

Appendix E

Telford & Wrekin Council Conditions of Licence Private Hire Operators

EXISTING CONDITIONS		BEST PRACTICE	PROPOSED CONDCTIONS	CONSULTATION RESPONSE	COMMENTS/CLARIFICATION
General Requirements					
1.1	Throughout the currency of his/her Licence, the holder of a Private Hire Operators Licence shall be a fit and proper person to hold such a licence. New applicants will be subject to a satisfactory Criminal Records Bureau check and all licence holders will be subject to a check every three years.	TWC Existing condition matches Dept of Transport Best Practice Guidance	Retain	Police – keep existing conditions. Consultation meeting – consensus in favour.	
1.2	Any premises used by the Operator for the purpose(s) authorised by this licence shall have the appropriate planning permission for that use and the Operator shall comply with any conditions attached to such permission.		It is proposed to remove condition 1.2 as this is covered by Planning legislation.	Consultation meeting – keep existing conditions.	
1.3	The total number of vehicles operated from any given licensed base, or bases, shall not be more than three times the total number of authorised car parking spaces available to the operator at that base. In any case the Operator shall not allow any driver in his/her employment to park on any road, street, car park or private ground either with the intention of plying for hire or for taking rest breaks or for any other reason and shall instruct said drivers to proceed to council approved parking areas (as set out in Section 14 (1) of these conditions of licence)		Retain	Consultation meeting – keep existing conditions.	
1.4	This licence shall entitle the holder to make provision from the base, for the invitation of Private Hire bookings in advance, either by letter, by telephone or by personal request.		Retain		<i>Recommend removing this condition. It is statutory that bookings should be made in advance.</i>
1.5	The Operator shall be required to display his/hers Operators licence in a prominent position at the premises and have available a copy of these conditions for public scrutiny if requested.	TWC current condition is best practice when compared with other Local Authorities	Retain		

2.	LG(MP) ACT 1976 – CONDITIONS ATTACHED TO LICENCES.				
2.1	The Operator shall make available, on any premises from which he /she operates, for inspection by members of the public, a copy of the Local Government (Miscellaneous Provisions) Act 1976, these conditions and the conditions of Private Hire and Hackney Carriage Vehicles and Drivers licences whichever is applicable.	TWC current condition is best practice when compared with other Local Authorities	Retain existing conditions	Police – keep existing condition.	
3.	IDENTIFICATION PLATES				
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3.1	It shall be the responsibility of the Operator to ensure that any licensed Private Hire vehicle he/she owns or operates has the external identification plate issued by the Council securely fixed to the outside rear of the vehicle to the place provided by the manufacturer or in accordance with the reasonable instructions of an Authorised Officer of the Council. The plate should be fitted in such a manner as to be easily removable by such officer or a Police Constable	Dept of Transport Best Practice Guidance states that it helps identification if licence plates are displayed on the front as well as the rear of vehicles.	Retain condition	Police – keep existing condition.	
3.2	On the suspension of a Private Hire vehicle licence and where a “Licence Expired” plate is fitted it may only be removed by an Authorised Officer of the Council.	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		
3.3	The Operator shall ensure that the internal identification plates issued by the council to Executive vehicles operated by the company, are affixed to the vehicle in accordance with council instructions and are displayed at all times.	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		
3.4	The Operator shall ensure that when a licensed Executive vehicle owned or operated by them is used to carry out standard Private Hire bookings, an approved roof sign is placed upon the vehicle in accordance with council instructions.	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		
3.5	The Operator shall ensure that the identification plate attached to any licensed vehicle owned or operated by them, is maintained and kept in such condition that the information contained on the plate is clearly visible to public view at all times. The identification plate remains the property of	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		

