

Private Hire Operator Handbook

October 2022

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Introduction

'Operate' means in the course of business to make provision for the invitation or acceptance of bookings for a hire car (Section 80 LG(MP)A).

Every operator of private hire vehicles must be licensed by the Council (Section 46 LG(MP)A).

This guide is intended to advise and assist applicants and licence holders on the law relating to the operation of Operator Licences and to the administrative procedures involved in the application for a licence. This guide is not exhaustive and reference should also be made to the legislation etc. quoted.

New Applicant Procedure

All new applicants should contact the Local Authority with the intention to start a Private Hire Operator within the locality of the Borough. For the contact information for the Local Authority [Click Here](#)

When approaching the Local Authority you must provide the following documents and information for the authorised officer to inspect;

- Public Liability Insurance
- Company Name
- Financial History
- Door Signs Art Work
- Basic Disclosure
- Planning Permission

Fees

| | | | |
|-------------------|-------------------------------|---------------|-------------|
| Operators Licence | 1 to 9 vehicles | £350.00 (1yr) | £1750 (5yr) |
| | 10 to 19 vehicles | £400.00 (1yr) | £2000 (5yr) |
| | 20 vehicles and over | £450.00 (1yr) | £2250 (5yr) |
| | per extra 10 vehicles over 20 | £11.00 | |

Public Liability Insurance

You should have up to date Public liability Insurance with cover of £5 million in the name of the potential Operator Licence holder.

Company Name

You shall supply the council with the potential names that you intend to carry out your business with, if these are too similar to current companies they may be declined and you shall be asked for revision.

You can ask for a current copy of our Operator public register.

Financial Standing

The Borough Council will check your background with regard to convictions and financial standing. The Borough Council reserves the right to require evidence of good financial repute e.g. reference from your bank.

Requirements of background and experience may be amended where the proposed operation is of a small scale or specialist nature.

Door Signs / Art Work

You will need to submit a draft copy of your door sign art work to the Local Authority to be approved by an Authorised Officer.

Criminality Disclosure checks for private hire Operators

You will need to submit a Basic Disclosure to the Licensing Authority and that a check is undertaken annually. Any individual must apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC).

However, it is important to note that the Licensing Authority acknowledges that in many cases individuals that licence as a Private Hire Operator may already be licensed as a driver. The enhanced DBS shall be satisfactory.

That would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Operating Premises & Planning

The Operating Centre must be a premises within the area of Swindon Borough Council.

Private Hire bookings cannot be taken, whether in person or by telephone, anywhere other than the address or addresses listed on the Private Hire Operator's licence as the Operating Centre. This includes bookings in the street, in a private hire vehicle or on a mobile telephone away from the Operating Centre.

Private Hire operators, or their representatives, must not approach anyone in the street or any other public place to offer private hire services. For the avoidance of doubt, this includes the distribution of business cards or leaflets to passers-by in a public place unless properly licensed to do so by the Town Centre Manager

The provisions of the Town and Country Planning Use Classes Order 1987 (as amended) make it clear that the use of premises for a taxi or vehicle hire business requires planning permission from the Local Planning Authority (this can be found on our [Website](#)).

The Planning Department of Swindon Borough Council takes the view that simply parking a taxi / private hire vehicle at the home or residence of the driver does not necessarily constitute a material change of use, and planning permission may not therefore be required from the Local Planning Authority.

In each case there are matters to be taken into account in determining whether a change of use will have occurred. A form below provides a series of questions, which helps to determine whether or not planning permission is required.



Operators Planning
Permission .pdf

Renewal of a Private Hire Operator Licence

To renew your Private Hire Operator Licence you will need to follow the below link and apply using your unique reference number found on your reminder renewal letter;

[Apply to Renew your Private Hire Operator Licence](#)

| Application | Vehicle Amount | 1 Years | 5 Years |
|--|-------------------------------|---------|---------|
| Private Hire Operator | 1 to 9 vehicles | £385.00 | £1925 |
| | 10 to 19 vehicles | £440.00 | £2200 |
| | 20 vehicles and over | £495.00 | £2475 |
| | per extra 10 vehicles over 20 | £12.10 | £60.50 |
| Under special circumstances, you can request the application of a 1 year licence, to do so you must contact the Licensing Manager detailing the circumstances relating to your request. | | | |

You may not transfer your licence to another person. That person must make a fresh application in their own right.

Operator Conditions

This document provides basic information and is not a substitute for legal advice.

