



Licensing Policy

Hackney Carriage and Private Hire

Contents

Part	Subject	Page
1	Introduction	- 3
2	Licensing Principles and Processes	- 4
3	Licensable Activities	- 10
4	Compliance and Enforcement	- 21

Part 1 - Introduction

1 General Information

- (1) A hackney carriage is a taxi with a meter which is licensed for up to 8 passengers. It can be hired from a taxi rank or is available to be hailed in the street within the district where it is licensed.

A private hire vehicle is licensed for up to 8 passengers. It is not licensed to collect passengers from ranks or to be hailed in the street, but is licensed only to be hired by prior arrangement through a licensed Private Hire Operator.

- (2) The primary legislation relating to Hackney Carriage and Private Hire Licensing is contained in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.
- (3) The aim of this policy is to ensure the safety and welfare of the public who live, work and visit in Telford & Wrekin, while recognising the importance of thriving Hackney Carriage and Private Hire businesses to the local economy.
- (4) This policy will provide guidance to the licensing authority when considering licence applications and to persons who wish to apply for the following licences:

- ~~Hackney Carriage Drivers~~
- ~~Private Hire Vehicle Drivers~~
- Dual Drivers
- Hackney Carriages
- Private Hire Vehicles
- Private Hire Operators

- (5) This policy should be read in conjunction with Telford & Wrekin Council conditions of licence for Hackney Carriage Drivers and Vehicles and Private Hire Drivers, Vehicles and Operators.

2 Consultation

- (1) In determining this Licensing Policy, Telford & Wrekin Council has consulted widely as set out in **Appendix H**.
- (2) The views of all the appropriate bodies and organisations have been taken into consideration.

3 Review of the Licensing Policy

- (1) This policy will be subject to continuous evaluation and may be reviewed at anytime. At the time of the review all interested parties, partners and stakeholders will again be consulted.

Formatted: Indent: Left: 3.17 cm,
No bullets or numbering, Tab stops:
Not at 3.17 cm

Part 2 – Licensing Principles, Process and Delegation

4. Introduction

- (1) Telford & Wrekin Council (the Council) has adopted Part II of the Local Government (Miscellaneous Provisions) Act 1976 as amended. Together with the provisions contained in the Town Police Clauses Act 1847, the Council carries out the licensing of hackney carriage drivers and vehicles and private hire drivers, vehicles and operators.
- (2) This part of the policy will focus on the principles the Council will follow when administering licence applications, reviewing conditions, setting fees and setting the table of fares. It explains the roles and duties of the Licensing Committee and officers.

5 Licensing Principles

- (1) The Licensing Authority aims to provide a clear consistent service to Licence Holders, Members of the Public and other Stakeholders. We will look to balance the needs of the applicant against the need to ensure the safety of the public.
- (2) All licence applications will be considered and determined on their own merits.

6 Licensing Committee

- (1) Telford & Wrekin Council's Licensing Committee is made up of 10 members of the council. The Licensing Committee will deal with policy issues, conditions of licence, the setting of fees and charges, hackney carriage fares and applications for and reviews of licences.
- (2) The public must be able to see that the Licensing Committee acts in a fair and reasonable manner at all times.
- (3) Members when determining applications for a licence, renewals or reviews of a licence, will have regard to the Council's Taxi and Private Hire Licensing Criminal Convictions Policy, this Licensing Policy, the Council's Manual of Inspection Standards for Licensed Vehicle Testing and Compliance Standards, the Department for Transport Taxi and Private Hire Vehicle Licensing Best Practice Guidance, Road Traffic Act 1988, the Human Rights Act 1998, the Equality Act 2010 and relevant Case Law .

7 The Licensing Process & Delegation of Functions

- (1) The Council has delegated its licensing function to the Council's Licensing Committee who in turn has delegated authority to the Council's Principal Licensing Officer. The Principal Licensing Officer will determine all applications in accordance with the Council's licensing policies and each application will be determined on its own merit.
- (2) Where an application is referred to the Licensing Committee by the Principal Licensing Officer, the application will be determined at the earliest convenience on its own merits. Members of the Committee will take into consideration the facts of the application and hear the representations of the Applicant.

