



**S55 (3) LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – PART II  
BDBC PRIVATE HIRE OPERATOR’S LICENCE (PHO) LICENCE CONDITIONS**

Private hire operator (PHO) licences granted under section 55(3) of the LG(MP) Act 1976 are issued subject to the following licence conditions:

**Definitions**

“authorised officer”	means an officer of the council authorised in writing by the council;
“the council”	means Basingstoke and Deane Borough Council;
“operator”	means the person who in the course of business makes provision for the invitation or acceptance of bookings for PHV.
“hackney carriage”	has the same meaning as in the Town Police Clauses Act, 1847;

1. The primary premise from which an operator makes provision for the invitation and acceptance of private hire bookings must be located within the Basingstoke and Deane Borough boundary. (Consideration may be given to licensing a second base inside or outside the Borough subject to application to the Council)
2. The operator must have a valid insurance policy for both public liability and employer’s liability (where applicable) to the minimum value of £2,000,000.
3. The licensed operator must maintain at the operator’s licensed premise, up to date records of all licensed private hire and hackney carriage vehicles it operates including copies of their licences and details of their insurance and compliance test details.
4. The PHO shall maintain a system to prevent bookings being allocated to any vehicles which are not suitably licensed, insured and/or up to date compliance tested.
5. The PHO will maintain at the operator’s premise an up to date record of all licensed private hire and hackney carriage drivers operated under the current licence including copies of their licences.
6. The PHO shall maintain a system to ensure it does not allocate bookings to any drivers who are not suitably licensed including if their PHD/HCD licence expires.
7. If an electronic private hire booking system is used, the operator must block drivers and vehicles from being allocated bookings where any licence, insurance or compliance tests show to have expired.
8. Any records, including electronic that contain personal and confidential information shall be stored in a secure/locked location and kept for a minimum period of 12 months. All records must be made available within a reasonable timescale to an authorised officer or constable upon request.
9. The operator must provide the Council with an up to date list of drivers & vehicles that he/she operates on a monthly basis.
10. Every contract for the hire of a private hire vehicle shall be deemed to be made with the operator who has accepted the booking for the vehicle, whether or not they themselves provide the vehicle.
11. The operator may make provision for the invitation and acceptance of bookings for private hire vehicles and drivers licensed only by Basingstoke and Deane Borough Council, but may sub contract a booking to another licensed operator from outside the district making sure diligent checks are undertaken to ensure suitable licences and insurance cover are in place for any sub-contracted services prior to using those services. This includes keeping licence records of those services
12. The licensed operator shall not in the name or description of the service at the premises or on any vehicle operated in the course of business, use the words “taxi”; “cab” or “taxi cab” or any

other words or combination of letters so as to lead any person to believe the operator is providing a hackney carriage service.<sup>1</sup>

13. The licensed operator shall not advertise their operation as a taxi provider unless they can demonstrate they have hackney carriage vehicle(s) working as a hackney carriage as part of their vehicle fleet at all times including records of HCVs being operated in last 3-6 month working period.
14. The following information must be recorded at the time a vehicle booking is accepted by the licensed operator:
  1. Date and time booking was made
  2. Date and time journey is required
  3. Contact details of hirer.
  4. Pick up point and final destination
  5. Number of passengers
  6. Any agreed fare
  7. Any relevant remarks related to the journey i.e. pre-agreed fare
15. This information must be recorded in exact order of receipt with no spaces between records to ensure a chronological order of bookings accepted.
16. Complete records must be kept of all bookings to include the above, driver and vehicle details who undertook the booking, and any relevant comments or issues arising out of the journey
17. Records may be held on computer or hard copy but must be recorded in a format that is to the satisfaction of the council. Records must be provided to an authorised officer or constable upon request.
18. Telephone diversions from the operator's business number are only permitted where they are diverted to either a person whose name appears on the operator's licence or to a person employed by that operator to accept such bookings.
19. The licensed operator shall ensure that vehicles booked are despatched to fulfil a booking at the appointed time and place. The hirer must where possible, be promptly advised of any unavoidable delays and updated with an estimated time of arrival.
20. The licensed operator shall not refuse a booking if it requires the carriage of a guide dog or assistance dog belonging to a passenger. There must be no charge to the passenger for the carriage of such a dog. NB; Drivers in possession of valid exemption certificate from the requirement to carry guide or assistance dogs issued by the Council will not be required to undertake such bookings.
21. The licensed operator must have regard to hours worked by individual drivers and must make provision to prevent drivers being allocated bookings when excessive hours have been worked to prevent a risk to passenger safety from fatigued drivers.
22. The licensed operator shall take all reasonable steps to ensure that PHV they operate comply fully with all statutory requirements.
23. The licensed operator shall ensure that all PHV operated under this licence comply with the relevant licence conditions for PHV licences.
24. The licensed operator shall ensure that any PHV operated under this licence does not display any mark or sign on the licensed vehicle that shall include the word 'taxi' or 'taxi's' or 'cab' or any words of a similar meaning or construction that may suggest the overall appearance of the vehicle is a hackney carriage.
25. Any person aggrieved by any of the conditions attached to the grant of this licence, may appeal to the Magistrates Court within 21 days from the date on which notice of the council's requirement.

**Public Health Act, 1936 – Section 300**  
**Local Government (Miscellaneous Provisions) Act, 1976 - Part II – Section 77 (1)**

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<sup>1</sup> Where hackney carriages are operated the said words may not be used on any private hire vehicle operated from the premise but may be used on advertising at the operator base where it proves HCVs are operated.