



GWYNEDD COUNCIL

**PUBLIC PROTECTION SERVICE
REGULATORY DEPARTMENT**

**PRIVATE HIRE VEHICLE OPERATORS LICENCE
INFORMATION PACK**

**A WELSH VERSION OF THIS APPLICATION PACK IS
AVAILABLE**

APPLICATION FOR A PRIVATE HIRE VEHICLE OPERATORS LICENCE

Please find enclosed application forms and guidance notes to assist you in making an application to the Council. If you require any further information or assistance regarding making an application for a Private Hire Vehicle Operators Licence, please do not hesitate to contact the Licensing Team at:

Licensing Dept (Arfon) Gwynedd Council. Shire Hall Street, Caernarfon, Gwynedd. LL55 1SH. Tel No. 01286 679925.	Licensing Dept (Dwyfor) Gwynedd Council Embankment Road, Pwllheli, Gwynedd. LL53 5AA 01758 704000	Licensing Dept (Meirion) Gwynedd Council Penarlag, Dolgellau, Gwynedd. LL40 2YB. 01341 424326
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The Licensing Team are:

Amlyn ab Iorwerth Ceridwen Pritchard Gwenda Ann Roberts Heilyn Williams Robert Taylor Alwyn Thomas	Licensing Manager Licensing Officer (Arfon) Licensing Officer (Dwyfor) Licensing Officer (Meirion) Licensing Enforcement (Arfon). Licensing Enforcement (Meirion/Dwyfor)
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The following information and guidance is contained within this information pack.

1. Private Hire Vehicle Operator Application Form
2. Standard Conditions of Licence

You should ensure that you make yourself familiar with all conditions of licence relating to this application as any breach of condition may result in the suspension/revocation of your licence.

PRIVATE HIRE VEHICLE OPERATORS LICENCE

GUIDANCE ON LICENSING PROCEDURES

The following documentation is required to accompany your application:

1. Completed application form
2. Completed CRB Form (STANDARD) – if not a driver of a Hackney/Private Hire
3. Fee.

No application can be processed until the appropriate fee has been received.

Planning consent is not a pre-requisite for your licence, but you should ensure that you obtain the permission from the local planning authority, authorising you to conduct your business from the said premises.

It should also be noted that if you do not own your property then you need to apply for landlord consent. This is not a pre-requisite for your licence but it is a condition of tenancy that anyone wishing to operate a business must obtain the relevant permission.

All matters relating to your application are confidential and will not be discussed with anyone other than those directly involved in the processing of your application.

PRIVATE HIRE VEHICLE OPERATORS - STANDARD CONDITIONS OF LICENCE

PART A - LEGAL STATUS

1. These conditions were made pursuant to Section 55 of the Local Government (Miscellaneous Provisions) Act 1976 and adopted by Gwynedd Council, and any subsequent modifications are noted where appropriate by reference to date.
2. Breach of one or more of these Conditions may lead to suspension, revocation or refusal to renew the license pursuant to Section 62 of the said Act.

PART B - INTERPRETATION

1. In these conditions the following words shall bear the meanings ascribed to them below:-

"the Act"	- the Local Government (Miscellaneous Provisions) Act 1976.
"the Council"	- the Gwynedd Council.
"the license"	- a private hire vehicle operator's license granted pursuant to Sec 55 of the Act.
"the operator"	- the holder of the license.
"operate"	- to operate a vehicle in the course of business pursuant to the license.
"private hire vehicle"	- a vehicle which is currently licensed by the Council under Sec 48 of the Act.
"vehicle license number"	- the number allocated by the Council to a license granted for a private hire vehicle licensed under Sec 48 of the Act or a hackney carriage licensed Under Sec 37 of the Town Police Clauses Act 1847.
"driver license number"	- the number allocated by the Council to a license granted to the driver under Sec 51 of the Act or In the case of a hackney carriage, under Sec 46 of the Town Police Clauses Act 1847.
"the district"	- the County of Gwynedd

2. Reference to the male gender shall be construed as including reference to the female gender where appropriate.

3. All other words and phrases used in these Conditions shall bear the meanings ascribed to them (if any) in the Act.

PART C -THE CONDITIONS

1. The licence cannot be transferred to any other person.
2. The operator shall not operate any vehicle as a private hire vehicle within the district unless the

vehicle and driver are licensed by the council.

3. The operator shall not operate any vehicle as a private hire vehicle if the Council notifies him that the vehicle is unsuitable for use as a private hire vehicle.