8 Decisions

- (1) Following the determination of an application by the Council the applicant will receive a copy of the decision in writing. This written decision will be delivered as soon as possible after the decision has been made. This will include information on the right of appeal where appropriate.

9 Appeals

- (1) Parties aggrieved by a decision of the Licensing Authority have a right of appeal. This should be lodged with the relevant Court in accordance with the statutory provisions.

10 Working in Partnership

- (1) The Council aims to work in partnership when dealing with Hackney Carriage and Private Hire Licensing issues. Such partnerships will include (but are not restricted to) West Mercia Police, Vehicle and Operator Services Agency (VOSA) Safer Communities, Telford Hackney Carriage Association, Telford Private Hire Operators Association, Telford Private Hire Drivers Association, other consumer groups and all licence holders.

Part 3 – Licensable Activities

11 Introduction

- (1) This part of the Policy will focus on the licensable activities and the necessary steps required to obtain and hold such a licence. These steps will include the standards required and the conditions that applicants and licence holders will be required to attain. The scope of this policy covers Hackney Carriage and Private Hire Drivers and Vehicles, and Private Hire Operators.

12 Appointments

- (1) Telford & Wrekin Council runs an appointment system. Applicants and licence holders will not be seen without an appointment and there is an administration fee for any missed appointments.

13 Criminal Record Disclosures

- (1) All criminal record disclosures will be required at the maximum level set by legislation.. This is currently a basic disclosure for Private Hire Operators and an enhanced disclosure for Private Hire and Hackney Carriage Drivers. Drivers who undertake work on Telford & Wrekin transport contracts are advised to contact the department of the Council which provides the contracts in order to ascertain what standard of criminal record disclosure is required.

14 ~~Hackney Carriage and Private Hire Vehicle Drivers~~ Dual Drivers

14.1 Summary

- (1) Any person who drives a Hackney Carriage must hold the appropriate vehicle driver's licence. Hackney Carriage Vehicle drivers licences are issued in accordance with section 46 of the Town Police Clauses Act 1847.
- (2) Any person who drives a Private Hire Vehicle must hold the appropriate vehicle driver's licence. Private Hire Vehicle drivers licences are issued in accordance with section 51 of the Local Government (Miscellaneous Provisions) Act 1976.
- (3) ~~A person can apply for a licence to drive either a Hackney Carriage or Private Hire Vehicle or they can apply for both types of licence. (This is known as a Dual Driver Licence).~~

14.2 Fit and Proper Person

- (1) Licensed drivers provide a public service. The Council will not licence anyone to drive a Hackney Carriage or Private Hire vehicle unless it is satisfied that they are a "fit and proper" person. In considering the fit and proper test, all drivers must complete a Disclosure and Barring Service check and satisfactory medical examination upon initial application and on renewal

at three yearly intervals thereafter. Further checks may be carried out if the Council has reason to believe that a person's medical circumstances have changed or if the person has been convicted of an offence since they were last licensed.

- (2) New applicants will be required to satisfy the application process outlined below.

14.3 New Applications

- (1) On initial application, before a licence is granted, applicants are required to:
- Submit a completed application form
 - Receive a satisfactory enhanced ~~Criminal Records Bureau (CRB)~~ Disclosure & Barring Service check
 - Attend the Council's driver awareness training including disability awareness training (responsibilities under the provisions of the Equality Act 2010.)
 - Pass the Council's knowledge test
 - Have two satisfactory references
 - Pass the ~~Driver Standards Agency (DSA) Driver Test~~ Road Safety Driver Assessment for ~~Hackney Carriage/Private Hire~~ Dual Drivers
 - Pass a Group 2 medical examination
 - Hold a DVLA/EC/EEA full category B driving Licence and must have held such a licence for not less than three years prior to applying for the licence.
 - Complete a DVLA data protection mandate
 - Pay the Council's licence fee

Telford & Wrekin Council are mindful that a number of drivers have licensed with a neighbouring authority and have relinquished their driver badges. In order to possibly encourage drivers to be licensed with this authority, we will introduce a 'fast-track' application process for such drivers. The process for such individuals previously licensed with Telford & Wrekin Council will be as follows:-

