



# Application for Private Hire Operators Licence

**Every contract for the hire of a private hire vehicle licensed under the above Act shall be deemed to be made with the person who makes provision for the invitation or acceptance of a booking for a private hire vehicle whether or not he/she provides the vehicle. Therefore if any proprietor of a private hire vehicle or other person intends to take bookings they will require a Private Hire Operators Licence.**

- 1 Every contract for the hire of a private hire vehicle shall be deemed to be made with the Operator who accepted the booking for that vehicle. (Local Government (Miscellaneous Provisions) Act 1976.
- 2 A licensed private hire operator may only use drivers and vehicles licensed by the same council. Following the implementation of the Deregulation Act in October 2015, Licenced Operators are permitted to allocate jobs to a Licenced Operator outside of their borough, providing the said operator is Licenced by the Authority in which it presides.
- 3 Bookings may only be accepted through a direct dial landline. Mobile numbers may not be used.
- 4 A booking may be made via the internet providing the booking is made at the licensed operator's base via a computer at that premises.

## **Records of Hire**

- 5 The operator shall record in a suitable system (PC file/spreadsheet/book) particulars of every private hire booking at the time of booking. NB: Please familiarise yourself with the Data Protection Act 1998 to ensure compliance with the law.
- 6 The records shall be kept for a period of not less than 9 months, or such longer period if required by the Council or an Authorised Officer.
- 7 The records shall be produced on request to any Authorised Officer of the Council or a Police Officer.
- 8 If using an computer based system, the operator shall ensure that the design of the system used will not allow any data, once entered, to be changed, altered or deleted.

## **Records of Vehicles and Drivers**

- 9 The operator shall maintain the particulars of the following at each licensed premises:
  - Licence plate of vehicle
  - Registration number of vehicle
  - Name and address of the proprietor of vehicle
  - Names and addresses of the drivers of the vehicle
  - Badge numbers of drivers of vehicle
  - A current copy of the vehicle licence
  - A current copy of the relevant insurance
  - A current copy of the all drivers Hackney Carriage/Private Hire drivers licencesWhich shall be duly produced upon request to any Authorised Officer of the Council or Police Officer.

## **Fares**

10. Information for the basis of the charge apportioned to a journey must be made available either verbally or in writing, to the customer prior to accepting the booking.
- 11 Where meters are used, a table of charges (tariff) must be produced and issued by the operator, shall be clearly displayed at all times within the vehicle and on the premises.
- 12 An operator must give a driver sufficient time when accepting the booking, so as to allow them to attend punctually.
- 13 If a vehicle suffers a failure (e.g. puncture, mechanical breakdown), the customer shall not be charged for the journey and alternative transport must be provided as soon as notification of the incident is made to the operator. NB: Any instances of this should be noted to the Licensing Office within 24 hours of occurrence.

- 14 When accepting bookings for large groups of people with luggage, the Operator shall ensure that the vehicle provided is of suitable capacity and provides sufficient luggage space for such purpose. Roof racks are permitted, however the use of trailers is not.

### **Reporting of Accidents**

15. (a) Any damage to the private hire vehicle materially affecting its safety, performance or appearance shall be reported by the proprietor to the Council, as soon as practicable and in any case, within 72 hours in accordance with Section 50(3) of the Local Government (Miscellaneous Provisions) Act 1976 and until any such damage is repaired as required by the Authorised Officer, the private hire vehicle shall not be used as such.

### **Convictions**

- (b) The Operator shall notify the Council in writing of any convictions (including fixed penalty notices) motoring, criminal or otherwise recorded against them by any Court within 7 days of such conviction being imposed.

### **Planning Permissions**

- 16 The operator must ensure that the premises has the correct planning permissions for the premises use.

### **Change of Address**

- 17 Any change of address must be notified in writing to the Licensing Section within 7 calendar days. Please note that Operator licences are **not** transferrable.

### **Touting**

- 18 The operator shall not:
- (a) Tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle;
  - (b) Cause or procure any other person 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.

NB: For the purposes of this condition a 'road' means any highway and any other road to which the public has access including bridges over which a road passes. 'Public place' includes railway stations.

### **Complaints**

- 19 Operators must operate and abide by a complaints procedure, which in its minimum should be;
- A system (either computer based or manual) for the logging of all complaints.
  - Advise customers on their complaints procedure.
  - Report the complaint to the Licensing Section within 48 hours of receipt.
  - Keep all records for a minimum of 12 months.
- 20 The Licensing Manager will inform the operator of any outcome of the complaint following the formally identified complaints procedure detailed in the 'Taxi Licensing Policy'.
- 21 The operator shall display prominently on (each) of their licensed premises, a copy of their current Operators licence.

