

CONDITIONS RELATING TO THE ISSUE OF A LICENCE TO DRIVE A PRIVATE HIRE VEHICLE

1. ISSUE OF LICENCES

- 1.1 The holder of this licence shall notify the Licensing Services in writing within 7 days of any change of ~~his/her~~ **their** address during the period of the licence.
- 1.2 The holder of this licence must notify Licensing Services in writing **not less than 12 hours** prior to commencing work with a new operator.
- 1.3 The holder of this licence may not change their operator more than once within a 48 hour period.
- 1.4 **A Wolverhampton licensed private hire driver can only drive a Wolverhampton licensed private hire vehicle and work for a Wolverhampton operator.**
- 1.5 **This licence does not permit the holder to drive a hackney carriage.**

2. PLYING FOR HIRE **(taking a fare without it being pre-booked via the Operator)**

- 2.1 The holder of this licence shall not whilst driving or in charge of a private hire vehicle:-
 - a) **Take or agree to take a fare without it being pre-booked via the Operator.**
 - b) stand or ply for hire or solicit on a road or other public place any person to hire or to be carried for hire in any private hire vehicle.
 - c) cause or procure any other persons to tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle.
 - d) accept an offer for the minimum hire of any private hire vehicle while the holder or that vehicle is on the road or other public place except where such an offer is first communicated to the holder by telephone or by radio telephone fitted to that vehicle by a licensed operator or his duly authorised servant.

3. GENERAL CONDUCT

- 3.1 The driver must not allow more than the stated maximum number of people in the vehicle at any time.
- 3.2 The driver shall not drink, eat or smoke in the vehicle. **This includes E-Cigarettes and Vapeing.**
- 3.3 The driver shall not play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.

- 3.4 ~~Sounding of the vehicle horn to alert passengers of the vehicle's arrival is prohibited.~~ The driver shall not sound the vehicle's horn to alert passengers of the vehicle's arrival.
- 3.5 The driver shall, when requested by any person hiring or seeking to hire the Private Hire Vehicle:-
- a) convey a reasonable quantity of luggage;
 - b) afford reasonable assistance in loading and unloading; and
 - c) afford reasonable assistance in removing luggage ~~it~~ to or from the entrance of any building, station or place at which ~~he/she~~ they may take up or set down such person.
- 3.6 The driver shall attend punctually when hired.
- 3.7 The holder of this licence shall not use any offensive, abusive, profane or insulting language or behaviour but shall at all times behave in a civil and orderly manner.
- 3.8 The driver shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from a private hire vehicle driven by hire or in ~~his/her~~ their charge.
- 3.9 A private hire licence is a badge of approval, it states the Local Authority feels the holder is fit and proper and suitable in every way. The standard of behaviour and level of trust expected should be demonstrated in the conduct of those licensed at all times. This includes when drivers are operating outside of Wolverhampton, where drivers are expected to cooperate with reasonable requests from compliance staff authorised in other areas.
- 3.810 The holder of this licence shall, unless otherwise requested by the hirer, proceed to the destination by the most direct route.
- 3.9 ~~This licence does not permit the holder to drive a hackney carriage.~~ See 1.5

4. STANDARD OF DRESS

- 4.1 The holder of this licence shall maintain a high standard of personal hygiene and he/she shall wear freshly laundered respectable clothing, with the upper part of the arms being covered. This could include for example, a shirt, polo shirt or t-shirt and single colour trousers or for female drivers a blouse or t-shirt and single colour trousers or skirt or alternatively a dress.

5. LOST PROPERTY

- 5.1 The holder of this licence shall, at the termination of each hiring, search the vehicle for any property, which may have been left. Any property found in the vehicle must be handed in to the nearest Police Station or the base operator.

6. DISPLAY OF BADGE

- 6.1 The holder of this licence shall wear ~~his/her~~ **their** Private Hire Vehicle Driver's badge so as to be clearly and distinctly visible at all times whilst ~~he/she is~~ **they are** acting as a private hire vehicle driver (e.g. on the upper part of the body).
- 6.2 The additional badge must also be displayed on the internal, top left hand side of the windscreen of any private hire vehicle being driven by him/her at any time.

