall be in the form of a bound book</p> <p>Where the licensed Private Hire Vehicle register is computerised the register shall be capable of being readily printed and produced on demand to an Authorised Officer or constable. Computerised records shall be properly backed up so as to ensure compliance with the provision of governing retention.</p>	<p>Updated and amended to include photo ID of drivers</p>

<p>copy of it in respect of every driver whose details are required to be recorded in accordance with condition 5 above and shall immediately produce the same when required by an Authorised Officer or Constable. Within seven days of the date whereby the driver ceases to be under the control of the Licensee, the Private Hire Drivers Licence (and/or the Hackney Carriage Drivers Licence) or a certified copy shall be returned to the Council.</p>		
<p>Any register kept by The Licensee in accordance with these conditions shall be immediately made available for inspection by any Authorised Officer or Constable upon request at any reasonable time (and at all times whilst the Licensee is Operating) and shall forthwith provide to any such officer or Constable photocopies of any such records and associated documentation as may be required following inspection or, where the Licensee is unable to provide copies s/he shall permit the officer or Constable to remove the register for such period as is reasonable in the circumstances to secure the copying of the required documentation.</p>	<p>Any register or records kept by the Operator shall be immediately made available for inspection by any Authorised Officer or Constable upon request at any reasonable time (and at all times whilst the Operator is Operating) and shall forthwith provide to any such Authorised Officer or Constable photocopies or electronic copies of any such records and associated documentation as may be required following inspection or, where the Operator is unable to provide copies s/he shall permit the Authorised Officer or Constable to remove the register for such period as is</p>	<p>Updated including to include records</p>

<p>The Licensee shall take all necessary steps to ensure that all vehicles and drivers with whom s/he works as an Operator within the Controlled District are properly licensed by The Council and shall not Operate in respect of any vehicle unless satisfied that both driver and vehicle have been and remain so licensed.</p>	<p>The Operator shall take all necessary steps to ensure that all Private Hire Vehicles and Private Hire Drivers working on behalf of them within the Controlled District are properly licensed by the Council and shall not Operate in respect of any Private Hire Vehicle unless satisfied that both the Private Hire Driver and Private Hire Vehicle have been and remain so licensed.</p>	<p>Updated with definitions</p>
<p>n/a</p>	<p>The Operator must ensure that they use appropriate people to take bookings, handle personal information in respect of bookings on behalf of the Operator and as the designated safeguarding lead. A Fit and Proper Person test, similar to the one the Council uses to determine an operator's licence, shall be in place and used by the Operator for all individuals taking bookings, that handle personal information in respect of bookings or who carry out the role of designated safeguarding lead on behalf of the Operator. This test shall be detailed in a policy which the Operator shall provide on application. Any changes to this policy shall be forwarded to the Council at least 7 working days prior to taking effect.</p> <p>The Operator shall not employ or have any person involved in taking bookings, handing booking information or as designated safeguarding lead that does not meet their Fit and Proper Person policy.</p> <p>Evidence of the checks carried out by the Operator in accordance with their Fit and Proper Person policy for any individual taking bookings on behalf of the Operator, that handle information relating to bookings or act as designated safeguarding lead shall be held at the Premises for 3 years from the date of the checks. These checks shall include a basic disclosure.</p>	<p>Introduction of conditions relating to Fit and Proper Person test for people working on behalf of operator</p>
<p>n/a</p>	<p>The Operator shall have in place a Safeguarding Policy which shall be provided to the satisfaction of the Council and include the name and contact details of the Safeguarding Lead acting on behalf of the Operator. A copy of this policy shall be provided on application and any changes to this policy shall be forwarded to the Council at least 7 working days prior to taking effect.</p>	<p>New requirements in respect of Safeguarding policy.</p>