4. The operator shall for the purposes of Section 56(3) of the Act be required to keep a record in a suitable book, the pages of which must be numbered consecutively, or if on a computer, a daily printout must be kept in a file, the pages of which must clearly show the date. Before the commencement of each journey, of every Private Hire Booking, the operator must enter the following details:

- (a) the time and the date of the booking.
- (b) the name and (if practicable) the address of the hirer.
- (c) the way in which the booking was made, whether by telephone, personal call or otherwise.
- (d) the time and date of collection of the passenger.
- (e) the point of collection of passenger.
- (f) the destination.
- (g) the vehicle license number and the driver license number.
- (h) the time at which the booking was allocated to the driver.
- (i) details of any agreed fare or any sub-contract and (at the operator's discretion) any other remarks.

NOTE - ALL BOOKINGS MUST BE DIRECTED THROUGH THE OPERATOR, AND NOT THE DRIVER(S), BEFORE THE WORK CAN BE LEGALLY CARRIED OUT.

5. the operator shall keep a record in a suitable book / computer the particulars of all private hire vehicles operated under the license and shall enter in it in respect of each vehicle:-

- (a) the make, model and colour.
- (b) the registration number.
- (c) the vehicle licence number.

He shall also be in possession of a valid Insurance for all vehicles/drivers operated by him. The Policy must stipulate that the vehicles are insured for the purpose of 'Public Hire', 'Private Hire', or 'Hire and Reward'.

6. the operator shall not dispose of any records made in accordance with Condition 4 above within twelve months of the latest hiring entered in them.

7. the operator shall on request produce his licence and the records referred to in Conditions 4 and 5 above to any authorised officer of the Council or any Constable for inspection and permit copies of them to be taken.

8. The operator shall notify the Council in writing within seven (7) days after:-

- (a) being convicted of any offence under road traffic or radio - telecommunication legislation, or any offence of dishonesty, indecency or violence.**
- (b) any change of address of the premises from which private hire vehicles are operated.**
- (c) the commencement of a private hire vehicle operation from any additional premises.**

9. The operator shall provide a prompt, efficient and reliable service and shall in particular ensure the prompt attendance of vehicles at pre-arranged times and places. The vehicles will be in a clean and tidy condition at all times.

10. Any premises used by the operator in the course of business to which the public has access, whether for the purpose of booking or waiting, shall be kept clean and shall be provided with adequate seating, heating, lighting and ventilation. He shall also not permit any person who is drunk or is behaving in a disorderly manner, to remain upon the premises in respect of which the

licence is in force. The operator is also reminded of the " Smoke Free Premises etc (Wales) Regulations 2007". It is against the law for Operators, Staff, Customers and visitors to smoke in an enclosed public area. For further information on the smoking ban and the regulations go to www.smokingbanwales.co.uk or contact the Council's Environmental Dept.

11. The operator shall not conduct his business in such a way as to cause a nuisance to any residential occupiers or any other occupiers of land.

12. The operator shall ensure that all radio equipment used in the course of his business

- (a) is maintained in sound working condition at all times.
- (b) is annually inspected at the operator's expense and certified to be in good condition by a reputable company, such certificate to be made available for inspection on request by an authorised officer of the Council or any Constable
- (c) complies with and is operated in accordance with current legislation.

13. The operator shall not use in connection with his business any radio equipment that is capable scanning more than one frequency and no such equipment shall be carried in any vehicle operated by him nor sited on any premises used by him in connection with his business.

14. In the event of the death of a licensed operator or his ceasing to operate, or the non-renewal, suspension or revocation of the licence by the Council, the licence shall be returned to the Council forthwith.

15. The operator shall ensure that the words "taxi", "taxis", and "cab" are not displayed on any private hire vehicle operated by him/her.

16. The operator shall not cause or permit any vehicle operated by him to be used to ply for hire in any public place unless it is a licensed hackney carriage. He will not tout or solicit on a road or other public place, for any person to hire or to be carried for hire in any Private Hire Vehicle, OR, cause or procure any other person to tout or solicit, on a road or other public place, for any person to hire or to be carried for hire in any Private Hire Vehicle.

17. The operator shall not cause or permit any vehicle operated by him to be used in contravention of any legal requirements or provisions.

18. The operator shall ensure that no advertisement relating to his business is displayed on any private hire vehicle operated by him at a height above the lower window level.

19. The operator shall obtain and keep copies of the Combined Hackney Carriage/Private Hire Drivers Licence of all drivers employed by him and shall notify the Council forthwith of the departure of any driver from his employment and of the reason for his departure. He shall also hand the Licence back to the driver upon his departure from his employment.

20. The operator will be responsible for **issuing each of it's Private Hire Vehicles with a Maintenance Book** and instruct that each driver conducts a physical check of engine; radiator; oil; body work; tyres; first aid; fire extinguisher; at the commencement of his duty and endorse the result within the maintenance book, and also enter mileage and time at beginning of duty and at the end of duty. This book will remain with the vehicle and be produced for inspection, on request, by an authorised officer of the Council or any Constable.

