



**MANCHESTER
CITY COUNCIL**

Standard Conditions for Private Hire Operator Licences

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Standard Conditions Attached to a Private Hire Operator Licence

The conditions attached herein apply to all new Operator licences granted following the date of publication (XX/XX/XXXX), and all existing licences granted prior to this date shall have these new conditions transferred over to their existing licence with effect from 1st March 2019.

1. In this licence:

"authorised Officer" has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976;

"the Council" means the Council of the City of Manchester;

"the Operator" means a person holding a licence to operate private hire vehicles issued pursuant to Section 55 of the Local Government (Miscellaneous Provisions) Act 1976;

"private hire vehicle" has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

2. The Private Hire Base/Booking Office

(i) The Operator Base Premises / Booking Office must be located within the City Council Boundary.

(ii) Legislation/Regulations

Operators should make themselves aware of any legislation/regulations which must be complied with in relation to the operating of the licensed private hire base (premises). This should include but is not limited to:

- Planning permission
- Health and Safety
- Fire
- Gambling Act (relating to the prohibition of any gaming machines on the premises)

(iii) Radio Equipment

Where installed must be maintained in a sound condition and any defects repaired promptly.

(iv) Waiting area (where applicable).

(a) Must be kept:-

- Clean
- Ventilated
- Illuminated
- Adequately heated

(b) Must display the following at all times in a prominent position, where the public have access and the notices can be easily read:-

- A copy of the current Operator Licence
 - A schedule of fees and charges
 - A notice which provides information as to how a complaint may be made
 - The address and contact details of the MCC Licensing Unit
- (v) If the Operator has a website and/or uses Application based technology to attract bookings, the Notices listed in section 2(iv)(b) above must also be available to view on the relevant web pages / Application menu.

3. Bookings (Via Telephone, automated and App based technology)

- (i) The Operator takes responsibility for ensuring that a licensed private hire vehicle attends at an appropriate place to allow safe entry and exit from a vehicle, and attend punctually at the appointed time and place, unless prevented from doing so by some sufficient cause, and if cancelled for good reason, it remains the Operator's responsibility to dispatch an alternative vehicle and notify the customer accordingly.
- (ii) The hirer shall be provided with the following information (whether via telephone, automated booking system, or booking App), at the time of booking:
- The fare or the rate of fare (if required)
 - If a non-Manchester City Council licensed driver and vehicle, are being dispatched to fulfill the booking as follows:
"The driver and vehicle you are about to book are not licensed by Manchester City Council and Manchester City Council is not empowered to take licensing action against them in the event of a complaint. In the event of a complaint, customers will have to deal with that other Authority where they may be licensed."
- (iii) Bookings cannot be accepted directly from drivers

4. Records

- (i) Records must be kept on a computer and must be:
- Immediately available for inspection on demand by an authorised City Council Officer or a Police Constable.
 - Able to be printed onto paper.
 - Continuous, chronological records.
 - Not be capable of retrospective alteration or amendment.
- (ii) Only one set of records must be kept. Cash and credit account bookings can be separately identified but must not be in separate sets of records. The name of the person compiling the records must be detailed on the records.
- (iii) Every contract for the hire of a private hire vehicle shall be deemed to be made with the Operator whether or not he himself provides the vehicle.
- (iv) The Operator must keep detailed booking records as follows:-

- Source of booking (whether booking was received direct from customer or made at the request of another *Operator – state name and address.
 - Time booking received
 - Time booking allocated
 - Full name of the hirer and contact details (telephone/e-mail)
 - Pick-up Location
 - Destination [the phrase ‘as directed’ is to be used exceptionally]
 - ^Driver dispatched
 - ^Vehicle dispatched (Call sign)
**including any other Operator business owned by the Manchester licensed Operator*
^Must detail where driver and vehicle are licensed outside of Manchester
- (v) The Operator must keep detailed, up to date records of every private hire driver, private hire vehicle, hackney carriage driver and hackney carriage operated by him, whether licensed by Manchester City Council or another Authority as follows:
- Name and home address of every vehicle driver
 - Every Private Hire or Hackney Carriage Driver licence number and expiry date of that driver licence, and Licensing Authority
 - A list of the unique radio call sign allocated to each licensed driver
 - Name and home address of the proprietor of every vehicle
 - Plate number and expiry date of every vehicle licence
 - Vehicle registration number of every licensed vehicle
 - Name of Licensing Authority
- (vi) The Operator must keep detailed up to date records of all individuals working in any capacity (paid or unpaid) for the business as follows:
- Full name, address and date of birth
 - Contact details (telephone and e-mail)
- (vii) The Operator must record complaints received against its service (including against any driver on his records) and advise customers of the Licensing Unit contact details if the Operator is unable to resolve the complaint after 10 working days.
- (viii) Records identified in 4(iv), (v), (vi) & (vii) must be kept in English and retained for 12 months from the date of the last entry or for such a period required by an Authorised Officer.
- (iv) All records (including GPS data and voice recording systems) must be made available for inspection upon request by an authorised officer or constable.