<p>The Licensee shall so far as is reasonably practicable provide a prompt, efficient and reliable service and shall in particular do everything necessary to ensure that Vehicles attend punctually at the time and place agreed with the Passenger.</p>	<p>The Operator shall so far as is reasonably practicable provide a prompt, efficient and reliable service and shall in particular do everything necessary to ensure that Private Hire Vehicles attend punctually at the time and place agreed with the Passenger and that the needs of the passenger are met.</p>	<p>Updated and amended to include that the needs of passenger/s are met</p>
<p>The Licensee shall not Operate in respect of any Vehicle that s/he knows or ought to know does not accord with the conditions imposed under its vehicle licence and in particular shall not conduct business in respect of a Vehicle unless it is fitted with the approved signage.</p>	<p>The Operator shall not permit any Private Hire Vehicle to be used to fulfil bookings that they know or ought to know does not comply with the conditions imposed under its Private Hire Vehicle licence and in particular shall not conduct business in respect of a Private Hire Vehicle unless it is fitted with the approved signage.</p>	<p>Updated in respect of definitions</p>
<p>The Licensee shall ensure that any premises to which the public have access for booking or waiting is kept clean, has sufficient seating and is adequately heated, ventilated and lit.</p>	<p>The Operator shall ensure that any Premises to which the public have access for booking or waiting is kept clean, has sufficient seating and is adequately heated, ventilated and lit.</p>	<p>Updated in respect of definitions</p>
<p>The possession or use of radio scanner equipment is prohibited in the premises from which the Licensee operates.</p>	<p>The possession or use of radio scanner equipment is prohibited in the Premises from which the Operator operates.</p>	<p>Updated in respect of definitions</p>

n/a	Private Hire Operators are not permitted to accept telephone bookings forwarded by their Private Hire Drivers.	New condition.
n/a	The Operator shall notify the Council, in writing, of the name and details of any individuals nominated as a Responsible Person for managing the business on behalf of the Operator at least 7 working days prior to their commencement in that role.	New condition.
n/a	The Operator shall notify the Council, in writing, of any proposed change of name of the Operator and shall await approval in writing from the Council prior to using any new name.	New condition.
<p>The Licensee shall ensure that The Council is notified in writing by close of business on the following working day of the happening of any of the following events:</p> <ul style="list-style-type: none"> <li>-The Licensee receiving a simple or conditional caution or being convicted of any criminal offence;</li> <li>-The Licensee being bound over by any court;</li> <li>-The Licensee being arrested or interviewed in connection with investigations into allegations of offences of the following type - any offence involving an allegation of dishonesty, indecency or violence; any offence involving an allegation of a failure to comply with the Relevant Legislation;</li> </ul>	<p>The Operator shall ensure that the Council is notified in writing by close of business on the following working day full details of the happening of any of the following events in respect of the Operator, any individual, company , director or secretary named on the application form or a currently appointed Responsible Person:</p> <ul style="list-style-type: none"> <li>n. receiving a simple or conditional caution or being convicted of any criminal or motoring offence;</li> <li>o. being bound over by any court;</li> <li>p. being arrested or interviewed in connection with investigations into allegations of offences of the following type - <ul style="list-style-type: none"> <li>i. any offence involving an allegation of dishonesty, indecency or violence;</li> <li>ii. any offence involving an allegation of conviction a failure to comply with the Relevant Legislation;</li> <li>iii. any offence arising out of the use or keeping of any motor vehicle;</li> <li>iv. any offence which on may result in a term of imprisonment;</li> </ul> </li> <li>q. is refused any type of licence by any other regulatory authority or any such licence is suspended, revoked or refused;</li> <li>r. any material change in the circumstances of The Operator</li> </ul>	<p>Updates in respect of definitions, if any licence suspended, revoked or refused.</p>

<p>-any offence arising out of the use or keeping of any motor vehicle;          -any offence which on conviction may result in a term of imprisonment;          any material change in the circumstances of The Licensee where a material change is one that would require The Licensee to provide different information on application to The Council than has been provided in connection with the more recent application for an Operators Licence made by The Licensee, including, by way of example–          any change in the address from which The Licensee operates;          any change in the style or title of The Licensee or his business or its trading status;          any irregularity that The Licensee believes may exist in respect of the licensing of any vehicle or driver in respect of which s/he Operates;          any circumstances that requires The Licensee to make a register entry pursuant to condition 5.6 and/or 6.4 above.</p>	<p>where a material change is one that would require The Operator to provide different information on application to The Council than has been provided in connection with the more recent application for an Operator’s Licence made by The Operator, including, by way of example–</p> <ol style="list-style-type: none"> <li>i. any change in the address from which The Operator operates;</li> <li>ii. any change in the style or title of The Operator or his business or its trading status;</li> <li>iii. any irregularity that The Operator believes may exist in respect of the licensing of any Private Hire Vehicle or Private Hire Driver in respect of which they Operate;</li> </ol>	
<p>n/a</p>	<p>The Operator shall forward a copy of the current register of Private Hire Drivers and Private Hire Vehicles to the Council on the first working day</p>	<p>New condition</p>