	the council and must be returned to the council within seven days of expiry of a vehicle licence if not renewed (upon penalty of a fine for failure to do so). Plates are not transferable except upon application to the council.				
3.6	No vehicle that is licensed by another Local Authority or bears a licence plate issued by another Local Authority shall be licensed by the Borough of Telford & Wrekin.	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation			
4.	RECORDS OF VEHICLES AND DRIVERS				
4.1	Except with reasonable care the Operator shall have in his/her care under Section 51(2) of the Local Government (Miscellaneous Provisions) Act 1976 :-	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition	Police – keep existing conditions. Consultation meeting – consensus to retain.	<u><i>Recommend rewording of 4.1 to Except with reasonable care the Operator shall have in his/her care :</i></u>
4.2	The current Private Hire drivers licence issued by the council of any driver employed as a Private Hire driver whether or not the vehicle is owned by him/her (unless the vehicle used is operated by another licensed Operator by sub-contact); and	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		
a)	The current Private Hire vehicle licence issued by the council of any vehicle operated by him/her (unless the vehicle used is operated by another licensed Operator by sub-contract)	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		
b)	The Operator shall ensure that all vehicles used by the company that are licensed by the council for hire & reward shall display a valid Road Fund Excise Licence.	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		
c)	On leaving the employ of an Operator a driver or vehicle proprietor shall be entitled to receive immediately on demand the return of his/her driver's or vehicle licences whichever is applicable.	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		
d)	The Operator shall maintain an up-to-date list of the owners, the description and registration numbers of all Private Hire vehicles employed by their business and their drivers which shall include details of any radio or computer call sign used to identify a vehicle. The Operator shall produce such a list on request to an Authorised Officer of the Council or to a Police Constable.	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		
e)	The Operator shall immediately notify the Council when any vehicle or driver ceases in his/her	TWC Existing condition matches Dept of	Retain condition		

	employ, or any vehicle or driver commences in his/her employ.	Transport Best Practice Guidance and legislation			
f)	The Operator shall notify the Council of any change of his/her address and of any change of address relating to any driver or vehicle proprietor they employ or allow to operate within the company, this to be done within seven days of any such change taking place.	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		
g)	The Operator shall inform the Council of any changes relating to licensed vehicles and drivers within seven days of those changes taking place.	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		
h)	The Operator shall provide the council with a complete and up to date list of all drivers and vehicles employed by the company. Such list will be provided by the Operator by the end of the first working week in January, March, June and September of each year.	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		
i)	Any information relating to licensed Operators, vehicles and drivers must be produced to an Authorised Officer on demand.	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition		
k)	The Operator shall not allow any driver in his/her employment to park on any road ,street, car park or private ground either with the intention of plying for hire or taking rest breaks and in any case;	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition	Consultation meeting – 4.2 (k) considered too restrictive in saying that the operator shall not “allow” as impossible for them to police this. Request for wording amendment.	
j)	The Operator shall ensure that all drivers of licensed Private Hire vehicles, as soon as they have dropped off passengers shall, unless prevented from doing so by another prior booking return to the Operators licensed base of operations or to specific council approved parking areas, to await further instructions.	TWC Existing condition matches Dept of Transport Best Practice Guidance and legislation	Retain condition	Consultation meeting – Amendment wanted to 4.2 j to remove the return to base conditions, felt needed more designated parking spaces or to reword to not park in a “place of public resort”.	This condition should concord with condition number 22 of the PHD conditions of licence.
5.	ROOF SIGNS				
5.1	The use of external Roof Signs shall be the responsibility of the Operator of the Company and must be kept to an approved standard. The Roof Signs shall be of a type and size approved by the council and shall at all times be affixed to the roof of the Private Hire vehicle by the proprietor to the	Refer to condition number 3.1 of PHV conditions of licence.	Options : a) The proprietor shall display self-adhesive identification signs on the rear (passenger) side	Trade • It was felt that roof signs should be retained as a means of public identification for safety	<i>Refer to condition number 3.1 of PHV conditions of licence. Recommend consistency between PHV and PHO conditions.</i>

	place recommended by the manufacturer or in accordance with reasonable instructions of an Authorised Officer of the Council.		<p>doors of private hire vehicles to indicate to the public that the vehicle is for private hire use only.</p> <p>b) To introduce transparent windscreen visors for the front and rear windscreens of private hire vehicles that state Private Hire – Advance bookings only or telephone bookings only (words to be agreed).</p> <p>If such signage were adopted as a condition, the condition may also include the need to maintain such signs</p>	<p>reasons/company identification.</p> <ul style="list-style-type: none"> Operators Association response was that they saw no advantage to the customer in the use of self adhesive signs and transparent window visors. <p>TWS - If Option B is introduced the writing (provided the visor is transparent) on the visor must not protrude into the swept area of the windscreen by more than 40mm on the passenger side or 10mm on the drivers side as this would constitute an MOT failure.</p> <p>Police - Option A – self adhesive ID signs for rear passenger side doors.</p> <p>Consultation meeting – Strong consensus in retaining the existing conditions and keeping roof signs.</p>	
5.2	For whatever reason, when the Private Hire vehicle licence is suspended the plate and the Roof Sign shall be removed by an Authorised Officer of the Council. The Roof Sign shall be retained in the sole custody of the company Operator until such time as the vehicle is made fit again for service and the suspension is lifted. Only at that point will the Roof Sign be returned to the vehicle proprietor by the Operator.	As 5.1	As above		
5.3	The Operator shall ensure that Roof Signs are maintained and kept in such condition that the information contained thereon is clearly visible to public view at all times and that no advertising is	As 5.1	As above		

