



Immigration Act 2016 - Applications for private hire and hackney carriage driver and private hire operator licences.

Right to work in the UK check required

The UK Government has changed the law regarding private hire, hackney carriage driver's and private hire operator licences with effect from 1 December 2016. These changes will affect you if:

- you apply for a driver's or operator's licence on or after 1 December 2016; or
- you already hold a driver's or operator's licence and you apply to renew your licence on or after 1 December 2016.

The legislation does not affect applications for vehicle licences.

This note explains what the changes mean; how they will affect you and what you need to do.

What do the changes mean?

The changes mean that, from 1 December 2016, the council as a licensing authority is under a new legal duty to ensure that driver and operator licences are only issued to applicants who have the right to hold a licence in the UK.

In order to comply with this duty the council has to check that all applicants on or after 1 December 2016 have the right to work in the UK. This law applies to everyone regardless of where they were born; how long they have lived in the UK and, if they already hold a driver or operator licence, for how long they have held that licence.

How the changes will affect you

For applications received on or after 1 December 2016 you will be required to provide original and valid evidence of your right to work in the UK **before** your licence will be issued. Should you fail to do so, your licence will not be issued and your application will not be processed further. Please see below for further details as to what is required from you to prove your right to work in the UK.

What you need to do

During your licensing appointment, a licensing officer will check your original valid documentation proving your right to work in the UK. You must attend in person and bring evidence of your right to work in the UK with you to the council offices. Only certain forms of documentation are acceptable and we have listed those here. For applicants who are British citizens, all they need to produce will be their passport. For British Citizens who do not have British passports, there are

other documents which can be produced instead. These are contained in List A attached to this note.

Applicants who have restrictions on their right to work in the UK, must produce one of the documents in List B attached to this note.

Please note that you must provide the original. We will **not** accept a photocopy.

If you do not possess any of the mentioned forms of documentation, you must let us know as soon as possible. It is your responsibility to make sure that you can provide one of the acceptable forms of documentation, and you should take steps to obtain the necessary documentation.

When you produce your documents for inspection by the licensing officer, they are required by law to follow a three step process set out here:

1. obtain the original version of one or more of the acceptable documents referred to above;
2. check the document is valid, in the presence of the applicant; and
3. make and retain a clear copy of the document.

Please assist the licensing officer by helping them to complete the legally required three step process.

Once your documentation has been checked

If the documentation you provide demonstrates that you have a permanent right to work in the UK (from List A), you **will not** be required to produce this on future applications.

In other cases, you will be required to provide your documentation when you next apply to renew your licence, so that your documentation can be checked again. You may be required to produce this evidence earlier if your right to work in the UK is limited to a shorter period.

As part of these changes from the Home Office it is also important to highlight a change with regard to a VISA in an expired passport.

If you currently have a VISA that confirms your stay in the UK that is attached to an expired passport, this is no longer accepted. As a result you will need to apply to the Home Office in order to correct this before being issued with a driver's or operator's licence.

List A

No restrictions on right to work in the UK.

Once the council has undertaken the necessary check once, and retained a copy of your document, you will not have to repeat the check when you subsequently apply to renew your licence.

1. A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
2. A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
3. A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
4. A Permanent Residence Card issued by the Home Office to the family member of a national a European Economic Area country or Switzerland.
5. A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
6. A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
7. A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
8. A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents (including an official extract of an entry in the register of births in Scotland in long form), **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
9. A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
10. A certificate of registration or naturalisation as a British citizen, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

List B

Restrictions on right to work in the UK.

The council may issue your licence (subject to statutory limitations) up to the expiry date of your permission to work in the UK. The council will check your immigration status each time you apply to renew your licence.

1. A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
2. A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
3. A **current** Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.
4. A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
5. A Certificate of Application issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is **less than 6 months old together with Verification** from the Home Office Evidence and Enquiry Unit. The licence may be granted for six months from the date of the Certificate of Application.
6. A **Verification** issued by the Home Office Evidence and Enquiry Unit to you, which indicates that the named person may stay in the UK and work because they have an in time application, appeal or administrative review which is outstanding. The licence may be issued for six months from the date of the licence decision.

