



Hackney Carriage & Private Hire

Private Hire Operator Conditions

Further copies of these conditions can be obtained via:

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Licensing Section

City of York Council

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Private Hire Operators' Licence Conditions

1. All applicants are required to complete an application form and are reminded that it is an offence to knowingly or recklessly make any false statement or omit relevant information.
2. The booking office premises of a private hire operator shall be approved by the Council and shall conform to all Planning Regulations and other legal requirements in respect of business premises. Details must be provided of where vehicles will be parked when waiting for bookings. In the event that it is found that the booking office is operating without all necessary planning consents or in breach of planning conditions, the private hire operator's licence will be deemed suspended until planning consent is obtained.
3. The current private hire operator's licence must be displayed at the business premises to which the licence relates in a prominent position at all times in view of the general public with the exception of such times as the licence is presented to the Council for amendment.
4. The licensed operators shall have in force a Public Liability Insurance Policy providing a minimum of £2,000,000 indemnity in respect of any one incident where there is public access to a booking office. This Policy will be produced to the Council annually.
5. The licensed operators, who have employees, shall have in force an Employers Liability Insurance Policy complying with the Employers Liability (Compulsory Insurance) Act 1969 covering death or personal injury arising out of any incident during the course of a person's employment. This Policy will be produced to the Council annually.
6. During the currency of the licence, the operator shall notify the Council in writing within 7 days of any temporary change of residence which is for a period in excess of 21 days.
7. The licensed operator shall inform the Council within 14 days of any change of the partners or Directors of the company, or any change on the Secretaryship or Chairmanship thereof.
8. Each operator, when disposing of any business interest, shall within 14 days give notice in writing to the Council that the business registered in

his/her name has terminated.

9. The licensed operator must notify the Council and nominate a responsible person to take responsibility on an interim basis if they are absent from the business for 15 days or more.
10. The licensed operator will ensure that the Council has their most up to date contact details, including a mobile telephone number and email address. There should also be a generic email address for the company.
11. The licensed operator shall keep a record for a period of not less than 36 months, of all the hackney carriage/private hire vehicle licence number, plate number, registration number and make and model of all hackney carriages/private hire vehicles operating from his/her office. Such records shall be sent to the Council annually and be available at all reasonable times for inspection by the Council.
12. The licensed operator shall keep a record for a period of not less than 36 months, of all the hackney carriage/private hire driver's licence number, badge number, personal identity code name or number and name and address of each driver operating from their office. Such records shall be sent to the Council annually and be available at all reasonable times for inspection by the Council.
13. The operator is responsible for all persons that they employ, contract or use in the course of their business. To that end, the operator must undertake sufficient checks to satisfy themselves that only suitable drivers are used (and continue to be used) in the course of their business.
14. The operator must not operate a private hire/hackney carriage vehicle unless the vehicle and driver are licensed by City of York. The operator must personally examine vehicle licences and insurance certificates to satisfy themselves as to their validity.
15. No licensed operator shall operate any private hire vehicle other than those which have been listed by an authorised officer of the Council on the operator vehicle schedule. Any alteration to the form shall only be made by an authorised officer of the Council.
16. When a licensed operator ceases to operate any vehicle specified on the

operator vehicle schedule, the operator shall within 72 hours, notify the Council for amendment by an authorised officer.

17. The licensed operator shall make sure that private hire/ hackney carriage vehicles and driver's operating from their office have had their licence renewed by the Council.
18. The licensed operator shall display in a prominent position visible to customers visiting his premises at his place of business a list of fares and booking fees chargeable by the operator. The Council shall be supplied with an up to date list of fares within 14 days of any changes made.
19. The licensed operator will ensure that the licence issued by Ofcom for all radio equipment used is current and valid. All equipment must only be used on the frequencies stipulated in the licence and the licensed operator must allow the Council access to inspect all equipment and licenses.
20. The licensed operator shall notify the Council of every private hire driver employed or used by the operator and record the same in a 'schedule of drivers'. Where an operator ceases to employ or use any licensed private hire driver, the operator shall within 72 hours, notify the Council in writing and present an up-to-date schedule of drivers to the Council for amendment by an authorised officer. The private hire driver licence must be returned to the driver.
21. The licensed operator shall keep and maintain at all times for a period of not less than six months, a record of hiring showing the particulars of every booking of a hackney carriage/private hire vehicle, including any booking accepted at the request of another operator. The record must be kept in the form of a log sheet or computer database detailing:-

a) Bookings –

- the time and date of the request – the 24 hour clock shall be used
- the passenger's name
- the times and dates of the booking
- the pick-point
- the destination
- the name and licence number of the driver
- the registration and licence number of the vehicle