21. the operator upon receipt of any complaint, concerning a driver, vehicle or any contract for hire or purported contract related to or arising from his/her operation, shall notify the Council immediately in writing. The operator must indicate the action (if any) they have taken or propose to take in respect of the complaint.

OR

In the case of complaints made directly to the Council, the operator shall respond with similar

notification within 7 days of the complaint being received.

22. the licence will only apply to the Premises specified and the operator shall not operate Private Hire Vehicles from any other premises without first having obtained the written consent of the Council.

The operator shall notify the council in writing of any change of his/her address from which they operate or otherwise conducts business as an operator within 7 days of such change taking place.

23. the operator shall within 7 days , notify the Council In writing of any conviction, caution, warning, fixed penalty or reprimand against himself/herself (or If the operator is a company or partnership, on any of the directors or partners) during the period of the licence.

24..

(a) the operator will ensure that his driver will not demand from any hirer of a Private Hire Vehicle, a fare in excess of any amount previously agreed, for the hiring, between the hirer and the Operator, provided that the hirer does not require any variation(s) to the quoted destination.

(b) If the Private Hire Vehicle is fitted with a Taximeter and there has been no prior agreement as to the fare, the meter will calculate the fare from where the hirer commences his journey, and he will be required to pay the amount shown on the meter at the end of the journey.

(c) if the Private Hire Vehicle is fitted with a Taximeter for recording the fares, the operator will instruct his driver(s) not to cause the fare recorded thereon to be cancelled or concealed, until the hirer has had reasonable opportunity to examine it and has paid the fare.

(d) the hirer shall be provided with a receipt for the fare paid, upon request.

(e) the operator will ensure that Taximeters in his vehicles are calibrated and sealed annually and a copy of the certificate will be given to the Licensing Officer.

25. the operator will be responsible for marking the First Aid Box and Fire Extinguisher with the Gwynedd Council Vehicle Licence Number of the vehicle they are kept in.

26. all Private Hire Vehicles are Issued with Licence Plates (external and Internal), brackets and door stickers, it will be the responsibility of the operator to make sure that these items are fixed to the vehicle(s) concerned. **Magnetic Door Stickers will not be authorised by the Council.**

27. the operator will ensure that his Private Hire Vehicles are to be examined mechanically twice a year at six monthly Intervals - (a) M.O.T., (b) Gwynedd Council Mechanical Check. The Gwynedd Council Mechanical Check will be by way of an appointment system issued by the Gwynedd Council Licensing Officer.

All new vehicles/transfers will be subjected to a Gwynedd Council Mechanical Check prior to being issued with a Gwynedd Council Vehicle Licence.

28. the operator will be responsible for collating all lost property found within his vehicles, and hand them in at a Police Station.

29. a Penalty Point System is now in operation which will address any infringements of any rules; conditions; enactments, appertaining to an Operator (Copy attached)

ATODIAD " B "

CYNGOR GWYNEDD COUNCIL

Cynllun Pwyntiau Cosb Trwyddedau Cerbyd Hani a Cherbyd Hurio Preifat *Hackney Carriage and Private Hire Vehicle Licences - Penalty Points Scheme*

Tynnir eich sylw at y Cynllun Pwyntiau Cosb a fabwysiadwyd gan y Cyngor yn ddiweddar a rhoddir manylion amdano isod. Er nad yw cydymffurfio ag efen un o amodau eich trwydded, y mae'r Cyngor yn bwriadu gweithredu'r cynllun mewn perthynas â chwi yn yr amgylchiadau priodol, a disgwylir i chwi lynu wrtho.

Your attention is drawn to the Penalty Point Scheme, details of which are given below, which the Council has recently introduced. Whilst compliance with it is not a condition of your licence the Council intends to apply the scheme to you in the appropriate circumstances and you are expected to adhere to it.

Y Cynllun Pwyntiau Cosb / Penalty Points Scheme

*Heb niweidio unrhyw gamau neu ddatrysiaid arall sydd ar gael i'r Cyngor os torrir unrhyw statud, is-ddeddf neu reoliadau, bydd pwynt(iau) cosb sydd yn berthnasol ar y pryd i'r toriad hwnnw fel a nodir yn **Atodiad A**, yn cael eu rhoi i ddeiliad trwydded. Ar yr amod na roddir mwy nag unarddeg o bwyntiau cosb i ddeiliad y drwydded o fewn unrhyw gyfnod o ddeuddeg mis, yna bydd pob pwynt cosb yn cael eu dileu ar ddiwedd y cyfnod hwnnw, ond pan gesglir deuddeg pwynt neu fwy o fewn unrhyw gyfnod o ddeuddeg mis, bydd deiliad y drwydded yn agored i unrhyw gamau priodol a gymrir gan y Cyngor, gan gynnwys (heb gyfyngiad), gwaharddiad neu ddirymu trwydded.*