PRIVATE HIRE OPERATOR APPLICATION.

If you wish to apply for a licence, the following items must be produced for the Licensing Officer:

ONLY original certificate(s) and document(s) in your FULL current name and address will be accepted, including correct spelling.

- a) The enclosed **application form** completed in full and correctly, including **full lists of both drivers and vehicle's which are to work for you.**
- b) One passport sized photograph taken within the last 12 months for each owner, partner or director.
- c) Two means of identification such as (Passport, Birth Certificate, Driving licence, National Insurance Card) **AT LEAST ONE MUST BE PHOTOGRAPHIC** - the full name and address on which must be the same as that on the application form, correctly spelt name for all persons.
- d) **Basic Disclosure** - no older than one calendar month from date of submission of application.
- e) If the Operator Licence is being issued to more than one individual – such as: a partnership, **all persons details must be provided on the application form and provide all supporting documentation detailed above.**
- f) The appropriate application fee is **£700** for a 5 year licence.
- g) The standard duration for an Operator's Licence is 5 years. It may be issued for a lesser period, only if the application is accompanied by a request to do so in writing.

***Please note – A basic disclosure is required to support your application. It is your responsibility to obtain a current basic disclosure from The Disclosure & Barring Service, through their helpline – 03000200190 or via the website: www.gov.uk/dbs**

Please Note: the Disclosure must not be older than one calendar month from the date of submitting your application.

The application form must be fully completed and all documentation must be in your correct and full name and address. The application and the supporting documentation must all match (including spelling of names) for any licence application to be accepted.

Please Note: - you cannot lawfully trade until your application has been determined and your licence has been issued to you.

If you have any questions relating to this matter please do not hesitate to contact any member of the Licensing Staff.

In order to process your application fully and avoid further delays, you will be required to attend a licensing appointment and submit your fully completed application form. Appointment are on a Tuesday or Wednesday and you need to contact the Licensing Department to arrange an appointment.

Basic Disclosures Information

Basic Disclosures can be obtained The Disclosure and Barring Service, through their helpline - 03000200190, or via their website: www.gov.uk/dbs

The original Disclosure application once received should accompany all relevant documentation and be presented to the Licensing Service, the basic disclosure should be no more than one month old from date of issue.

Contacts

For information on the application process or assistance in making your application, contact us:

By Post Licensing
 St Albans District Council
 Civic Centre
 St Peter's Street
 St Albans
 AL1 3JE

By Phone 01727 818
Email licensing@stalbans.gov.uk



Licensing, St Albans District Council, Civic Centre, St
Peters Street, St Albans, AL1 3JE

**Local Government (Miscellaneous Provisions)
Act 1976**

Application for a Private Hire Operator Licence

I am applying for a: tick one	☐ New Licence	☐ Renewal
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Please write legibly in **block capitals**, and ensure that your answers are inside the boxes and written in **black ink**. All questions must be answered. Incomplete applications will not be processed.

Please familiarise yourself with our Private Hire Operator Conditions, before completing this form. You may wish to keep a copy of the completed form for your records.

If a person knowingly or recklessly makes a false statement, or omits any material particulars in giving the information required, he or she will be guilty of an offence.

Section 1: Licence details		<i>This section should be left blank on new licence applications</i>	
Licence number:	PO	Expiry date of current licence:	/ /

Section 2: Booking details	
Please give the name by which your business is/will be known:	
Please list any telephone numbers advertised for the making of bookings:	
Address(es) of Premises from which you operate, telephone No(s). Must be located in St Albans District	

Section 2: Applicant(s) details	
The application is made by: (tick one)	A single individual
	Multiple individuals
	A limited company

Please give details in part A
Please give details in Parts A & B
Please give details in Part C

Part A: First individual applicant		Mr	Mrs	Ms	Other
Full name:					
Home address:					
Date of birth:	/	/	Driver's badge no: (if licensed)		
Daytime phone number:			Mobile phone number:		
Email address:					

Part B: Second individual applicant (if any)		Mr	Mrs	Ms	Other
Full name:					
Home address:					
Date of birth:	/	/	Driver's badge no: (if licensed)		
Daytime phone number:			Mobile phone number:		
Email address:					

If there are more than two individual applicants, please give the details of further individuals on a separate sheet.