	placed upon them save for the name and telephone contact number of the company.				
5.4	All Roof Signs shall be connected to the vehicles electrical wiring system and will be illuminated when the vehicle is in service during lighting up times and/or during adverse weather conditions.	As 5.1	As above		
6.	TELEPHONES, STAFF AND FACILITIES				
6.1	The Operator shall provide adequate telephone facilities and staff to provide an efficient service to the public using the Operators facilities.	TWC Existing condition matches best practice.	Retain condition	Police – keep existing conditions.	
6.2	The Operator shall ensure that where any passenger waiting area is provided, it is kept physically separate from any driver rest area and radio operations room and that any company staff member, driver or vehicle proprietor do not congregate in any passenger waiting area or room.	TWC Existing condition matches best practice.	Retain condition		
6.3	The Operator, where a waiting area or room is provided for the use of passengers or prospective passengers;	TWC Existing condition matches best practice.	Retain condition		
a)	Shall provide adequate seating for the use of those passengers and prospective passengers and	TWC Existing condition matches best practice.	Retain condition		
b)	Shall ensure that such a room or area is kept clean, adequately heated, ventilated and lit; and	TWC Existing condition matches best practice.	Retain condition		
c)	Shall ensure that the interior and exterior of the premises is kept in good repair, to the satisfaction of an Authorised Officer of the Council.	TWC Existing condition matches best practice.	Retain condition		
d)	Shall ensure that no amusement machines, gaming machines, radio or television sets or similar equipment be installed without the prior written consent of the Council.		Remove condition	Consultation meeting – condition d) to be removed as superseded by Gambling Act 2005	
e)	Shall ensure that any such equipment as described in paragraph 6.3(d) above (which is installed in any driver rest areas or company operations room) is not accessible to persons other than drivers, licensed vehicle proprietors and other members of the companies staff.	TWC Existing condition matches best practice.	Retain condition		<i>Recommend that this condition be removed as we proposed to remove condition 6.3 above.</i>

7. CHILD SAFETY SEATS					
7.1	The Operator in conjunction with Vehicle Proprietor and Driver, shall provide and make available to any customer so requesting, an approved infant or booster seat to facilitate the safe conveyance of children during Private Hire Vehicle bookings. (The number of seats held by the company shall be determined by the Operator and the Vehicle Proprietor in accordance with an assessment of supply and demand) All seats provided shall conform to U. N. Safety Standards R44.03	Refer to condition number 6.3 of PHV conditions of licence.	Retain condition	Police – keep existing conditions.	Refer to condition number 6.3 of PHV conditions of licence.
7.2	The Operator in conjunction with the Vehicle Proprietor and the Driver shall ensure that any infant seat used during a Private Hire booking will be used in accordance with the manufacturer's instructions.	Refer to condition number 6.3 of PHV conditions of licence.	Retain condition		Refer to condition number 6.3 of PHV conditions of licence.
7.3	Based upon supply and demand, the Operator in conjunction with the Vehicle Proprietor and Driver shall decide, whether or not the seats provided by them are kept at the company base, and made available to drivers as and when required, or kept upon selected licensed vehicles or both.	Refer to condition number 6.3 of PHV conditions of licence.	Retain condition		Refer to condition number 6.3 of PHV conditions of licence.
7.4	The Operator shall make available at the base, suitably sized blankets and waterproof covers to be maintained and used to protect the seats from soiling due to the carriage of animals (as may be required). Based upon supply and demand the Operator shall determine the number of Blankets and waterproof covers the company requires .	Not available	Retain condition		
8. HIRINGS AND RECORDING OF HIRINGS.					
8.1	The Operator shall ensure that the system in place works effectively and that it enables the company to honour any bookings that they accept and the Operator shall be responsible for monitoring the system to make certain that drivers and vehicles are available to fulfil the arrangements agreed by company and the Hirer.	TWC Existing condition matches Dept of Transport Best Practice Guidance.	Retain condition	Police – keep existing conditions. Consultation meeting – 8.1 to be changed from “the operator shall ensure” to “ will make all reasonable provision to”	
8.2	When the Operator accepts a hiring he/she shall, unless prevented by some sufficient cause,	TWC Existing condition matches best practice	Retain condition		

