

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

SUNDERLAND CITY COUNCIL PRIVATE HIRE OPERATOR'S LICENCE

CONDITIONS OF LICENCE

The operator shall at all times comply with the relevant statutory provisions applying to his/her licence.

In these conditions, the following words and phrases shall have the following meanings:

- 'operator' means the holder of a private hire operator's licence granted by the Council under Section 55 of the 1976 Act;
- 'vehicle' means a private hire vehicle as defined in Section 80 of the 1976 Act;
- 'proprietor' means the holder of a Private Hire Vehicle Licence;
- 'the 1976 Act' means the Local Government(Miscellaneous Provisions) Act 1976;
- 'the Council' means the Council of the City of Sunderland;
- 'Operating premises' means the premises specified in the operator's application for a licence as being the premises from which the operation of private hire vehicles is to take place;
- 'the Director of Community and Cultural Services' means the Director of Community and Cultural Services of the Council.

1 VEHICLES AND DRIVERS

- (a) The operator shall not operate a vehicle unless it has a valid licence issued under Section 48 of the 1976 Act. The operator shall check that all vehicles operated by him/her have such a licence, and in particular shall be under a duty to check that such licences are renewed as and when necessary.
- (b) The operator shall not operate a vehicle unless the driver thereof has a valid licence and badge issued under Section 51 of the 1976 Act. The operator shall check that all drivers have a valid licence before they begin driving, and in particular shall ensure that such licences are renewed as and when necessary.
- (c) The operator shall not wilfully or negligently cause or suffer the licence plates attached to a vehicle or the vehicle licence windscreen permit or licence number marked inside the vehicle to be concealed from public view or to be so defaced that any figure or material particular is illegible.

- (d) The operator shall not tamper with or permit anyone to tamper with any taxi meter with which a vehicle is equipped.
- (e) The operator shall not wilfully or negligently cause or suffer any fare table fixed in a vehicle to be inverted or detached or wilfully or negligently cause or suffer the letters or figures on such a table to be altered or to be in any manner by any means concealed at any time.

2 RECORDS

- (a) The records required to be kept by the operator under Section 56 (2) of the 1976 Act, shall be kept in a suitable book, the pages of which are numbered consecutively, or by computer, with facilities to print and the operator shall enter or cause to be entered there in, BEFORE the commencement of each journey, the following particulars of each booking of a vehicle invited or accepted by him:-
 - (i) The time and date of the booking.
 - (ii) The name of the hirer.
 - (iii) The time of pick-up.
 - (iv) The point of pick-up.
 - (v) The destination.
 - (vi) The time at which the driver was allocated to the booking
 - (vii) The licence number of the vehicle allocated for the booking.
 - (viii) Remarks (including details of any sub-contracts).

The above record shall be retained by the operator for a period of one year and be available at the operating premises for examination by officers of the council or any police constable and may be removed for further examination or copying.

- (b) Computerized booking records should be consecutively numbered by page with facilities for printing of the said records, to enable removal for further examination or copying.
- (c) The operator shall keep records of all private hire vehicles operated by him/her in the following manner:-
 - (i) private hire vehicle licence number
 - (ii) make and registration number
 - (iii) name of proprietor
 - (v) insurance details
- (d) The above records must be available for inspection upon the request of an officer of the Council.

- (e) The operator shall submit to the Director of Community and Cultural Services, in writing on the form provided for the purpose, on or before the 7th day of each month, the vehicle licence numbers, of all vehicles operated by him/her during the previous month and the names of all proprietors and drivers of such vehicles, together with the vehicle and drivers call sign, current insurance policy or cover note details and expiry dates and any other information which the Director of Community and Cultural Services may from time to time require.

3 ACCEPTANCE OF BOOKINGS

NOTE - Under Section 56(1) of the 1976 Act, every contract for the hire of a private hire vehicle shall be deemed to be made with the operator who accepts the booking, whether or not that operator subsequently provided the vehicle.

- (a) The operator shall not accept a booking for a vehicle to convey any greater number of persons than that which such vehicle is licensed to convey.
- (b) An operator who accepts a booking for a vehicle to be in attendance at an appointed time and place, shall ensure that unless delayed or prevented by some sufficient cause, a suitable vehicle attends at such time and place.

4 ADVERTISING

- (a) The operator shall not use any trading name or logo in connection with this licence for the use on vehicles, premises or advertising materials associated therewith other than that shown on the licence or otherwise approved in writing by the Director of Community and Cultural Services.
- (b) No trading name shall be used which could be construed as being misleading to the public, or offensive or otherwise inappropriate.
- (c) The word "taxi" or "cab" or similar derivatives shall not be used in connection with any private hire operation.

5 LOST PROPERTY

The operator shall ensure that all lost property found in vehicles operated by him/her and passed on to him/her by the driver of the vehicle is handed into the Community and Cultural Services Department, Civic Centre, Sunderland within 72 hours of the property being found.

6 CHANGE OF ADDRESS

The operator shall notify the council in writing of any change of his/her address, or that of the operating premises, during the period of the licence, within seven days of such change taking place.

7 CONVICTIONS

The operator shall disclose to the Council in writing details of any conviction imposed on him/her, (or, if the operator is a Company, on any of its Directors) during the period of the licence, within seven days of the date of conviction.

8 OPERATOR'S LICENCE

The operator shall display the operator's licence issued by the Local Authority in a conspicuous position at the operating premises.

9 STANDARD OF SERVICE

The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular

- (a) Ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall unless delayed or prevented by sufficient cause punctually attend at that appointed time and place.
- (b) Keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access, for the purpose of booking or waiting.
- (c) Ensure that any waiting area provided by the operator has adequate seating facilities.

10 PREMISES

- (a) The operator shall ensure that a current planning consent in respect of the operating premises is in force where applicable, and shall adhere to any conditions imposed by such consent.
- (b) All premises for the operation of private hire vehicles shall have the adequate off street parking facilities for the number of vehicles specified on the operator's application form.

11 GENERAL

- (a) The operator shall not, in any street, or other public place tout or solicit any person to hire or be carried in any private hire vehicle, or cause or procure any other person, to tout or solicit on a street or public place any person to hire or be carried in any private hire vehicle. For the purposes of this condition the term "street or other public place" shall include any road, square, court alley and thoroughfare, or public passage or any other land to which the public have a legal right of access.
- (b) The operator shall to the best of his/her ability ensure that all vehicles and drivers used under the scope of his/her licence comply with all the conditions attached to vehicle and drivers' licences issued by the Council.

THE OPERATOR'S LICENCE IS NOT TRANSFERABLE