Part C: Limited company applicant		Please also complete Annex C with directors details	
Registered name:			
Registered office address:			
Company registration number:			UK: Companies House Other:
Daytime phone number:			
Email address:			

Section 3: Record keeping

Please describe your arrangements for keeping records of bookings, and of the vehicles and drivers you operate, in accordance with the Council's standard conditions for operator's licences:

At what address can these records be inspected by police or authorised Council officers?

Section 4: Liability insurance details

Do you hold valid liability insurance in respect of your business?		Yes – public liability Yes – employers liability No
Name of insurer(s):		
Policy cover dates:	From: / / To: / /	

Section 5: Premises authorisation

Has relevant planning permission for the [proposed] use of the operating base listed in section 1 been granted, or has it been confirmed that planning permission is not required for this address?	Yes No
Please provide any further relevant information in respect of these matters in the space below:	

Section 6: Suitability of applicant(s)	
Does the applicant (or do any of the applicants, or any of the directors/company officers of a limited company applicant) have any convictions or cautions for any offence, which are not considered to be 'spent'?	Yes No
<i>Convictions and cautions which are considered 'spent' under the provisions of the Rehabilitation of Offenders Act 1974 need not be disclosed.</i>	
Has/have the applicant(s) (or any of the directors/company officers of a limited company applicant) been charged with an offence and is currently awaiting the outcome of those proceedings?	Yes No
Is the applicant (or are any of the applicants, or any of the directors/company officers of a limited company applicant) currently subject to an undischarged bankruptcy order, or similar insolvency proceedings (including IVA's)?	Yes No
Is the applicant (or are any of the applicants, or any of the directors/company officers of a limited company applicant) currently disqualified from being a company director?	Yes No
Is the applicant (or are any of the applicants, or any of the directors/company officers of a limited company applicant) currently prohibited from working in the UK by reason of immigration status?	Yes No
Has/have the applicant(s) (or any of the directors/company officers of a limited company applicant) ever been refused a Private Hire Operator's Licence, by this or any other authority, or had such a licence suspended or revoked?	Yes No
If any of the above questions have been answered 'yes', please provide further details in respect of those matters in the space below:	
Please note that any applicant (or director of a limited company applicant) who does not hold a valid hackney carriage / private hire driver's licence issued by the Council, or who is not currently applying for such, will be required to submit a Basic Disclosure certificate, obtained in that individual's name and issued within the last month, at the same time as this application is made.	

Section 7: Other licences	
Does the applicant (or do any of the applicants or directors/company officers of a limited company applicant) hold a valid Private Hire Operator's licence issued by this or any other authority?	Yes – St Albans Yes – another authority No
If a licence is also held in another authority's area, please outline the steps taken to ensure that bookings received by the St Albans operator are only fulfilled by vehicles/drivers licensed by St Albans:	

Section 8: Declaration and signatures

Every applicant must sign the form

DECLARATION

IF ANY PERSON KNOWINGLY OR RECKLESSLY MAKES A FALSE STATEMENT OR OMITTS ANY MATERIAL PARTICULAR IN GIVING THIS INFORMATION UNDER THIS SECTION, THAT PERSON WILL BE GUILTY OF AN OFFENCE.