Without prejudice to any other course of action or remedy available to the Council in the event of any contravention of any relevant statute, by-laws, or regulations the penalty point(s) then applicable to that particular breach or contravention as set out in **Appendix A** will be issued to the licence holder. Provided no more than eleven penalty points have been issued to the licence holder within any twelve month period all penalty points will cease to apply at the end of that period, but upon the accumulation of twelve or more points within any twelve month period the licence holder will be rendered liable to any appropriate action being taken by the Council, including (without limitation) suspension or revocation of licence.

ATODIAD A/ APPENDIX A

<u><i>Archwiliad / Inspection</i></u>	<u><i>Pwyntiau Cosb / Penalty Points</i></u>
1. <i>Dim pris na thariff i'w arddangos ar the mesurydd, ar wahân i'r rhai a gymeradwywyd gan y Cyngor.</i> No charge or tariff to be displayed on meter other than those approved by the Council .	4
2. <i>Y Gyrrwr ddim yn gwisgo bathodyn.</i> Driver failing to wear badge .	3
3. <i>Methiant i arddangos platiau trwydded yn unol a gofynion y Cyngor.</i> Failure to display licence plates as prescribed by the Council.	6
4. <i>Ymddangosiad a/neu ymddygiad y Gyrrwr.</i> Appearance and/or conduct of Driver.	1 - 3

5.	<i>Cyflwr cyffredinol y cerbyd</i>) General condition of car)	<i>Tu mewn / Interior</i> <i>Tu allan / Exterior</i>	1 - 4 1 4
6.	<i>Swn gormodol o offer (Stereos a.y.b.)</i> Excessive noise from equipment (Stereos etc.)	.....	1 - 2
7.	<i>Methiant a chario pecyn Cymorth Cyntaf yn y Cerbyd</i> Failure to have a First Aid Kit Carried in the vehicle	.....	2
8.	<i>Methiant i osod offer diffodd tân yn y cerbyd</i> Failure to have a Fire Extinguisher fitted in vehicle	.....	2
9.	<i>Arddangos arwyddion neu hysbysebion diawdurdod ar neu o fewn y cerbyd</i> Displaying unauthorised signs or advertisements in or on the vehicle	.....	4
10.	<i>Methiant i gario copi o Dystysgrif Yswiriant yn y cerbyd</i> Failure to carry a copy of Certificate of Insurance in the vehicle	.....	2
11.	<i>Methiant i arddangos Trwydded Treth cyfredol</i> Failure to display a current vehicle Excise Licence	.....	3
12.	<i>Methiant i arddangos ar ddrysau Cerbyd Hurio Preifat yr arwydd a awdurdodwyd gan y Cyngor</i> Failure to display on the doors of a Private Hire Vehicle the sign approved by the Council	.....	3
13.	<i>Methiant i gynnal a chadw goleuadau gorfodol, goleuadau brecio, cyfeiryddion, teiars, corn, system ecsôst, neu unrhyw droseddau eraill yn ymwneud ag Adeiladwaith a Defnydd.</i> Failure to maintain obligatory lights, brake lights, indicators, tyres, horn, exhaust system or any other Construction and Use offence	.....	1 - 4
14.	<i>Methiant perchennog i hysbysu 'r Cyngor am unrhyw ddamwain ffordd neu ddifrod i Gerbyd Hacni neu Gerbyd Hurio Preifat</i> Failure of proprietor to inform the Council of a Road Traffic Accident or damage to any Hackney Carriage or Private Hire Vehicle	.....	4
15.	<i>Methiant Gyrrwr neu Weithredwr i hysbysu'r Cyngor am newid cyfeiriad</i> Failure of a Driver or Operator to notify the Council of change of address	.....	2
16.	<i>Methiant i ddatgelu collfarnau (a roddwyd gan Lys yn y 12 mis blaenorol)</i> Failure to disclose convictions (given by Court in previous 12 months)	.....	12
17.	<i>Methiant Gweithredwr Hurio Preifat i gadw cofnodion cywir o archebion a.y.b.</i> Failure by Private Hire Operator to keep accurate records of bookings etc.	.....	6
18.	<i>Unrhyw dor-amod arall neu ymddygiad anfodddhaol (yn ôl doethineb y Swyddog Gorfodaeth)</i> Any other breach of conditions or unsatisfactory behaviour (at discretion of Enforcement Officer)	.....	1 - 6