- Submit a completed application form
- Receive a satisfactory enhanced Disclosure & Barring Service (DBS) Check. If drivers can submit a DBS certificate less than 3 months old, the Licensing Service will accept the certificate. DBS certificates older than 3 months will require a new certificate
- No street knowledge test will be required as previously licensed drivers will have undertaken such a test
- Pass a Group 2 medical examination. However, all medicals have a three year expiry date. Providing that driver's medical held on file has not expired, we will not require a medical until such time that the 3 years has lapsed.
- Complete a DVLA data protection mandate
- Pay the Council's licence fee.

14.4 Period of Licence

- (1) Driver licences (Dual) will be issued for a period of ~~6 months on initial application, and thereafter for 12 months.~~ 3 years.
- (2) ~~Licences may be issued at the request of a driver for a period of 3 years for drivers who have been compliant with legislation and the Council's conditions of licence for the duration of their expiring licence period. If substantiated complaints are received about a driver during their 3 year licence, or they are not compliant with legislation and/or the Council's conditions of Licence, the licence may be reviewed and upon renewal reduced to 1 year.~~

14.5 Application Process

- (1) The application form must be fully completed and include all relevant information. If any part of the application form is not complete, the applicant will be required to provide all the required information before the application can be accepted for processing.
- (2) An appointment must be made with the Council's Licensing Service to complete a CRB DBS disclosure application form. The application process will be explained at this time. A photograph of the applicant will be taken at the Council offices and this photograph will appear on the driver's badge upon grant of the licence. The fee for the first 6 months' licence and the CRBDBS check will be payable at the initial appointment. The applicant must also produce their original DVLA/EC/EEA driving licence.
- (3) Upon completion of a satisfactory Knowledge Test, and receipt of a satisfactory Criminal Record Check Disclosure & Barring Service Check, medical certificate and a DSA certificate, an appointment can be made with the Licensing Service to collect and sign for your licence.
- (4) Where an applicant is found to have provided false information or knowingly omitted to declare information, the application may be refused.
- (5) The applicant should complete the application process within 3 months. If the applicant fails to do so, the application process must be started again.

14.6 Criminal History

- (1) Due to the nature of the occupation, Hackney Carriage and Private Hire Vehicle Drivers are an exempt occupation under the provisions of the Rehabilitation of Offenders Act 1974. As a result, convictions are deemed never to be spent. When considering convictions and endorsements, the council will only take into consideration such convictions deemed to be relevant.
- (2) A criminal record does not automatically bar an applicant from holding a ~~Hackney Carriage or Private Hire Vehicle~~ Dual Driver Licence.

Criminal convictions will be considered in light of the Council's
Taxi and Private Hire Licensing Criminal Convictions Policy.

- (3) On the return of a [CRB DBS](#) check where convictions have been disclosed, the Principal Licensing Officer will consider the convictions and either determine the application under delegated authority or may refer the application to the Council's Licensing Committee for determination.
- (4) Persons who have not been resident within the United Kingdom for the five years prior to submitting an application, will be required to produce a certificate of good conduct or equivalent document issued by the relevant Embassy or High Commission. The certificate should be authenticated, translated and sealed by the embassy/consulate. The Council may contact the relevant Embassy or appropriate body to verify any documents provided. Proof of a right to work in the United Kingdom will also be required. Find contact details for embassies and High Commissions in the UK on the Foreign & Commonwealth Office (FCO) website. You can also contact the FCO Response Centre Helpline on Tel 020 7008 1500.

14.7 Street Knowledge Test

- (1) Applicants for a licence to drive a Hackney Carriage or Private Hire Vehicle will be required to pass the Council's Knowledge Test. Details of what is required in the Knowledge Test are included in the driver application pack.
- (2) Normal examination conditions will apply during the Knowledge Test. Any person found to be using unfair means during the test will be excluded from the test and will be required to take a fresh test and pay the appropriate fee. This may also affect their fitness and propriety to be granted a licence.
- (3) There is no charge for the initial Knowledge Test. If an applicant fails the Knowledge Test, there will be a £10 charge for every subsequent test and every missed test.
- (4) If an applicant fails the Knowledge Test 3 times, they must wait 3 months before being able to start the application process again.