	of each month.	
The Licensee shall ensure that at the time of passing a booking to a driver the following details are provided – -the name of the Passenger; -the pick-up time and location; -any special requirement of the passenger; -any price agreed for the journey; -the destination specified by the Passenger.	The Operator shall ensure that at the time of passing a booking to a driver the following details are provided – a. the name of the Passenger; b. the pick-up time and location; c. any special requirement of the passenger; d. any price agreed for the journey; e. the destination specified by the Passenger. f. any needs of the customer	Updated in respect of definitions and to include needs of customer.
n/a	The Operator shall comply with requests for information from the Council in respect of complaints, conduct or offences relating to the Operator, Private Hire Vehicles and Private Hire Drivers licensed by the Council.	New condition.
n/a	The Operator shall establish a Customer Service and Complaints policy and shall take all reasonable steps to record and fully investigate any complaints, ensuring a record is kept of the following information;  a.The name, contact details of complainant and date complaint received b.The date, time and details/nature of the complaint c.The name of the driver (and Badge number) or member of staff, to which the complaint relates d.Details of the investigation carried out e.All records shall be retained for 12 months f.The format of the complaints register shall be maintained in a manner prescribed by the Council; g.Details of when and how complaint forwarded to the Council (if	New condition

	applicable) h. Any action taken as a result of the complaint	
n/a	The Customer Service and Complaints policy and complaint records shall be made available on request to an Authorised Officer or police.	New condition.
n/a	Any records relating to complaints shall be kept in hard copy or on computer. If kept in hard copy they must be in a bound book with consecutively numbered pages.	New condition.
n/a	The Operator shall ensure that they notify any complainant of their right to forward their complaint to the Council.	New condition.
n/a	<p>If the Operator receives a complaint concerning any of the below matters the Operator must inform the Council in writing upon within 72 hours of receiving the complaint, including the name and contact details of the complainant, the nature of the complaint, the name and badge number of a driver, the vehicle details:</p> <ul style="list-style-type: none"> <li>- Sexual misconduct, sexual harassment or inappropriate sexual attention;</li> <li>- Racist behaviour;</li> <li>- Violence;</li> <li>- Dishonesty;</li> <li>- Theft;</li> <li>- Breaches of equality;</li> <li>- A driver's behaviour or conduct towards a vulnerable passenger;</li> <li>- Report of poor and/or dangerous driving;</li> <li>- A driver being under the influence of alcohol and/or any other drug (illegal or medicinal);</li> <li>- A refusal of a passenger with a wheelchair or an assistance dog.</li> </ul>	New condition.
n/a	The Operator must ensure that customers can speak to a person in the event of a complaint or problem with the journey.	New condition.
n/a	The Operator shall forward any changes to its Customer Service and Complaint Policy at least 7 working days prior to the change taking effect.	New condition.

n/a	The Operator shall disclose any information they consider could impact on a driver or vehicle proprietors suitability to hold a licence to the Council, in respect of complaints, conduct or offences within 72 hours of the Operator being in receipt of this information.	New condition.
n/a	<p>If the public have access to the Operator Premises the licence and conditions attached shall be prominently displayed in a position that is clearly visible.</p> <p>If the public do not have access to the Premises upon request the Operator must either provide a copy or permit any member of the public to view a copy of the licence and conditions attached to it.</p>	New condition.
n/a	During the lifetime of a Private Hire Operator Licence, an Authorised Officer of the Council may require the Operator to undertake reasonable and appropriate training to meet these expectations and requirements. Such a requirement shall be in writing. A reasonable timescale will be set for the training to be successfully undertaken. If there is a refusal or failure to attend the licence may be suspended and consideration given to its revocation. The cost of such training will be borne by the Operator.	New condition.
n/a	Operators shall have in place a Training Policy for all people working on behalf of the Operator which includes details of the training provided for all employees or those working on behalf of the Operator.	New condition.
n/a	The Training policy and evidence of training shall be made available to an Authorised Officer when requested, and provided on application, including renewals. The Operator shall forward any changes to the Training Policy to the Council at least 7 days prior to the change taking effect.	New condition.
n/a	The Operator shall not cause or allow to be caused any nuisance or annoyance to the owners or occupiers of nearby premises, by the conduct of the business to which this Licence relates. This includes, but is not limited to multiple vehicles being parked in residential areas,	New condition.

	vehicle engines being left running for long periods of time, vehicles leaving and returning to premises at unsociable hours and vehicles being maintained or serviced.	
n/a	On application both grant and renewal the Operator shall sign a copy of the conditions attached to Private Hire Operator licences by the Council to confirm they have read and understand the conditions.	New condition.