PLEASE READ CAREFULLY THE CONDITIONS OVERLEAF

1 RECORDS

- (i) The record required to be kept by the operator under Section 56 (2) of the Local Government (Miscellaneous Provisions) Act 1976 shall be kept in a suitable book the pages of which are numbered consecutively or in some other form to be approved by the Council and the operator shall enter or cause to be entered therein, before the commencement of each journey, the following particulars of every booking of a Private Hire vehicle invited or accepted by him/her
 - (a) The time and date of booking
 - (b) The name and address of the hirer
 - (c) Number of persons to be carried
 - (d) How the booking was made (ie. by telephone, personal call etc.)
 - (e) The date and time of start of the journey
 - (f) The point of pick up
 - (g) The destination
 - (h) Name and Licence number of driver
 - (i) Vehicle to be used, registration mark and plate number
 - (j) Remarks (including details of any sub-contract)
- (ii) The operator shall also keep separate records in a book the pages of which are numbered consecutively of the particulars of all Private Hire vehicles operated by him/her, which particulars shall include details of the owners (if different from the operator), registration marks and drivers of such vehicles, together with the radio call signs (if any) used.
- (iii) All such records kept by the operator shall be preserved for a period of not less than twelve months following the date of the last entry, and shall not be destroyed without the Council's consent.

2 NOTIFIABLE INFORMATION

- (i) The operator shall within three days supply the Council with written details of any:-
 - (a) change of his/her residence
 - (b) change of address from which he/she operates or otherwise conducts the business of an operator
 - (c) change of any of the vehicles operated
 - (d) change in the drivers employed
 - (e) accident causing damage, materially affecting the safety, performance or appearance of any vehicle operated or the comfort or convenience of persons carried therein
 - (f) complaints received relating to or arising from a booking and of the action (if any) which he/she has taken in respect thereof
- (ii) The operator shall give written notification to the Council within three days of any conviction including details of the offence and the sentence imposed by the Court.
 - (a) against him/her personally
 - (b) any driver of a vehicle operated by him/her
 - (c) any company of which he/she is a Director or Secretary
 - (d) any person with whom he/she is in partnership

3 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:-

- (a) Ensure that when a vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless unavoidably delayed or prevented, punctually attend at that appointed time and place;
- (b) Not accept a booking for a vehicle which would involve the vehicle carrying a greater number of passengers than the licence issued by the Council allows.
- (c) Ensure that the vehicles operated are cleaned internally every day and cleaned externally on a regular and frequent basis. Ensure that the fixtures and fittings are in good order and repair and that the vehicles are in a fit and roadworthy condition at all times and properly insured.
- (d) Keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access whether for the purpose of booking or waiting;
- (e) Ensure that any waiting area provided by the operator has adequate seating facilities;
- (f) Ensure that any telephone facilities and any radio equipment which is used are maintained in good working order and that any defects are repaired promptly;
- (g) Ensure that any radio equipment provided by the operator is properly licensed and produce the licence to the Council at any time if required so to do;
- (h) Not conduct the business to which this licence relates in a manner which will cause a nuisance or annoyance to the owner or occupiers of other premises in the vicinity of the premises from which he/she operates;
- (i) Retain the private hire drivers licences for those persons employed as drivers and ensure that the vehicle is only driven by a licensed driver;
- (j)
 - (i) Ensure that every vehicle operated in respect of which a Private Hire Vehicle Licence has been granted by the Council, exhibits the licence plate identifying that vehicle on the rear offside of the vehicle in such a position as to be at all times clearly visible from the rear.
 - (ii) In the event of such Private Hire Licence(s) being suspended or revoked by the Council the said licence plate(s) shall be returned to the Council. A refundable deposit will be required for each licence plate issued.

4 ADVERTISING, NAME OF BUSINESS etc

- (i) The operator shall not exhibit or permit the exhibition of advertising material, any sign, or distinguishing mark, upon any vehicle operated (other than the licence plate identifying the vehicle) without first obtaining the Council's consent.
- (ii) The operator shall not include in any sign, advertisement, printed material (including for the avoidance of doubt any telephone directory), photograph, film or broadcast, whether by way of radio, cinema or television the words "taxi", "cab", "hackney" or "carriage" whether in the singular, plural or

combination of words which would suggest that any private hire vehicle is a hackney carriage.

5 DURATION OF LICENCE

All licences expire one year from the date of issue or at such other time as the Council shall decide. Application for renewal shall be made 6 weeks before the expiration of the operator's current licence.

6 COMPLAINTS FROM THE PUBLIC

An operator is required to settle any complaint from a member of the public quickly and satisfactorily. Any complaint unresolved must be reported to the Licensing Officer within 2 days of the occurrence.