14.8 Medical Requirements

- (1) All applicants for a Hackney Carriage or Private Hire Vehicle Drivers Licence are required to undertake a Group 2 medical examination. This medical examination should be carried out by the applicant's registered General Practitioner (GP) or any registered GP who has seen the applicant's medical records.
- (2) Should an authorised officer have reason to believe that a licensed Hackney Carriage or Private Hire Vehicle Driver has a medical

condition which renders them unfit to drive, a further medical examination will be requested. This medical examination should again be carried out by the driver's GP or any registered GP who has seen the applicant's medical records. If it is deemed necessary to do so, the licence may be suspended in the interests of protecting the public until the further medical examination has been carried out.

14.9 DVLA and Other Relevant Driving Licences

- (1) A person applying for a ~~Hackney Carriage or Private Hire Vehicle Drivers Dual~~ licence must have a minimum of three years' driving experience on a full UK/EC/EEA licence.
- (2) Applicants will be required to produce the original of their DVLA driving licence. Copies will not be accepted. Where a driving licence has a photo card and counter-part paper licence, applicants will be required to produce both parts and they must be of the same issue number.

14.10 English Speaking

- (1) Applicants will need to be able to converse in English to a standard that would be reasonably expected of a person undertaking a role as a private hire or a hackney carriage driver.

14.11 Renewal of licence

- (1) A licence must be renewed before it reaches its expiry date to allow continued driving of a licensed vehicle. Once a licence expires, is revoked or surrendered, it ceases to exist. Only in exceptional circumstances would an application for renewal be entertained ~~after expiry after a delay of two to three days~~, otherwise a new application will be required. If a licence lapses due to exceptional circumstances for longer than two to three days, a new licence may be applied for within 1 year of the expiry date, upon completion of a satisfactory criminal record check. If it has lapsed for medical reasons, a new medical examination may be required. If the licence has lapsed for more than 1 year, the application process as outlined at 14.5 must be completed in full.
- (2) If a licence has been surrendered or revoked, then in all cases a new application must be completed in full as outlined in 14.5 above before the applicant will be re-licensed.

14.12 Licence Conditions

- (1) When a driver is issued with a licence the driver will be asked to sign for his licence and the attached conditions.
- ~~(2) A copy of the Council's Hackney Carriage Driver Licence conditions is attached at Appendix B.~~

~~(3) A copy of the Council's Private Hire Vehicle Driver Licence conditions is attached at Appendix C.~~

~~(4)~~(2) A copy of the Council's Dual Driver Licence conditions is attached at Appendix DA.

15 Hackney Carriages

15.1 Summary

- (1) Hackney Carriage or Public Hire Vehicles are licensed in accordance with the provisions contained in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.
- (2) Commonly known as Taxis, Hackney Carriages are licensed to stand for hire at a taxi rank or can be hailed in the street in the area of the council with which it is licensed and may also undertake pre-booked journeys anywhere in the country.

15.2 Use of Vehicles

- (1) A person applying for a licence for a Hackney Carriage Vehicle should do so with the intention of using the vehicle in the controlled district of Telford & Wrekin. Where the intention is to use a licensed vehicle in another district for private hire, then the applicant should apply to the said district for an appropriate licence.
- (2) In accordance with section 57 of the Local Government (Miscellaneous Provisions) Act 1976 a person applying for a licence will need to indicate whether the vehicle will be used primarily within the Borough of Telford and Wrekin or outside the Borough. Details will be required as to the proportion of business to be carried out both within the Borough and outside it. In addition details of the location of business carried on outside the Borough will be required. Applications received where the primary use of the vehicle is outside the Borough will be referred to the Licensing Committee.

15.3 Period of Licence

- (1) Vehicle licences will be issued for ~~either a period of 6 or 12 months~~ only 12 months.