7. INFORMATION TO OPERATOR

- 7.1 The holder of this licence shall submit to their operator: ~~his/her~~ **for the purpose of copying/scanning:-**
- a. **The issue** Private Hire Vehicle Driver's Licence
 - b. ~~Copy of~~ **an image of** DVLA Drivers Licence

8. RETURN OF LICENCE/BADGE

- 8.1 In the event of the holder of this licence ceasing to operate as a licensed Private Hire Vehicle Driver, the holder must surrender ~~his/her~~ **their** private hire vehicle driver's licence and badges **within 7 days** to Licensing Services.
- 8.2 **The holder must, at the request of an Authorised Officer of the Licensing Authority, return their private hire driver licence and badges.**

9. LOSS OF BADGE

- 9.1 The licence holder must report the loss of ~~his/her~~ **their** badge to Licensing Services ~~immediately~~ **as soon as reasonably practicable.**

10. NOTIFICATION OF CONVICTIONS, CAUTIONS AND FIXED PENALTIES

- 10.1 The holder of this licence shall **within 14 days of the date of any conviction, caution or issue of a Fixed Penalty Ticket Notice**, incurred during the life of this licence give full details in writing to Licensing Services.

11. CARRIAGE OF ASSISTANCE DOGS

- 11.1 The licence holder must carry guide or other assistance dogs accompanying passengers, free of charge, unless the driver has a proven medical condition that would preclude such action. Private Hire Vehicle Drivers have a responsibility to ensure that their operator is aware of such medical condition when they are first employed.
- 11.2 **The licence holder shall allow the assistance dog to be accommodated within the passenger compartments of the vehicle. The dog shall be allowed to be positioned as per the passenger's request.**

12. MEDICAL CIRCUMSTANCES

- 12.1 The licence holder must, within ~~3 days~~ 24 hours, notify the licensing services in writing of any changes to their medical circumstances.
These circumstances are defined as those where it is the duty of the licence holder to notify DVLA of any medical condition which affects the ability or entitlement to drive.

13. TRAFFIC REGULATIONS

- 13.1 The licence holder shall ~~not breach parking restrictions, including waiting on yellow lines.~~ comply with all traffic regulations and in addition, in accordance with these conditions, shall not wait on double yellow lines.
- 13.2 The licence holder shall not obstruct any road, pavement, or thoroughfare at any time.

City of Wolverhampton Council, Licensing Services, Civic Centre, St Peter's Square, Wolverhampton WV1 1DA

Please note that should you feel aggrieved by any of the conditions in this licence then you have the right of appeal to the Magistrates Court within 21 days from the date when this licence is issued.

PRIVATE HIRE VEHICLE CONDITIONS OF LICENCE

1. MAINTENANCE OF VEHICLE

- 1.1 The vehicle and all its fittings and equipment including luggage areas shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, comfortable, tidy and clean condition.

The following shall be adhered to:

- a) the seats of the vehicle shall be properly cushioned and covered.
- b) the floor of the vehicle shall be provided with a properly fitted carpet, mat or other suitable covering.
- c) all paintwork shall be maintained to a high standard in a single colour, free from dents, scratches or rust.
- d) All trim, wheel hubs and glass shall be secure and free from damage
- e) Only factory fitted privacy glass (tinted) will be permitted
- f) there shall be provided the means of carrying and securing luggage in the boot.
- g) ~~the vehicle shall at all times carry a spare pneumatic tyre.~~ All tyres including the spare must comply with the vehicle manufacturers' specification and the requirements of the Road Vehicles (Construction and Use) Regulations.
- h) the proprietor of the vehicle shall at all times ensure the vehicle is regularly maintained to ensure compliance with these conditions.

2. ALTERATION OF VEHICLE

- 2.1 No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force.

3. IDENTIFICATION PLATE/EXTERIOR MARKINGS

- 3.1 The plate identifying the vehicle as a Private Hire Vehicle shall be securely fixed to the rear exterior of the vehicle:-

- a) immediately adjacent to the number plate area of the vehicle, but must not obscure the vehicle registration plate.

- b) in a conspicuous position and in such manner as to be easily removable by an Authorised Officer of the Council or a Police Constable.
- c) the plate shall not be wholly or partially concealed from public view.
- d) at no time should the licence plate be removed from the licensed vehicle during the lifetime of the Private Hire Vehicle Licence **unless exempted in law.**
- e) **the exterior plate must be securely and permanently affixed to the vehicle**

~~3.2 The Council may specify, from time to time as it sees fit, any other plate, sign or marking, together with the location or manner of fixing, designed to identify it as a Private Hire Vehicle.~~

3.2 ~~As from 1st October 2015,~~ Private Hire Vehicles shall at all times display a unique Private Hire Vehicle Operators door sign bearing the name, **telephone number and/or 'App'** on each side of the vehicle which has been approved by Licensing Services.