7 TAXIMETERS

- (a) Where any vehicle operated by him/her is fitted with an approved taximeter, the operator shall ensure that the taximeter is set to the fare rate notified to the Council and properly sealed in accordance with Council regulations.
- (b) The operator shall ensure that vehicles operated by him/her which are fitted with a taximeter, charge a fare or charge calculated from a point in the Borough at which the hirer commences his/her journey and shall not exceed that displayed on the taximeter at the finish of the journey, the taximeter being brought into operation at the commencement of the journey.
- (c) Any proprietor who uses a Private Hire vehicle without having the meter tested and approved by the Council commits an offence. Any person who tampers with any seal on a taximeter, or who alters a taximeter with intent to mislead, commits an offence.

Determination of Operator Applications

The Council may suspend or revoke or refuse to licence a new applicant or renew a current licence on the following grounds:-

- a) the commission of an offence under the LG(MP)Act
- b) unfitting conduct of the operator
- c) any material change in the operator's circumstances
- d) any other reasonable cause (Section 62 LG(MP)A).

Applicants for an Operator or Driver Licence who declare a convictions involving Dishonesty, Indecency, Violence or Disqualifications from driving.

The Licensing Officer is delegated by the council to grant taxi and hire car licences where the applicant fulfils the basic qualifications. However, should in his opinion, there be any doubt as to whether the applicant is a 'fit and proper' person, that application must be referred to the Council for consideration. Generally speaking the Licensing Officer will refer applications which contain a declaration of a conviction involving dishonesty, indecency,

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violence or a disqualification from driving and is not clearly covered by the guidelines relating to the relevance of convictions.

The procedure for applications which are to be referred to the Council are as follows:-

- (a) A special Sub-Committee (consisting of elected members of the Council) will wish to interview you personally. Either you or a representative of your choice may address the Sub-Committee in support of the application. You will be required to attend as the members of the Sub-Committee may wish to ask questions.
- (b) A written report will be put before the Sub-Committee setting out the details of the application. The applicant will have an opportunity to read this before the interview.
- (c) If the Sub-Committee decide to grant a licence then this can be done immediately.
- (d) Should the Sub-Committee decide to refuse to grant the application, then the applicant will be notified in writing setting out his rights in the matter. Basically, on receipt of such notification the applicant may appeal to the Magistrates Court (within 21 days) against the decision of the Council.

Important: information about how to look out for and report signs of possible child sexual exploitation

As a Hackney Carriage or Private Hire Driver you are uniquely placed in our community as you transport customers across the Borough of Swindon and beyond on a one-to-one basis – because of this, we are asking you to help keep our young people safe.

You may have heard in the national media recently about successful prosecutions of people in various parts of the country who have sexually exploited children (girls and boys) and young people.

Sexual exploitation of children and young people involves exploitative situations and relationships where victims receive something – such as drugs, alcohol or attention – as a result of them being involved in sexual activity with one or several other people.

Violence, force and intimidation are often used by those sexually exploiting young people.

Swindon Borough Council and Wiltshire Police are working with local partners to ensure our young people are safe from child sexual exploitation. However, we need as much information as possible from the local community so we can act where necessary.

This is where you – and everybody else in our community – come in: safeguarding children and young people is everybody's business. We urge you to report anything you may see that you think is suspicious.

Suspicious activity you may come across could include:

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- Taking and collecting young people (girls and boys) from hotels, bed and breakfasts or house parties
- Picking up young people from other cars
- Young people who look distressed or intimidated
- Observing suspicious activity in hot-spot areas
- Young people who may be under the influence of drugs and or alcohol
- Bribes offered to you – such as sex – by young people, to avoid paying fares
- Transporting lone young people to hospital accident and emergency departments
- Young people with injuries such as bruising or blood stains

What you should do:

- Make notes about the information you know
- If you are concerned that a child is at immediate risk please ring Wiltshire Police on **999**
- If the child is not at immediate risk but you have concerns and have some details about the child, such as their name or address, please contact Swindon Borough Council's Family Contact Point during office hours (Monday to Friday, 9am-5pm) on **01793 466903** or send an email to FCP@swindon.gov.uk.
- Otherwise please call Wiltshire Police's non-emergency line on **101** to report your concerns about possible sexual exploitation

Information to record:

- Any names heard
- Locations and addresses of concerns
- Descriptions of people
- Car registration plates, makes and models of vehicles
- Description of what you saw

Further information about the signs of child sexual exploitation can be found at www.saysomethingswindon.co.uk. Please take some time to view this webpage. The Licensing Authority has implemented the E-Learning module in respect of child sexual exploitation (CSE), County Lines (CL) and is also currently implementing face to face training in respect of both CSE and CL, all drivers will be expected to attend such sessions

Licensing Authority

The Licensing Authority is located at, Wat Tyler House, Beckhampton Street, Swindon SN1 2JH. Should you have any issues, please contact us on Licensing@swindon.gov.uk