	ensure that the licensed Private Hire vehicles attend at the appointed time and place.				
8.3	The vehicle dispatched in accordance with this condition shall be licensed for such use by Telford & Wrekin Council and by no other Council.	Statutory requirement	Retain condition		
8.4	The vehicle dispatched in accordance with this condition shall be driven by a person licensed to do so by the Borough of Telford & Wrekin and by no other Council.	Statutory requirement	Retain condition		<i>Recommend that this condition is removed as it is a statutory requirement.</i>
8.5	The Operator must not purchase, hire or install any computerised booking or dispatching system without prior written consent from the council, based upon the system meeting approved technical specifications and the Local Government (Miscellaneous Provisions) Act 1976.	TWC Existing condition matches best practice	Retain condition		
8.6	Where the Operator employs any form of computerised data entry, bookings may be entered via a computer subject to a hard (paper) copy being printed from the records at the request of an Authorised Officer of the Council. Where an Operator employs a system of manual entries of hirings on to a booking sheet, those records or a copy of those records must be made available on request to an Authorised Officer of the Council.	TWC Existing condition matches Dept of Transport Best Practice Guidance.	Retain condition		
8.7	The records of hirings accepted by the Operator is required to be kept under Section 56 of the Local Government Miscellaneous Provisions Act 1976 and shall be the responsibility of the Operator who, immediately prior to the commencement of the journey, will enter all the details of the hirer legibly in ink on to the company record sheets or into a computer system in the prescribed manner. The records shall contain the following;	TWC Existing condition matches Dept of Transport Best Practice Guidance.	Retain condition		
a)	The name of the hirer.				
b)	The time of the pick up.				
c)	The point of pick up.				
d)	The hirers required destination.				
e)	Information indicating the vehicle dispatched and the driver used.				

f)	Remarks, including details of any instructions from the hirer or regarding sub-contract to or from another Operator.				
8.8	The Operator shall not dispose of any record of hirings made under the LG(MP) ACT 1976 within six months of the last hiring contained therein.	TWC Existing condition matches Dept of Transport Best Practice Guidance.	Retain condition		
8.9.	At the start of each shift the Operator shall ensure that a full record of <u>all</u> Vehicles and drivers used by the company for that shift are kept. Such record will include details of vehicle registration numbers and vehicle radio or computer call signs. It will also include drivers' full names and driver licence numbers and such record will be attached to the relevant days booking sheet and kept as in condition (8.8.)	TWC Existing condition matches Dept of Transport Best Practice Guidance.	Retain condition	Consultation meeting – Amend “Day bookings sheet” to cover computerised systems (8.9)	
8.10	The Operator shall ensure that the system in place works effectively and enables the company to honour any bookings that they accept and the Operator shall be responsible for monitoring the system to make certain that drivers and vehicles are available to fulfill the arrangements agreed by company and the Hirer.	TWC Existing condition matches best practice	Retain condition		<i>Recommend remove condition as it is a repeat of condition 8.1 above.</i>
9.	EMPLOYMENT OF PRIVATE HIRE DRIVERS & OTHER STAFF.				
9.1	The Private Hire Operator shall not, knowingly or without prior consent of the council, employ or be employed by, engage in partnership with, or allow to suffer any involvement in the management of the operation hereby licensed :-	TWC Existing condition matches Dept of Transport Best Practice Guidance.	Retain condition	Police – keep existing conditions.	
a)	Any person who has been convicted of an offence under the Local Government (Miscellaneous Provisions) Act 1976 or any other legislation relating to Private Hire and Hackney Carriage Licensing ; and	TWC Existing condition matches Dept of Transport Best Practice Guidance	Retain condition	Consultation meeting – No consensus on CRBs for office staff	
b)	Any person who, for the purposes of Part II of the said Act, has been found not to be a Fit and Proper Person to hold a Drivers, Vehicle or Operators licence ; and	TWC Existing condition matches Dept of Transport Best Practice Guidance	Retain condition		
9.2	The Operator shall be responsible for the actions of any manager, supervisor or any other person appointed to run or play any part in the management of the Private Hire business; and	TWC Existing condition matches Dept of Transport Best Practice Guidance	Retain condition		