3.3 ~~As from 15 June 2016~~ The use of magnetic door stickers is prohibited.

3.4 No modification or trimming of the approved door stickers is permitted. The door sticker must be fitted towards the top of the door panel.

4. INTERIOR MARKINGS

4.1 The proprietor shall display the interior plate detailing the licence number of the vehicle and the number of passengers permitted to be carried. This shall be located on the upper left hand corner of the front windscreen and must be clearly visible to persons both inside and outside of the vehicle.

4.2 The proprietor shall display the 'warning to all passengers' notices provided by the council informing passengers that the vehicle must be pre-booked or insurance covering the vehicle may be invalidated. These must be positioned clearly and be visible to persons outside of the vehicle at all times.

4.3 No smoking signs must be displayed at all times.

5. SIGNS, NOTICES, ADVERTISEMENTS

No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle without the express **written** permission of the Council.

6. CHANGE OF ADDRESS

The proprietor shall notify the Licensing Services in writing within 7 days of any change of his/her address during the period of the licence.

7. NOTIFICATION OF CONVICTIONS, CAUTIONS AND FIXED PENALTIES

The ~~holder of this licence~~ proprietor shall **within 14 days of the date of any conviction, caution or issue of a fixed penalty ticket-notice**, incurred during the life of this licence give full details in writing to Licensing Services. (If the proprietor is a company or partnership, details should be given for all directors or partners)

8. INSURANCE

- 8.1 The proprietor of the vehicle shall at all times ensure there is in force in relation to the use of the vehicle as a private hire vehicle a valid Policy of Insurance or such security as complies with the requirements of the Part VI of the Road Traffic Act 1988.
- 8.2 The proprietor of the vehicle must be the proposer of the insurance policy.
- 8.3 A copy of the current valid current certificate of insurance or cover note effective for the entire period of the licence relating to the vehicle must be submitted by the holder of the licence to ~~his/her~~ **their operator and, on request, to an Authorised Officer of the Council.**

9. REPORTING OF ROAD TRAFFIC ACCIDENT

When a Private Hire Vehicle is involved in an accident the Private Hire Vehicle Proprietor must report it to Licensing Services in writing, within 72 hours as required by Section 50 (3) of the Local Government (Miscellaneous Provisions) Act 1976.

10. LICENSING

- 10.1 **If the proprietor of the vehicle is an accident management company or a leasing/hiring company the onus is on them to advise Licensing services who is currently using the vehicle.**

~~10.2 The holder acknowledges receipt of this Private Hire Vehicle Licence and plates.~~

~~10.3 The holder must conform to all the conditions of this licence.~~

- 10.3 **In the event of the holder of this licence ceasing to operate a licensed Private Hire Vehicle, the holder must surrender ~~his/her~~ their private hire vehicle driver's licence and plates within 7 days to Licensing Services.**

- 10.4 **Upon** expiry of vehicle licence, plates must be returned to the City of Wolverhampton Council, Licensing Services, Civic Centre, St Peter's Square, Wolverhampton WV1 1DA within 7 days. Any existing licence plates must be surrendered to the Council before new licence plates for a vehicle will be issued.

10.5 The holder of this licence must inform Licensing Services of the Operator the vehicle shall be working for at the time of plating and thereafter, in writing, when a change of Operator occurs.

Please note that should you feel aggrieved by any of the conditions in this Licence then you have the right of appeal to the Magistrates' Court within 21 days from the date when this licence is issued.

For Consultation Purposes

CONDITIONS RELATING TO A LICENCE TO OPERATE PRIVATE HIRE VEHICLES

1. ISSUE OF LICENCES

- 1.1 The ~~proprietor~~ **Licensed Operator/Company Director(s)** shall notify Licensing Services, in writing within 7 days of any change of ~~his/her~~ **their** residential address or **contact details** during the period of the licence.