- the name of any individual taking the booking
 - the name of any individual who dispatches the vehicle/driver.
 - the date/time the booking was completed or cancelled.
- b) Details of all hackney carriage/private hire vehicles operating from his/her office (vehicle make/model, colour, registration number and licence number)
 - c) Details of all hackney carriage/private hire driver's operating from his/her office (name, address and licence number)
 - d) complaints received from the public
 - e) Remarks (including details of any sub-contracting to another licensed operator).

All records shall be maintained and kept up to date at all times and shall be available for inspection at all reasonable times, without notice, by an Authorised Officer, the Police or DVSA. For the purpose of further investigation, records may be removed from the premises if so required or copied.

22. The licensed operator shall be keep and maintained records at all times for the following time periods:
 - a) bookings, not less than six months
 - b) vehicles and driver's, not less than 36 months
 - c) complaints, not less than 36 months
23. The licensed operator shall keep a register of complaints by the public for a period of not less than 36 months.
24. Upon receiving a complaint or allegation regarding any person licensed by the Council in relation to the following matters:
 - a) sexual misconduct, sexual harassment or inappropriate sexual attention
 - b) racist behaviour
 - c) violence and aggression (including verbal aggression/upsetting behaviour)
 - d) dishonesty

e) breaches of equality

the licensed operator shall report it immediately to the Council when the licensing office is open.

25. The licensed operator is not permitted to accept bookings forwarded by their private hire drivers.
26. Private hire operators must provide the Council with a current table of fares, including mileage fare chart.
27. If used, private hire operators must make sure all meters and PDA systems are calibrated to the correct fare scale.
28. The licensed operator shall provide a prompt, efficient and reliable service to members of the public at all times, ensuring that when a private hire vehicle has been hired to be in attendance at an appropriate time and place, that vehicles shall, unless delayed, attend punctually at that time and place.
29. The licensed operator remains accountable for service delivery even upon the transfer of a booking to another licensed operator.
30. The maximum number of vehicles that may operate from the licensed Private Hire Booking Office are detailed on this licence, this number will not be exceeded without prior written notification to the Council.
31. When the licensed operator accepts a hiring for a private hire vehicle, they shall ensure that a City of York Council licensed vehicle punctually attends as near to the appointed time as possible and place or make an arrangement under Section 55A of the Local Government (Miscellaneous Provisions) Act 1976 for the booking to be carried out by another licensed operator.

Sub Contracting or otherwise using ‘sister operator’ licences

32. If the licensed operator holds an operators’ licence in other licensing districts (the ‘sister operators’), the operator must include the names of every private hire driver employed or used by those sister operators and the districts in which each driver is licensed, in a ‘schedule of sub-contracted

drivers’.

33. When sub-contracting a ‘York booking’ (namely a journey that either begins or ends in the City of York district), prior to the commencement of that journey, the licensed operator must inform the customer if their booking will be sub-contracted to a private hire operator not licensed by the City of York, making it clear that City of York Council has no regulatory responsibility for that vehicle and driver, and must provide the following information to that customer:
 - i. The name of the private hire operator who will be fulfilling the booking.
 - ii. The name of the authority that has licensed the private hire operator, driver and vehicle that will be fulfilling the booking.
 - iii. The opportunity to request a City of York licensed driver (or cancel without charge).
34. Where the licensed operator sub-contracted any bookings they must keep, a full record of the booking, the record must include (kept in the form of a log sheet or computer database); including the information detailed in paragraph 21 above.
35. Upon request from any authorised officer from the Council, the licensed operator will provide such information as kept under conditions (33, 34) above within 7 days.

For Private Hire Operators operating over 91+ vehicles.

36. The licensed operator must ensure that at least one wheelchair accessible vehicle is in operation at all times (except in circumstances beyond the operator’s control). In the event that a vehicle is not in operation, the licensed operator must notify the Council of the reason and the steps being taken to ensure a wheelchair accessible vehicle is in operation. of the Council.