

**PRIVATEHIRE**

**OPERATORS**

**APPLICATIONSANDCONDITIONS**  
**OFLICENSE**

## **Guidance for Applicants**

Section 55 of the Local Government (Miscellaneous Provisions) Act 1976 requires that the Local Authority shall not issue an operator's license unless satisfied that the applicant is a fit and proper person to hold a license.

### **Submission of Police Record**

The applicant is required to submit with any application for grant or renewal of the license the record of convictions, if any, obtained from the Police under the Subject Access provisions of the Data Protection Act 1984.

The envelope containing the reply from the Police must be brought, unopened to the Tamworth Borough Council Offices at Marmion House, Lichfield Street, Tamworth and opened in the presence of a member of the licensing staff.

Should any record reveal unspent convictions involving drug offences, dishonesty, sexual offences or violence, and should the applicant wish the application to proceed, the circumstances will be reported to the Council's Environment Committee for a decision on the application to be made. The applicant or personal representative of the applicant will be entitled to appear before the Committee and speak in support of the application.

### **Knowledge of Legislation**

New applicants for operator's licenses should, on interview, be able to demonstrate a knowledge of the legislation and the restrictions under which private hire vehicles must be operated.

### **Consent Requirements**

The applicants should be able to show that either: \_\_\_\_\_

- a. Planning permission has been granted for the operation on a rating basis  
or
- b. That having regard to the premises and the mode of operation that planning permission is not required  
or
- c. That a formal application has been submitted for planning permission. If a business is operated without the appropriate planning permission in defiance of any planning enforcement notice, then this would be regarded as evidence that the licensee should not be considered a fit and proper person to hold a license for those premises, and refusal or revocation would ensue.
- d. If the operating premises specified in the application are owned by the Council, the permission of the department responsible for the letting or leasing of the property should be obtained prior to submission of the application

## Duration of License

Licenses are issued for a period of a maximum of one year.

## Conditions to Private Hire Operators Licenses

### 1. Change of Address

The licensee shall notify the Council of any change of home or business address, within 7 days of any such change.

### 2. Record of Bookings

The licensee shall ensure that the following details of bookings shall be entered in a record book (or loose leaf file system) prior to the commencement of the journey in respect of which the booking was made.

- a) Name of the hirer
- b) Time and date of hiring
- c) Pickup point
- d) Destination of passenger(s)
- e) Council's license plate number of the vehicle used for the booking.
- f) Council's identification badge number of driver undertaking the booking
- g) If at the time of booking a quotation has been given for the fare to be charged, the amount of that quotation.

### 3. Record of Vehicles

The licensee shall ensure that the following details be recorded for each vehicle operated:

- a) Vehicle registration mark
- b) Council's license plate number
- c) Name and address of proprietor of the vehicle.
- d) Date of expiry of the Private Hire or Hackney Carriage license.
- e) Expiry date of the insurance certificate or cover note for the vehicle together with details of the type of cover provided for public or private hire.

#### 4. **Record of Drivers**

The licensee shall ensure that the following details be recorded for each driver used in connection with the business:

- a) The driver's name
- b) The driver's Council identification badge number
- c) The date of expiry of the driver's Hackney Carriage or Private Hire driver's license issued by the Council.

#### 5. **Complaints Register**

The licensee shall ensure that a complaints record book be kept in which are recorded the following details:

- a) Date of complaint
- b) Date and time of incident complained of
- c) Name and, if known, address of complainant
- d) Nature of complaint
- e) License number of vehicle if subject of complaint
- f) License number of driver if subject of complaint
- g) Any action taken by the operator in respect of the complaint

6. All records required to be kept by conditions 2, 3, 4 and 5 above shall be made available for inspection by any authorised officer of the Council or any police constable and, if not immediately available for inspection at the operator's premises must, within 72 hours of the making of such a request, be produced for inspection.

7. The licensee must ensure, that when bookings are accepted and a pick-up or response time given to a hirer, that the appropriate vehicle be despatched to fulfil that booking so as to arrive punctually unless such vehicle is delayed due to unforeseen circumstances beyond the control of the operator.

8. Any lost property returned to the operator shall, if it cannot be returned to its rightful owner within 48 hours, be handed over to the Tamworth Police at Tamworth Police Station, Spinning School Lane, Tamworth.

9. The licensee shall ensure that any waiting/booking rooms provided for customers are kept clean and in good repair.

10. The licensee, if convicted of any offence during the currency of the license, must disclose any such conviction to the Council within 7 days of conviction. The disclosure must include the date of conviction, the Court where the hearing took place, details of the offence and the penalty imposed.

11. The licensee shall ensure that any records required to be kept in accordance with

these conditions of license are kept and made available for inspection for a minimum period of 6 months from the date of the last entry in the record book or file.

12. The licensee shall retain a certified copy of the private hire driver's license of any driver used about his business, for as long as that driver is so used and shall make such licenses available for inspection at all reasonable times at the request of any authorised officer of the Council or any police constable.