### **Note to Applicants:**

The Authority is under a duty to protect the public. As such, the information you provide on this application may be shared with other administering public bodies, Council Departments and Government Services which may be used for the prevention of fraud or other serious offences.

### **Certificate of Character - DBS**

Only persons deemed by St Helens Council to be a fit and proper person may hold a Private Hire Operators licence. In order to be deemed 'fit and proper' all applicants for a Private Hire Operators Licence must obtain a standard disclosure form from the Disclosure and Barring Service (DBS). Not required if you are already licensed by St Helens Council as a Driver or Operator.

## **PRIVACY POLICY**

Here at St. Helens Council we take your privacy seriously. We will only use your personal information to administer your application and provide the products and services you have requested from us.

From time to time we may need to contact you with details of the service or information we require from you and we will do this using the contact information you provided on your application form. This can either be by post, email, telephone or text message.

The Council has a duty to protect the public and we implement a number of security measures to maintain the safety of your personal information. Please be aware however that the information you provide on this application may be shared with other public bodies where required, such as Council Departments and Government Services, which may be used for the prevention of fraud or other serious offences.

If you require a copy of the data we hold or believe it to be inaccurate please contact the Council's Data Protection Officer by email on [dataprotection@sthelens.gov.uk](mailto:dataprotection@sthelens.gov.uk).

Any further information held by the Council about individuals will be held securely and in compliance with the law. Information will not be held for longer than required and will be disposed of securely. Further information regarding retention periods is available on the Council's website at <https://www.sthelens.gov.uk/Licensing>

**SECTION 1 - FIRST APPLICANT**

Full name: .....

Date of Birth: .....

Address: .....

Telephone: .....

Email Address: .....

National Insurance Number: .....

**List all convictions motoring or otherwise. Write NIL if no convictions. Do not leave blank.**

Date of Conviction	Court	Offence	Sentence

You are not obliged to divulge 'spent' convictions under the Rehabilitation of Offenders Act 1974. If in doubt please consult the Licencing Unit.

Are there any court cases pending against you? **YES/NO**

If YES give date of Hearing and Name of Court: .....

**DECLARATION**

**I declare that the information given in this application is correct and understand that the withholding of information of the submission of false information may lead to prosecution.**

Signed: ..... Date: .....

**SECTION 2 – SECOND APPLICANT**

Full name: .....

Date of Birth: .....

Address: .....

Telephone: .....

Email Address: .....

National Insurance Number: .....

**List all convictions motoring or otherwise. Write NIL if no convictions. Do not leave blank.**

Date of Conviction	Court	Offence	Sentence

You are not obliged to divulge 'spent' convictions under the Rehabilitation of Offenders Act 1974. If in doubt please consult the Licencing Unit.

Are there any court cases pending against you? **YES/NO**

If YES give date of Hearing and Name of Court: .....

**DECLARATION**

**I declare that the information given in this application is correct and understand that the withholding of information of the submission of false information may lead to prosecution.**

**Signed:**..... **Date:** .....



**SECTION 4 – DECLARATION**

I understand that as a licensed Private Hire Operator I/we will be responsible for providing vehicles and drivers for that purpose and it is my/our responsibility for ensuring that only licensed vehicles and drivers are used and only a landline telephone based within the borough of St Helens may be used for accepting telephone bookings.

I further understand that soliciting any person on a road or other public place to hire or be carried in a private hire vehicle when that vehicle has not been pre-booked at a booking office by phone or in could lead to formal action against the operator, proprietor and driver of the vehicle for an offence under the Local Government (Miscellaneous Provisions) Act 1976.

I have read and understand the conditions of licence attached to this application.

**Signed:** ..... **Date:** .....

**Print name:** .....

**Signed:** ..... **Date:** .....

**Print name:** .....

**For office use only**

<b>Date received</b>	<b>Amount</b> £ EP	<b>Receipt No.</b>	<b>Licence No.</b>
<b>Signed:</b> ..... <b>Date:</b> .....			

Completed application forms should be returned together with the appropriate fee to:

**Licensing and Land Charges**  
Wesley House, Corporation Street, St. Helens WA10 1HF  
**Email:** taxilicensing@sthelens.gov.uk