



NEWCASTLE BOROUGH COUNCIL

Local Government (Miscellaneous Provision) Act 1976
Town Police Clauses Act 1847

PRIVATE HIRE OPERATORS LICENCE

CONDITIONS ATTACHED TO A PRIVATE HIRE OPERATOR'S LICENCE

Henceforth the Private Hire Operator shall be referred to at the Operator.

1.

An Operator shall not invite or accept a booking for a Private Hire Vehicle or control or arrange a journey to be undertaken by such vehicle, without first making available in writing, or giving orally, to the person making the booking information as to the basis of charge for the hire of the vehicle and any additional charges: for example storage charge.

2.

Every Operator who accepts a booking for a Private Hire Vehicle for an appointed time and place shall allow sufficient time for the vehicle to punctually attend.

Complaints.

The Operator shall immediately notify the Council in writing of any complaints concerning a contract for hire or purported for hire and of the action which the Operators has taken or proposes to take.

3.

Only Newcastle under Lyme Borough Council licensed vehicles and drivers may be booked for any journey.

4.

When an Operator is unable to fulfil a booking due to unforeseen circumstances, it can only be passed onto another Newcastle under Lyme Borough Council licensed Operator.

5.

An Operator's Licence shall not permit any person who is drunk, or is behaving in a disorderly manner, to remain upon the premises in respect of which the licence is in force.

6.

If provision is made by the Operator or his/her premises for the reception of members of the public proposing to hire a vehicle, the Operator must ensure that the premises are in a clean and tidy condition at all times and that adequate arrangements are made for the seating of customers within the premises.

7.

If Condition 6 above applies, the Operator must also have Public Liability Insurance, a copy of the certificate being lodged with the Licensing Team.

8.

Without prejudice to any other liability imposed under the Local Government (Miscellaneous Provisions) Act 1976, the Operator shall ensure that drivers and proprietors of vehicles owned, controlled or operated by them in association with the Operator's licence shall observe and comply with the conditions of their Private Hire Driver's and their Private Hire Vehicle Licence.

9.

The Operator shall keep a record and maintain at his/her premises particulars of all vehicles operated by him/her, which shall include the following:

- the licence plate number
- the registration number
- the name and address of the proprietor
- the names and addresses of drivers of the vehicles
- the badge number of the drivers
- copies of licenses for all vehicles and drivers; and
- copies of insurance certificates for all vehicles

10.

The above record's shall be produced immediately on request to any Authorised Officer of the Council or Police Officer.

11.

The Council must be informed within 7 days of any changes in the particulars detailed in condition 9 above.

12.

Subject to Condition 13 below, the Operator shall enter in a bound book, the pages of which must be numbered consecutively, particularly of every private hire booking and the particulars shall be entered in the book at the time of the booking and shall include:

- the time and date of each booking
- the name of the driver dispatched for each booking and identification of the vehicle used by said driver i.e. plate number or call up sign, in the event of call signs being recorded, a full list of call signs and the information relating to them should be deposited with the Council's enforcement section. Notification of any material changes relating to call signs should be made to the Council with 24 hours of the changes.
- by what method the booking was received, i.e. telephone call or personal call.
- journey from details and destination details
- the name and contact telephone number of the hirer and, where the booking is received from another Operator, the name of that Operator.

13.

An alternative method of record keeping may be used provided that the details at Condition 12 above can be recorded and the method has been agreed by the Council in writing.

14.

The records shall be kept for a period of not less than 6 months, or such longer period as required by an Authorised Officer of the Council.

15.

A hard copy of the record must be produced immediately, on request to any Authorise Officer of the Council or Police Officer.

16.

The Operator shall not, knowingly or without the prior written consent of the Council, engage in partnership with, or allow or suffer any involvement in the management of the Operator hereby licensed by:

- any person who has been convicted of an offence under the Local Governments (Miscellaneous Provisions) Act 1976 and any other legislation relating to Private Hire and Hackney Carriage licensing and:
- and person, who, for the purpose of Part II of the said Act, has been found by any Licensing Authority, not to be a “Fit and Proper Person” to hold a driver or Operator’s licence.

17.

On changing address, the Operator shall return the licence for amendment to the Licensing Team within 7 days of the change, together with the appropriate fee (please see schedule of fees).

18.

The Operator shall inform the Council, within 7 working days of any:

- increase of number of vehicles stated on the Private Operator’s Licence, and accordingly submit the appropriate fee.
- change of home address.
- criminal convictions incurred, including driving offences, during the period of the licence within 7 working days of the conviction.
- County court judgments, bankruptcy proceedings, individual voluntary arrangements and composition agreements with creditors.

19.

The Operator shall be responsible for the actions of any managers, supervisors or any other person appointed to run the Private Hire business on their behalf.

20.

A person found guilty of an offence against byelaws, or the Town Police Clauses Act 1847 or the Local Government (Miscellaneous Provisions) Act 1976 is liable to a fine. In addition the Council may suspend or revoke an existing licence or refuse to renew a licence.

Your attention is drawn to the various provisions contained in legislation referred to in these condition which you are advised to obtain and read carefully.