2. KEEPING OF RECORDS

- 2.1 The holder of this licence shall keep a full and accurate record of every booking of a Private Hire Vehicle in a register, ~~details~~ to include:-

- ~~time and date of booking~~ **time and date the booking was made**
- method of receipt
- ~~time required~~ **time and date required for journey to commence**
- customers name
- particulars of the journey (from and to)
- the driver of the vehicle and the vehicle used
- call sign and plate number
- **area in which the booking was made and details of operator who accepted the booking**
- **the area and operator to whom the job is sub-contracted**
- **details of sub-contracted jobs to include the time and date the job was sub-contracted and accepted**

These ~~records~~ **registers** must be maintained in a bound book with consecutively numbered pages or an appropriate computerised booking system.

Each record is to be completed prior to the dispatch of any vehicle or the undertaking of any part of the journey.

~~The holder of the licence must be able to identify from their records which private hire vehicle has undertaken any particular job.~~

- ~~2.2 Where an operator accepts a sub-contracted fare from another operator the journey records must be recorded as in accordance with these conditions. However, operators are also required to record the operator from which the fare was sub-contracted from, the time at which this took place and that the sub-contracted fare was accepted. Please note that these records may be generated digitally.~~

- 2.2 Where an operator accepts a sub-contracted fare from an operator licensed in another Licensing Authority area, then within reason, the operator must comply with requests for records of that fare from authorised officers of the Licensing Authority from the area in which the original booking was taken.

- 2.3 At all times an operator is actively dispatching vehicles there shall be an identified phone number on which the operator (or their nominee) is available for contact by authorised officers of the Licensing Authority and the operators shall provide any information requested regarding journeys that have been dispatched and/or booked through the operator.

2.4 The register must be maintained up to date at all times, and shall be retained at the address from which the business is conducted as specified in the operators licence. All records must be kept for a period of not less than 12 months from the date of the last entry in the register or computer record.

2.5 ~~The register(s) or shall be available at any time without notice by an Authorised Officer of the Council or a Police Constable who shall be empowered to take away the register(s) and/or reports produced from an appropriate computerised booking system from the premises if required.~~

The licence holder shall provide a police constable or authorized officer with such copies of records from the register as they may request.

2.6 All bases operating a satellite base shall provide all necessary passwords and login information to enable Authorised Officers of the Council to access the computers being used for this purpose. Training and/or detailed instructions of how to obtain data shall also be made available to Authorised Officers of the Council.

2.7 All requests to provide information by Authorised Officers shall be prioritised due to their urgency

- Priority A – These are for matters of a serious nature where there is significant risk to public safety. Within 1 hour of the request being received
- Priority B – These are for matters that require further investigation and have potential to be of a serious matter. Within 4 hours of the request being received
- Priority C – These are for requests for information pertaining to general complaints. Within 24 hours of the request being received
- General request, none prioritised. Within 1 week. of the request being received

Priority A & B, significant risk to public safety or serious matters, will be determined on a case by case basis by the Licensing Manager or Compliance Lead Officer.

A named person shall be supplied to be the liaison with the Licensing Authority.

3. SPECIFIED VEHICLES

3.1 The holder of the licence shall provide the council on request with a schedule of all vehicles which he/she they operate to include the following:-

- the registration number of the vehicle
- council licence plate number of the vehicle
- base call sign
- make/model of vehicle

3.2 The holder of this licence shall ensure that at all times, full and current records for each vehicle operated are kept. Each file shall To include the following:

- an image of the current Private Hire Vehicle Licence
- an image of the current valid MOT Certificate
- an image of a current valid Private Hire Insurance Certificate or cover note

3.3 The holder of this licence shall ensure that at all times the vehicles operated by him/her are duly licensed in accordance with the Local Government (Miscellaneous Provisions) Act 1976.

4. MAINTENANCE OF VEHICLES

4.1 Each Private Hire Vehicle operated by the licence holder must be regularly maintained and inspected for defects to ensure compliance with the Council's conditions in relation to the licensing of such vehicles.

4.2 The holder of this licence shall initially provide and thereafter ensure that Private Hire Vehicles working for them shall at all times display their unique Private Hire Vehicle Operators door sign bearing the name, telephone number and/or 'App' on each side of the vehicle which has been approved by Licensing Services. The use of magnetic door stickers is prohibited.

5. SPECIFIED DRIVERS

5.1 Individual records for each driver employed by the licence holder are required to be stored at the licence holder's premises and kept fully up to date at all times. Each file ~~must~~ To include the following:-

- ~~the current~~ an image of The issued Private Hire Vehicle Drivers Licence. This must be returned to the driver on request and not unreasonably withheld.
- an image of DVLA Driving Licence
- full name, address, and ~~contact details~~ email address and contact telephone number.