5. Vehicles

- (i) Must display a notice inside the vehicle, which can be easily read by passengers, that states the name of the Operator and details of how to make a complaint about the journey, driver or vehicle.

- (ii) Must display a notice, which can be easily read by passengers, of the current schedule of fees and charges.
- (iii) If any vehicle operated by the Operator is fitted with a taximeter, the operator will ensure that:
 - The taximeter is of a type approved by the Council and is maintained in a sound condition at all times and for it to be located within the vehicle in accordance with the reasonable instructions of the authorised Officer.
 - The taximeter to be set up to calculate and display the Operators current fare table only.
- (iv) Advertising on vehicles or any other material promoting the Operator business:
 - a) No material or documentation used by the Operator business, wherever it is displayed (on or within the vehicle, on printed or online material, signage, Apps, website or any other documentation used by the Operator business) shall include the words TAXI or CAB, whether in the singular or plural, or any words or devices which give any indication that the service to which the notice, sign or advertisement relates is that which can only be provided by a licensed Hackney Carriage.
 - b) All advertising must carry the phrase 'Advanced Booking Only'
 - c) Where a vehicle used by the Operator has been licensed by another Authority, those vehicles are also prohibited from using any literature, documentation, advertising or displaying any signage associated to the Private Hire Operator or Manchester City Council which suggests or might lead to a misunderstanding that the vehicle is licensed by this Council.

6. Operator Responsibilities

- (i) Policies, must be implemented and maintained which ensure that drivers, working for the Operator have an understanding of:
 - Driver Licence Conditions
 - Safeguarding issues
 - Customer service
 - Equality Act 2010 – including the carriage of assistance Dogs
 - Anti-social behaviour
 - Hate Crime
 - Immigration Act 2016
- (ii) Operators must evidence that they have periodically reviewed records as described in section 4, and actively seek to identify patterns of unacceptable/illegal driver behaviour (i.e. plying for hire) and document what action is taken .
- (iii) Operators will notify the Council of any arrest, charge, conviction, simple caution or endorsable Fixed Penalty Notice in writing, within 7 days of the Operator being aware of the issue. This applies to all persons named on the licence whether sole trader or partnerships and in the case of a Limited Company any person holding company appointments.

- (iv) Operators must surrender to the Council (within 7 days) the Operator Licence if:
 - If at any time during the currency of the licence, the licensee ceases to be in business as an Operator
 - The Operator Licence is suspended or revoked.
- (v) The Operator must notify the Council in writing, immediately (or in any case within 48 hours) of any, complaints of a serious nature, Police enquiries or notification of convictions involving any driver that is registered to carry out bookings for the Operator. The Operator is required to provide at the time of notification to the city council, the identity of the driver involved and the nature of the complaint/enquiry. This condition relates to matters involving dishonesty, indecency, violence, equality or drugs.
- (vi) The Operator must inform the Council within 10 working days (from the date of complaint) where a complaint not covered in (iii) above is received against a driver and it remains unresolved.
- (vii) The Operator must ensure individuals working in any capacity for the Operator are 'fit and proper'. In this regard the Council will expect that the operator ensures each member of staff has obtained a Standard DBS check and that this is registered with the Council's Licensing Unit. The Operator must also have a policy in place (which must be implemented and maintained) which addresses 'recruitment of individuals' who are 'fit and proper'.
- (viii) The Operator must keep a log of lost property that is handed to him by drivers or passengers. Such log to include the date the item is handed to the Operator and a description of the property. The log must be available for inspection by an authorised officer or constable at all times and any information entered onto the log must be kept for a period of 12 months from the date of entry on to the log.
- (ix) The Operator will provide details of an appropriate member of staff (whether at the base or via telephone) to be contactable to an authorised officer at any time of the day or night to deal with compliance/enforcement related matters.
- (x) The Operator will notify the Council of any change of home or business address within 7 days
- (xi) The Operator will make themselves aware of the provisions of the Local Government (Miscellaneous Provisions) Act 1976 and any other relevant legislation, including the Council's Licence Conditions attached to the grant of a Private Hire Operator, Driver and Vehicle licence.
- (xii) The Operator shall provide a prompt, efficient, reliable and polite service to the public at all times, and ensure customer requests and needs are noted and communicated effectively.