9.3	The Operator shall ensure to the best of their ability before employing drivers that they are Fit and Proper Persons to be engaged in the carriage of members of the public. In particular they should examine drivers DVLA Licences and enquire as to whether the applicant has been convicted of driving or other offences.	TWC Existing condition matches best practice	Retain condition	Consultation meeting – Remove condition 9.3 as all dealt with at time of licensing.	<u><i>Recommend remove this condition as it is the Council's responsibility to ensure that drivers are fit & proper.</i></u>
9.4.	The Operator shall in any case, ensure that they have examined the Private Hire Drivers licence issued by the Council and that it is valid.	TWC Existing condition matches best practice	Retain condition		
9.5.	The Operator must also ensure that the said licence is lodged with the company before the driver is employed to carry out private hire work for the company and shall retain the licence in his/her possession while such driver remains in his/her employ.	TWC Existing condition matches best practice	Retain condition		
9.6.	On leaving the employ of an Operator a driver or vehicle proprietor shall be entitled to receive immediately on demand the return of his/her driver and /or vehicle licence. If the Licence holder has been guilty of misconduct the Operator may not return the licence and must forthwith issue a summons to have his/her cause of complaint determined by the Magistrates. (If the Magistrates find that the licence has been improperly retained they have powers to order its return and also to award compensation.)	TWC Existing condition matches best practice	Retain condition		
10.	RADIOS AND CALL SIGNS				
10.1	The Operator shall ensure that any radio equipment that is fitted to any licensed vehicle operated by the company, is correctly licensed by the relevant authority and is fitted to the vehicle in the approved manner. It must at all times be kept in a safe and sound condition and maintained in proper working order and that the use of such a system is disclosed to the Operators and/or vehicle proprietor's Insurance company.	TWC Existing condition matches best practice	Retain condition	Police – keep existing conditions. Consultation Meeting – in favour of removing 10.1	
10.2	The Operator shall allocate a radio or computer call sign to any vehicle on their system (including executive vehicles) and that call sign shall be the plate number of the licensed vehicle as issued by the council.	TWC Existing condition matches best practice	Retain condition		
11.	CITIZEN BAND RADIOS.				

11.1	The Operator shall ensure that no Citizen Band Radios be fitted or used in any licensed Private Hire vehicle during the currency of the licence.	Refer to condition number 16 of PHV conditions of licence.	Retain condition	Police – keep existing condition.	<i>Refer to condition number 16 of PHV conditions of licence. Recommend consistency between PHV and PHO conditions.</i>
12.	CCTV CAMERAS.				
12.1	The Operator or vehicle proprietors may, subject to the written approval of the council, install and use an approved visible closed circuit TV surveillance camera in their vehicles, for the purposes of personal safety and as a deterrent only.	Refer to condition number 18 of PHV conditions of licence.	Retain condition	Police – keep existing conditions.	Refer to condition number 18 of PHV conditions of licence. <u><i>Recommend consistency between PHV and PHO conditions.</i></u>
12.2	If an approved camera is fitted a sign must be displayed inside the vehicle, visible to passengers, stating ‘closed circuit TV Surveillance in Operation’. Similar signs shall be prominently displayed and visible from outside the vehicle to warn prospective customers of the possible use of the surveillance camera. Such signs must not impede the driver’s view of the road and are to be in discernible colours and to be no greater than 950mm x 110mm in size.	Refer to condition number 18 of PHV conditions of licence.	Retain condition		Refer to condition number 18 of PHV conditions of licence. <u><i>Recommend consistency between PHV and PHO conditions.</i></u>
13.	RADIO SCANNING DEVICES.				
13.1	The Operator shall ensure that no radio scanning device of whatsoever type is used at a licensed base of operations, or fitted to, carried in or used in the vicinity of a licensed Private Hire vehicle during the currency of the Operators Licence.	Refer to condition number 17 of PHV conditions of licence.	Retain condition	Police – keep existing condition.	Refer to condition number 17 of PHV conditions of licence. <i>Recommend consistency between PHV and PHO conditions.</i>
14.	PARKING AND PLYING FOR HIRE.				
14.1	The Operator shall ensure that all Private Hire drivers employed by him/her, as soon as they have dropped off passengers, unless prevented from doing so by another prior booking, return to the Operators licensed base of operations or other approved parking areas within the controlled district to await further bookings or instructions. Approved parking areas are as follows;	Refer to condition number 22 of PHV conditions of licence.	Retain condition	Trade <ul style="list-style-type: none"> It was felt that more parking up areas were needed. Felt the condition should be less specific & or to include place that is not of public resort. Police – keep existing conditions. Consultation meeting – In	Refer to condition number 22 of PHV conditions of licence. <u><i>Recommend consistency between PHV and PHO conditions.</i></u>