5.2 The holder of this licence shall ensure that at all times that the drivers employed or used by him/her them on private hire business are duly licensed by the Council to drive such vehicles.

5.3 When the holder of the licence ceases to employ or use any licensed Private Hire Driver, the operator shall notify Licensing Services in writing, within 72 hours. The Private Hire Vehicle Driver Licence must be returned to the driver.

5.4 The Private Hire Vehicle Driver licences shall be available for inspection at all times by any Authorised Officer of the Council or Police Constable who may take the licence(s) away from the premises if so required.

6. STANDARD OF SERVICE

6.1 The holder of this licence shall provide a prompt, efficient and reliable service to members of the public at all reasonable times. ~~and for this purpose shall in particular:-~~

6.2 Ensure that when a Private Hire Vehicle has been hired, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at the appointed time and place;

6.3 Ensure that any premises which the licence holder provides and to which the public have access, whether for the purpose of booking or waiting, are kept clean and adequately heated, ventilated and lit. He/she They shall also ensure that any waiting area which he/she they provide has adequate seating facilities.

7. CONVICTIONS, CAUTIONS AND FIXED PENALTIES

7.1 The holder of this licence shall within 14 days disclose to Licensing Services in writing details of any conviction, **caution or fixed penalty notice** imposed on him/her **them** or, if the holder of this licence is a company or partnership, any conviction, **caution or fixed penalty notice** imposed on the company or any of the directors or partners during the period of the licence.

8. INSURANCE

8.1 The holder of this licence shall ensure at all times, that every private hire vehicle so operated shall be covered by a Certificate of Insurance or cover note indemnifying the proprietor of the said vehicle within the provisions of Part VI of the Road Traffic Act 1988.

8.2 All vehicle insurance documents must state that the insurance covers the driver for the carriage of Passengers for hire or reward whether or not the operator is the owner/proprietor of the vehicle.

8.3 **In relation to vehicles owned/licensed by the operator (fleet):**
A copy/**scan** of the current valid certificate of insurance or cover note(s) relating to each vehicle which shows those persons entitled to drive the vehicle must be retained by the operator on the premises specified on the licence.

9. PLANNING PERMISSION AND LICENCE FOR RADIO EQUIPMENT

9.1 The holder of this licence shall not conduct his/her **their** business from any premises unless **any the** necessary planning permission under the Town and Country Act 1990 **as amended** has first been obtained, **where applicable**, for the premises from which the business will operate.

9.2 **If applicable an Operator must obtain a** licence for radio equipment under the wireless Telegraphy Act 1949 or any other relevant statutory provision.

9.3 ~~Council House Tenants must also obtain permission from the Housing Department Wolverhampton Homes.~~
Permission is to be obtained from any landlord or lender that may contractually prohibit the use of the premises for business purposes.

10. Operational Matters

10.1 **All staff employed in a role where they interact with members of the public shall be subject to an ~~Enhanced~~ Basic Disclosure Barring Service (DBS) check and records kept by the Operator. All DBS checks that reveal convictions shall be brought to the attention of the licensing authority.**

10.2 **All staff employed in a role where they interact with members of the public shall undergo CSE and Safeguarding training within 3 months of commencing work for an Operator. Allocated dates will be provided by the licensing authority on a quarterly basis and it is up to the Operator to ensure staff attend. Training will be provided free of charge.**

10.3 **The holder of this licence shall provide a video conferencing facility (e.g. Skype) and an appropriate room in order to facilitate driver reviews. A driver has the right**

to be accompanied by a solicitor or representative, if they wish, and this must be accommodated.

~~11. DISPLAY OF TERMS AND CONDITIONS~~

~~11.1 The holder/s of this licence shall at all times keep on his/her premises a copy of these conditions and shall make them available for inspection by members of the public who are either actual or potential fare paying passengers.~~

11. LICENSING

11.1 Regular trade working groups are held throughout the year and all Operators are expected to attend or send a suitable representative.

~~11.2 The holder acknowledges receipt of this Private Hire Operators Licence.~~

City of Wolverhampton Council, Licensing Services, Civic Centre, St Peter's Square, Wolverhampton. WV1 1DA

NB Please note that should you feel aggrieved by any of the conditions in this licence then you have the right of appeal to the Magistrates Court within 21 days from the date when this licence is issued.