15.4 Application Process

- (1) The application process is the same for a new or renewal application. In addition to completing an application form, a person wishing to license a hackney carriage vehicle will need to submit a valid certificate of insurance for public hire, the V5 registration form, a Telford & Wrekin Council compliance certificate and the licence fee.
- (2) The Council accepts that a full V5 registration form in the new owner's name is not always available upon first licence, however, the V5/2 green section of the V5 form must be produced. Where the green

section has been produced on first licensing the vehicle, a full V5 form in the new owner's name must be produced at the earliest opportunity and in any case upon renewal of a licence. A V5 form or proof of purchase must be produced upon transfer of a vehicle licence.

15.5 Testing of Vehicles

- (1) Vehicles licensed to carry persons for hire and reward must be fit, safe, comfortable and suitable for the purpose for which they are licensed. Vehicles will be tested and inspected at the council's approved testing station by a VOSA authorised MOT examiner. On satisfactory completion of the test, a Certificate of Compliance will be issued. The test and inspection includes a number of items in addition to the normal MoT test. These elements have been deemed reasonable and necessary in order to protect the public using licensed vehicles. The Council's Manual of Inspection Standards for Licensed Vehicle Testing provides a guide for those who prepare vehicles for/or carry out the statutory tests on Hackney Carriages and Private Hire Vehicles. It also provides vehicle owners with the compulsory requirements that enable a vehicle to be licensed.
- (2) To ensure that vehicles licensed within the controlled district of Telford & Wrekin meet these criteria, the Council has determined that vehicles will be subjected to a test to a frequency specified in the Council's conditions of licence.
- (3) If the Council's Authorised Officer or Police Constable when inspecting a vehicle is not satisfied as to the fitness of the vehicle or the accuracy of the meter, he may give written notice to the Proprietor to make the Hackney Carriage and/ taxi meter available for further inspection and testing at such reasonable time and place as may be specified and the vehicle licence may be suspended until the Authorised Officer or Police Constable is satisfied as to the vehicle's fitness or as to the accuracy of the taxi meter.
- (4) The Certificate of Compliance once issued is only valid in conjunction with a valid Hackney Carriage Licence.
- (5) If a vehicle has been off the road for more than a month it must undergo a compliance test before it can return to work in the controlled district of Telford & Wrekin.

15.6 Roof Signs

- (1) All Hackney Carriages shall be fitted with a roof sign. The roof sign shall display the wording "TAXI" or "For Hire" on the front of the sign. The rear of the sign can be used to display the company or telephone number of the business, or the wording "TAXI" or "For Hire". Roof signs shall not be blank.

15.7 Advertising

- (1) Proprietors may advertise on Hackney Carriages in accordance with the conditions of licence and subject to written approval from the Licensing Authority.

15.8 Closed Circuit Television (CCTV)

- (1) Hackney Carriage Vehicles may be fitted with closed circuit television (CCTV) systems in accordance with the council's CCTV policy.

15.9 Ranks

- (1) Hackney Carriage Ranks/Stands are provided in accordance with the Local Government (Miscellaneous Provisions) Act 1976. The Council will work with the Taxi trade, Highways and West Mercia Police to determine where ranks/stands should be situated.
- (2) Drivers should use the ranks available to them. Where a driver is standing plying for hire and is illegally parked if, in the opinion of an Authorised Officer of the council or police constable, the driver is plying for hire in a dangerous location the said driver's licence may be reviewed and such conduct may be deemed reasonable cause to revoke or suspend the licence under section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976 or any other appropriate action.

15.10 Disabled Access

- (1) Drivers of vehicles adapted to carry disabled passengers must be trained in the use of equipment necessary to convey the passenger safely.
- (2) Assistance dogs shall be conveyed in the vehicle with the passenger in accordance with statutory requirements (unless an exemption applies).

15.11 Internal Plates

- (1) Internal plates shall be securely fixed in the front windscreen on the passenger side of the vehicle or on the partition for purpose built vehicles where a partition is fitted.
- (2) Tactile Braille plates shall be fixed to the recess on the inside of the rear passenger door.

15.12 Renewal of a Licence

- (1) A licence must be renewed before it reaches its expiry date to allow the vehicle to continue to be used for hire and reward. Once a licence expires, is revoked (subject to a statutory appeal process) or surrendered, it ceases to exist. Only in exceptional circumstances would an application for renewal be entertained after a delay ~~of two to three days and for grandfather rights to be retained where applicable,~~ otherwise a new application will be required.