				favour of amalgamating 14.1 and 14.2 and add additional parking spaces.	
	1. Randlay Lorry/Car Park Randlay				
	2. Legges Way Car Park Madeley				
	3. Grainger Drive Playing Fields Car Park Leegomery				
	4. Water Lane Car Park Newport				
14.2	The Operator shall not permit any Private Hire driver in their employ to park a Licensed Private Hire vehicle within district centres or outside places of public resort either without prior bookings or for the purposes of plying for hire or taking rest breaks or for any other reason.	Refer to condition number 22 of PHV conditions of licence.			Refer to condition number 22 of PHV conditions of licence. <u>Recommend consistency between PHV and PHO conditions.</u>
14.3	From time to time, and after consultation with the Private Hire trade approved parking areas may be changed or additional areas adopted by the Council.	Refer to condition number 22 of PHV conditions of licence.	Retain condition	Consultation meeting – remove 14.3 as can't be breached so not a condition.	<i>Recommend that this be removed as a condition as more appropriate to include in Explanatory Notes.</i>
15.	CONVICTIONS.				
15.1	The Operator shall notify the Council of any conviction recorded against him/her by any court within seven days of any such conviction being imposed.	TWC Existing condition matches best practice.	Retain condition	Police – keep existing condition.	
16.	COMPLAINTS.				
16.1	The Operator shall set up an effective internal procedure to deal with complaints made by the public against the company, vehicle proprietors and/or drivers.	TWC Existing condition matches best practice.	Retain condition	Police – keep existing conditions.	
16.2	The procedure shall be approved by the Council and must be set up in such a way that complaints are dealt with by the Operator or a member of his/her staff not directly connected with dealing with the invitation of Private Hire bookings or the dispatching of drivers and vehicles.	TWC Existing condition matches best practice.	Retain condition		
16.3	The Operator shall ensure that all complaints received by the company are properly recorded in the first instance and all information relating to any action taken is also recorded. Such information shall include details of the booking (who accepted it on behalf of the company) and of the vehicle, and driver involved. Records will be	TWC Existing condition matches best practice.	Retain condition	Consultation meeting – amend 16.3 as this refers to book and loose leaf pages to a more modern interpretation. To include mention of computerised records etc. Suggestion that could	

	made in a book and not on loose leaf paper and pages shall be consecutively numbered.			amalgamate 16.1 – 6 into one.	
16.4	The Operator shall on receipt of any complaint relating to a contract for hire or purported contract for hire relating to or arising from his /her business, immediately notify the complainant of their right to forward the complaint to the Council.	TWC Existing condition matches best practice.	Retain condition		
16.5	Any complaint shall be investigated immediately by the Operator or by his/her independently appointed representative within the company and the complainant kept informed and notified of the outcome within a reasonable amount of time.	TWC Existing condition matches best practice.	Retain condition		
16.6	Where a complaint is received by an authorised officer of the council the Operator shall conform to any directions of the officer in respect of that complaint.	TWC Existing condition matches best practice.	Retain condition		
16.7	The complaint book kept by the Operator shall be made available upon demand to any authorised officer of the council and it's contents may be used as evidence in investigating said complaints.	TWC Existing condition matches best practice.	Retain condition		
16.8	The Operator shall from time to time monitor and if necessary review the company complaint's procedure to ensure that it is being conducted correctly and effectively.	TWC Existing condition matches best practice.	Retain condition		
17	ACCIDENTS				
17.1	The Operator shall, notwithstanding his/her responsibilities under the Road Traffic Act, report to the Council within 72 hours any accident involving a Private Hire Vehicle under their control.	TWC Existing condition matches existing legislation	Retain condition	Police – keep existing condition. Consultation meeting - To amend wording so that only need to report “substantial damage”. If can be fixed within 72 hours no need to report damage?	<i>Refer to condition number 20 of PHV conditions of licence. Recommend consistency between PHV & PHO conditions.</i>
18.	TOUTING – CRIMINAL JUSTICE & PUBLIC ORDER ACT 1994				
18.1	The Operator shall not while driving or in charge of a Private Hire vehicle permit a driver or vehicle proprietor in his/her employ to;	TWC Existing condition matches Dept of Transport Best Practice Guidance. Statutory requirement	Retain condition	Police – keep existing condition. Consultation meeting - Rephrase to ensure that all drivers and employers are made aware of their	

