

GATESHEAD COUNCIL

PRIVATE HIRE OPERATOR LICENCES

Local Government (Miscellaneous Provisions) Act 1976

This document contains legislation, policy and conditions relating to your licence.

LEGISLATION AND POLICY

Please note, this section reminds you of some of the important legal requirements with which you must comply. This is not a comprehensive list. You should familiarise yourself with the Local Government (Miscellaneous Provisions) Act 1976 and all other relevant legislation.

The Local Government (Miscellaneous Provisions) Act 1976 at Section 55(3) permits the Council to attach conditions to the grant of a Private Hire Operator Licence, as it may consider reasonably necessary.

Section 55(4) of the same Act gives the right of appeal to the Magistrates' Court to any person aggrieved by any of the conditions attached to their Private Hire Operator Licence. Such appeal must be made within 21 days of receipt of licence.

Failure to comply with any legislation is an offence, and you may be prosecuted.

Failure to comply with the Council's conditions may result in your Private Hire Operator Licence being suspended or revoked.

The Principal Office for the purpose of the Local Government (Miscellaneous Provisions) Act 1976 is The Licensing Section, Regulatory Services, Civic Centre, Regent Street, Gateshead.

You must not obstruct any Authorised Officer or Police Officer. You must provide any assistance or information he may reasonably require. (Section 73 Local Government (Miscellaneous Provisions) Act 1976)

Any person driving a Private Hire Vehicle must be licensed to drive a Private Hire Vehicle under Section 51 Local Government (Miscellaneous Provisions) Act 1976, even if the vehicle is not being used for private hire purposes. (Section 46(b) and (c) Local Government (Miscellaneous Provisions) Act 1976)

GENERAL

The licence expires 12 months from the date of issue. Any application for renewal must be made at least 14 days before the licence expires.

The licence is issued to you and it cannot be transferred. The renewal of the licence will be at the Council's discretion.

If any information given by you on the application form for this licence proves to be false, the licence may be revoked.

All appropriate planning approvals must be obtained before a licence can be granted.

It is expected that all Private Hire Vehicles employed by you will use the same table of fares: this should be confirmed when the table of fares is submitted.

CONDITIONS

Your Private Hire Operator Licence

- 1 You must return your licence to the Licensing Section of the Council immediately if
 - (a) You change your home or business address
 - (b) If the licence expires, is suspended, revoked
 - (c) You wish to surrender your Private Hire Operator Licence
 - (d) When required to do so by an "Authorised Officer of the Council".
- 2 You must inform the Licensing Section of the Council in writing, within **seven days** if you change your address.

Equipment

- 3 You must maintain telephones and radio equipment in a sound condition and have any defects repaired as soon as possible.

Bookings

- 4 When you accept a booking for attendance at an appointed time and place, you must allow sufficient time for the vehicle to attend punctually unless there is an unavoidable reason.
- 5 If you are unable to provide a vehicle to meet the passenger's requirements then you must not accept the booking.
- 6 You must not accept any booking for a vehicle to carry more passengers than the number of passengers the vehicle is licensed to carry.

Booking records

- 7 You must keep booking records for at least one year and produce them for examination at the request of an Authorised Officer of the Council or Police Officer.
- 8 When a booking is made you must ensure the following information is recorded:
 - a. The time and date of each booking
 - b. Where the journey is from and where the journey is to
 - c. The name of the hirer
 - d. The plate number of the vehicle given the booking
 - e. The driver's badge number
- 9 Booking record pages must be numbered consecutively and you must ensure entries are made as soon as possible.
- 10 By the 7th of each month, you must submit an Operator's return form, with accurate details, to the Head of Regulatory Services of:
 - a. The names, addresses and licence numbers of all proprietors, drivers, working from your operators address on your licence, in the previous month (with start and finish dates if applicable).
 - b. The registration and licence plate numbers of all private hire vehicles operated from your premises.

Vehicles and drivers

- 11 At your premises, you must maintain a record of all vehicles operated by you, and include the following information:
 - a. The licence plate number
 - b. The registration number
 - c. The make of the vehicle
 - d. The name and address of the proprietor
 - e. The names, and addresses of the drivers of the vehicles and the numbers on their badges
 - f. The date you first operated each vehicle
 - g. A record of any driver's or vehicle call sign.

These records must be available for any Authorised Officer of the Council, or Police Officer, who requests to see them.

- 12 You must only operate private hire vehicles licensed by this Council.
- 13 You must not allow a Hackney Carriage to be used in the Borough of Gateshead under a private hire contract except at a rate no higher than

the current Hackney Carriage Fares Scale fixed by this Council from time to time. When a hackney carriage is used, the fare must be calculated from the point in the district at which the hirer's journey commences.

- 14 If meters are used in any Private Hire Vehicle you operate, you must ensure a copy of the table of fares is deposited with the Head of Regulatory Services before the meter is used. You should also ensure that these meters are sealed.
- 15 You must ensure that any person you employ to drive Private Hire Vehicles holds a valid Private Hire Vehicle Driver Licence with this Council.

Conduct

- 16 You must ensure that you, and anyone else concerned in carrying out your business, behave in a civil manner at all times.

Complaints

- 17 You must notify the Head of Regulatory Services, in writing, of any substantial complaint concerning an alleged contract for hire relating to your business, and any action you have taken or propose to take.

Public areas

- 18 You must keep any public area clean, tidy, adequately heated, ventilated and lit. Any waiting area must have adequate seating.
- 19 You must not allow anyone to use a waiting area for amusement or recreation only.

Declaration of conviction / caution / penalty

- 20 If you are convicted of any offence, or accept a formal caution for an offence, other than an endorsable offence or receive and accept an endorsable fixed penalty notice you must give the Council details, in writing and within seven days of the conviction or acceptance of the fixed penalty. (If the operator is a company or partnership, this condition applies to all of the directors or partners.)