15.13 Licence Conditions

- (1) Conditions attached to Hackney Carriage licences will be regularly reviewed to ensure that they are reasonable and fit for purpose. A copy of the conditions attached to Hackney Carriage Licences is attached as **Appendix E**.

16 Private Hire Vehicles

16.1 Summary

- (1) Private Hire Vehicles are licensed in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976. Private Hire Vehicles must not have the appearance of a Hackney Carriage Vehicle.
- (2) When considering whether a vehicle is a Private Hire Vehicle by the nature of the work it does, Telford & Wrekin Council shall have regard to the document Private Hire Vehicle Licensing - A note for guidance from the Department for Transport <http://assets.dft.gov.uk/publications/phv-licensing-guidance-note/phv-licensing-guidance.pdf>

16.2 Period of Licence

- (1) Vehicle licences will be issued for ~~either a period of 6 or 12 months~~ only 12 months

16.3 Application Process

- (1) The application process is the same for a new or renewal application. In addition to completing an application form, a person wishing to licence a Private Hire Vehicle will need to submit a valid certificate of insurance for private hire, the registration certificate, a Telford & Wrekin Council's compliance certificate and the licence fee.
- (2) The Council accepts that a full V5 registration form in the new owner's name is not always available upon first licence, however, the V5/2 green section of the V5 form must be produced. Where the green section has been produced on first licensing the vehicle, a full V5 form in the new owner's name must be produced at the earliest opportunity and upon renewal of a licence. A V5 form or proof of purchase must be produced upon transfer of a vehicle licence.

16.4 Testing of Vehicles

- (1) Vehicles licensed to carry persons for hire and reward must be fit, safe, comfortable and suitable for the purpose for which they are licensed. Vehicles will be inspected and tested at the council's approved testing station by a VOSA authorised MOT examiner. On satisfactory completion of the test, a Certificate of Compliance will be issued. The test and inspection includes a number of items in addition to the normal

MOT test. These elements have been deemed reasonable and necessary in order to protect the public using licensed vehicles. The Council's Manual of Inspection Standards for Licensed Vehicle Testing provides a guide for those who prepare vehicles for/or carry out the statutory tests on Hackney Carriages and Private Hire Vehicles. It also provides vehicle owners with the compulsory requirements that enable a vehicle to be licensed.

- (2) To ensure that vehicles within the controlled district of Telford & Wrekin meet these criteria, the Council has determined that vehicles will be subjected to a test to a frequency specified in the Council's conditions of licence.
- (3) The Certificate of Compliance once issued is only valid in conjunction with a valid Private Hire Vehicle Licence.
- (4) If a vehicle has been off the road for more than a month it must undergo a compliance test before it can return to work in the Telford & Wrekin area.

16.5 Novelty Vehicles, Stretched Limousines and Vintage Vehicles

- (1) Vehicles such as stretched limousines and fire engines will be licensed by the Council, however such types of vehicle would only be licensed as a Private Hire Vehicle.
- (2) In addition to the vehicles mentioned in **paragraph 16.5 (1)**, vehicles such as vintage vehicles will also be considered for licensing.

16.6 Closed Circuit Television (CCTV)

- (1) Private Hire Vehicles may be fitted with closed circuit television (CCTV) systems in accordance with the Council's CCTV policy.

16.7 Disabled Access and Assistance Dogs

- (1) Where a vehicle is adapted to carry disabled passengers, then the driver of the said vehicle should have appropriate training to ensure that the passengers are conveyed safely.
- (2) Assistance dogs shall be conveyed in the vehicle with the passenger in accordance with statutory requirements (unless an exemption applies).

16.8 Internal Plates

- (1) Internal plates shall be securely fixed in the front windscreen on the passenger side of the vehicle: just above the tax disc in saloon type vehicles, and on the partition for purpose built vehicles where a partition is fitted.

16.9 Magnetic Plates

- (1) Magnetic plates will only be fitted to vehicles with reversing sensors or with a bumper of a style where the Council approved fixing kit cannot be used.