				responsibilities under the legislation.	
a).	Tout or solicit on a road or other public place any person to be carried for hire in any Private Hire vehicle or;				
b).	Cause or procure any person to tout or solicit on a road or other public place any person to hire or be carried in any Private Hire vehicle. In this condition: "road means any highway or other road to which has access, including bridges, over which a road passes".				
19.	INSURANCE				
19.1	During the currency of all licensed Private Hire vehicles owned or operated by the Operator, he/she shall ensure that a policy of insurance and security complying with the provisions of Section 145 of Part VI Road Traffic Act 1988 which covers third party liability both in respect of physical injury or death AND in respect of damage to personal belongings. The certificate of insurance shall be produced to an Authorised Officer of the Council on demand.	Refer to condition number 13 of PHV conditions of licence.	Retain condition	Police – keep existing condition. Consultation meeting – Felt that not for the Council to concern themselves with the wording. Should not exclude public hire.	
19.2	The Operator shall ensure that any licensed Private Hire vehicle that he/she owns or operates have current, valid insurance covering "Private Hire". "Public Hire" insurance will not be accepted by the Council if that insurance cover relates to Private hire vehicle(s).	Refer to condition number 13 of PHV conditions of licence.	Retain condition		
19.3	If the Operator fails to produce a certificate of insurance cover on request he shall produce it forthwith, or within seven clear days of the request, to an Authorised Officer of the Council. Failure to comply with these provisions may result in the Operators right to hold a licence being brought into question under Fit and Proper Persons (Section 1.1 of these conditions). Failure to comply with these provisions shall also result in automatic suspension of the Private Hire vehicle licence and may lead to the ultimate revocation of the licence, if a certificate is unable to be produced which confirmed that insurance cover was in place at the date of the original	Refer to condition number 13 of PHV conditions of licence.	Retain condition		

	request.				
19.4	Insurance certificates or cover notes submitted to the council in support of vehicle licence applications or renewals and issued by the insurance company to cover “any vehicle” or “any driver” must be accompanied by “any vehicle and/or any driver” schedule(s) together with a signed statement of undertaking by the insurance policy holder that the said schedule(s) does not contain information or details relating to vehicles and drivers which would fall into the exemptions stipulated by the Insurance Company when the policy was issued.	Refer to condition number 13 of PHV conditions of licence.	Retain condition	Consultation meeting – Any driver polices – Consensus agreed to maintain schedules	
19.5	Operators shall provide to the council proof of Public Liability Insurance to the value of £1,000,000.	Refer to condition number 13 of PHV conditions of licence.	Retain condition		
20.	CHEQUES.				
20.1	A licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared, and if not cleared will become void and will result in the revocation of such licence.	Not available	Retain condition	Police – keep this condition.	
21.	ADVERTISEMENTS.				
21.1	No form of advertising is permissible on any licensed Private Hire vehicle.	Refer to condition number 8 of PHV conditions of licence.	Retain condition	Police – keep existing conditions.	
21.2	The Operator shall not display or suffer or permit to be displayed on or from his premises or from any other place or from any licensed Private Hire vehicle, any sign or notice which consists of or includes the word Taxi or Cab whether in the singular or plural or any word of similar meaning or appearance to any of those words, whether alone or as part of another word, except where the Operator also makes Hackney Carriages available for hire and on such sign or notice must indicate that he/she also operates Private Hire vehicles(with letters of a size not less than those used for the word or words aforementioned.)	Refer to condition number 8 of PHV conditions of licence.	Retain condition		
21.3	The Operator shall ensure that any roof sign attached to any licensed Private Hire vehicle owned or operated by them displays the company name and telephone contact number and nothing	Refer to condition number 8 of PHV conditions of licence.	This condition relates to roof signs and may be amended in light of other proposals regarding roof		

	else save for “Advance Bookings Only” which shall be clearly visible at all times.		signs		
21.4	The Operator shall ensure that no Executive vehicle owned or operated by them bears any form of advertising whatsoever other than that described in 21.2. above and in any case only when that vehicle is carrying out standard private hire bookings and displaying a roof sign.	Refer to condition numbers 4.12 and 8 of PHV conditions of licence.	This condition relates to roof signs and may be amended in light of other proposals regarding roof signs		
22.	ADDITIONAL CONDITIONS.				
22.1	This list of conditions is not finite and additional information regarding all aspects, in detail, of all areas of Private Hire Operator, Vehicle and Driver licensing can be found in the official handbook issued by Borough of Telford & Wrekin.	No reference to this issue in the Dept of Transport of Best Practice. This condition is good practice in comparison with other councils.	Retain condition	Police – keep existing conditions.	<i><u>Recommend remove all of 22 as they are more appropriate as Explanatory notes.</u></i>
22.2	The Council reserves the right to amend conditions from time to time as may be required and without prior notice but such changes will be brought to the attention of the Private Hire and Hackney Carriage Trade as quickly as it is possible to do so and in most cases after consultation. It is therefore advisable for all Operators, Vehicle owners and Drivers to check with the council for information regarding such possible changes.	No reference to this issue in the Dept of Transport of Best Practice. This condition is good practice in comparison with other Councils.	Retain condition	Consultation meeting – to be removed.	
22.3	All licence holders must refer to the Town Police Clauses Act 1847, the Road Vehicles (Construction and Use) Regulations 1978 and the Road Traffic Act 1988. This list is not exhaustive.	This is a legislative requirement	Retain condition		
22.4	Any requirements of legislation which affect the operations being carried out under the terms of this Licence shall be regarded as if they are conditions of this Licence.	See 22.3	Retain condition		
22.5	Wherever there appears in the Licence Conditions/Guides/Handbook and summary of any statutory provision you are advised that such summary is not exhaustive.	The TWC condition is line with best practice as compared with other local authorities.	Retain condition		
	If in any doubt any information contained in this document please contact the Licensing Office for advice on 01952 383262.		Remove as condition and just have at end of the document.		

NEW PROPOSALS

<p>New A)</p>	<p><u>New Proposal: Criminal Record Checks for radio operators</u></p> <p>It is proposed that radio operators be required to be subject to a basic CRB check or to provide a certificate of good conduct from the relevant embassy or consulate as appropriate, when these become available.</p> <p>N.B. This would not be a condition of licence</p>	<p>Not available</p>	<p>Option for introduction</p> <ul style="list-style-type: none"> • Yes - to be introduced Immediately • Yes –Introduce over time as existing licences expire • Yes – but to be introduced over time as part of an accreditation improvement scheme • Comments 	<p>Trade</p> <ul style="list-style-type: none"> • It was felt that it was beyond the remit of the Council to concern themselves with staff directly employed by the company. • Response stated that other companies staff do not have to undergo these checks e.g. banks, building societies, insurance companies etc. • Wanted the Council to explain further their reasons for this proposal. <p>Police – Would be transparent and good practice. To be introduced immediately.</p> <p>Consultation meeting – consensus felt that this would be difficult to implement and want it to be examined further before implementation.</p>	<p><i>If it was not included as a condition of licence, it would be unenforceable as radio operators do not have to apply to the Council for a separate licence.</i></p>
<p>New B)</p>	<p><u>New Proposal: Duration of Operators Licences</u></p> <p>It is proposed that the standard duration for operator licences be extended from 1 year to 5</p>	<p>DfT Best Practice Guidance states that a requirement for annual licence renewal does not</p>	<p>Option for introduction</p> <ul style="list-style-type: none"> • Yes - to be introduced 	<p>Police – To be introduced over time as licences expire</p>	

	<p>years, in accordance with best practice, with options for interim periods of duration.</p>	<p>seem necessary and 5 years may be appropriate although Local Authorities may wish to offer operators the option of a licence for a shorter period if requested.</p>	<p>Immediately</p> <ul style="list-style-type: none">• Yes –Introduce over time as existing licences expire• Yes – but to be introduced over time as part of an accreditation improvement scheme• Comments		
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