16.10 Renewal of a Licence

- (1) A licence must be renewed before its expiry date to allow the vehicle to continue to be used for hire and reward and to retain grandfather rights where applicable. Once a licence expires, is revoked (subject to a statutory appeal process) ~~or surrendered~~, it ceases to exist. Only in exceptional circumstances would an application for renewal be entertained ~~after expiry after a delay of two to three days~~, otherwise a new application will be required.

16.11 Licence Conditions

- (1) Conditions attached to Private Hire Vehicle licences will be regularly reviewed to ensure that they are reasonable and fit for purpose. A copy of the conditions attached to a Private Hire Vehicle Licence is attached to this policy as **Appendix F**.

17 Private Hire Operators

17.1 Summary

- (1) Private Hire Operators are licensed in accordance with the Local Government (Miscellaneous Provisions) Act 1976. Any person who wishes to take bookings, in the course of a business for a Private Hire Vehicle must hold a Private Hire Operator Licence.

17.2 Application Process

- (1) In addition to completing an application form, an operator must produce a list of the vehicles and drivers which they operate and any fleet insurance they hold with an accompanying schedule of vehicles and named drivers disclosed to the insurance company.

17.3 Criminal Record Disclosure

- (1) All applicants for a Private Hire Operators Licence must prove that they are a fit and proper person to hold a licence. Telford & Wrekin Council requires an applicant to provide a Basic Criminal Record Disclosure from Disclosure Scotland. If the Private Hire Operator is an individual, they must provide the Criminal Record Disclosure. If the Private Hire Operator is a company, then the company Director(s) named on the application form must provide the basic Criminal Record Disclosure.

You can apply to Disclosure Scotland online, by telephone or in writing:

Telephone: 0870 609 6006

Website: www.disclosurescotland.co.uk.

Disclosure Scotland

PO Box 250

Glasgow

G51 1YU

17.4 Record Keeping

- (1) Operators shall keep records in accordance with the conditions attached to their licence. Such records should be available upon request from a Police Constable or Authorised Officer.

17.5 Planning Consent

- (1) Operators are advised that they should ensure that they have any appropriate planning consent required to operate their business.

17.6 Licence Conditions

- (1) Conditions attached to Private Hire Operator licences will be regularly reviewed to ensure that they are reasonable and fit for purpose. A copy of the conditions attached to a Private Hire Operator Licence is attached to this policy as **Appendix G**.

18 Compliance and Enforcement

18.1 Summary

- (1) The Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 contain a number of offences. Many of these offences relate to the protection of the public.
- (2) The Council's Compliance and Licensing Officers will work closely with the Hackney Carriage and Private Hire trades to achieve compliance with the legislation and the Council's conditions of licence and will do so in accordance with the Council's Public Protection Enforcement Policy.
- (3) The Licensing Service will also look to work closely with other enforcement authorities when dealing with licensed and or unlicensed vehicles and drivers, especially concerning cross boundary related issues.
- (4) The Local Government (Miscellaneous Provisions) Act 1976 also gives the authority powers to serve notice on proprietors of Hackney Carriage and Private Hire Vehicles to produce their vehicle for inspection to ascertain its fitness. Where a vehicle is deemed unfit for its intended purpose the proprietor will be issued with a suspension notice in accordance with section 68 of the Local Government (Miscellaneous Provisions) Act 1976. Where the vehicle defects are not rectified within two months from the date of the notice, the licence will automatically be deemed to be revoked.
- (5) Where the vehicle has defects which are in breach of licence conditions, a Breach of Conditions Notice will be issued. If the fault is not rectified within the time specified in the Notice, the licence will be suspended under section 68.

18.2 Complaints

- (1) The Licensing Service will investigate all complaints reported to the Service. Where appropriate, complainants will be encouraged to raise the complaint with the licence holder or business concerned in the first instance. .

Contact Details

For information, advice and guidance relating to licensing and the application process please contact;

Licensing Service
Telford & Wrekin Council
Darby House
Lawn Central
Telford
TF3 4JA

Telephone: 01952 383264
Fax: 01952 381993
Email: licensing@telford.gov.uk