I the undersigned, hereby apply for a licence to act as a driver of Private Hire Operator's licence in the District of St Albans and I declare that my answers and statements to the questions in this application are true, to the best of my/our knowledge and belief, and acknowledge that, if there are any omissions, false or incorrect statements of a serious nature, this may result in the application being refused without further consideration or, if a licence has been issued, it may be liable to suspension or revocation. I also confirm that I have been provided with, read and understood and agree to abide by all relevant legislation contained within the guidance document in regard to being a licensed operator within the St Albans District. I have read the Licence Conditions and undertake in the event of a licence being granted to observe and adhere to such Conditions

I understand that in making this application, I am consenting to St Albans City and District Council Licensing Authority making any enquiry as deemed appropriate in relation to my application. I therefore acknowledge and consent to St Albans making enquiries with the police and fraud team and any other agency as required in relation to any investigations, arrests, non-convictions, orders or other offences or issues relating to myself and my application in order to determine my fitness to hold a licence. I understand I will not be entitled to a refund once my application has been submitted.

I have enclosed the following documents:

Annex A, completed with details of all of the vehicles to be operated under the licence, if granted (or an acceptable substitute)

Annex B, completed with details of all of the drivers to be operated under the licence, if granted (or an acceptable substitute)

(limited companies only) Annex C, completed with details of every director of the company

Basic disclosure certificates, issued in the individual's name within the last month, for any applicant (or company director) who is not currently licensed by the Council as a driver

Evidence of right to work in the UK for every applicant (passport, residence permit, etc)

PRIVACY NOTICE

This privacy notice explains how St Albans City & District Council (the Data Controller) will use any personal information we collect about you when you use our services.

We will use your information for the purposes we have set out; keep it securely; destroy it when we no longer need it; tell you the rights applicable to this personal information and how to exercise them; tell you who to complain to.

All this information is set out in full on the privacy notice with this form. [Please read and retain the privacy notice for more details.](#)

CONSENT

By completing this form you are giving consent for us to process your criminal conviction information and special category information, i.e. medical information and criminal records, for the purposes outlined in the privacy notice with the form.

You have a right to withdraw your consent at any time by emailing licensing@stalbans.gov.uk or calling the Council on 01727 296164. If you withdraw consent we will not be able to process your application.

I agree to give consent for you to use my personal information as set out above

☐

Signed:		Print name:		Date:	
Signed:		Print name:		Date:	

If there are more than two applicants, a copy of this page should be taken to allow all applicants to sign. Where the application is made by a limited company, the form should be signed by an officer of the company.

Completed application forms should be submitted, along with the above documents and payment of the appropriate fee(s), to:

Licensing, Civic Centre, St Peter's Street, St Albans, AL1 3JE

Approved L&R Committee 23/01/18

Office use only			
Date received:		Fee received:	
Receipt number:			Chq Card
Appn complete:		Lic. approved:	
Licence valid from:		Licence expires:	

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Card

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Section 9: Vehicle fleet details

1-3 vehicles

How many private hire vehicles will be operated under this licence?

Please complete Annexes A and B with details of the vehicles and drivers to be operated under this licence.

Please note that licences will typically be issued for 5 years:

Annex A

List of vehicles to be operated under the licence

List of vehicles to be operated under the licence

Vehicle registration number

Radio call sign
(if applicable)

N.B. A printout or similar copy from the operator's records which contains the requested information will be an acceptable substitute for this annex.

Annex B

List of drivers to be operated under the licence

Annex B

List of drivers to be operated under the licence

[illegible]

N.B. A printout or similar copy from the operator's records which contains the requested information will be an acceptable substitute for this annex.

Approved L&R Committee 23/01/18

Annex C

Details of limited company directors

Please complete the following details for each director of the company. Use additional sheets where necessary.

Director 1		Mr	Mrs	Ms	Other
Full name:					
Home address:					
Date of birth:	/	/	Driver's badge no: (if licensed)		

Director 2		Mr	Mrs	Ms	Other
Full name:					
Home address:					
Date of birth:	/	/	Driver's badge no: (if licensed)		

Director 3		Mr	Mrs	Ms	Other
Full name:					
Home address:					
Date of birth:	/	/	Driver's badge no: (if licensed)		

Director 4		Mr	Mrs	Ms	Other
Full name:					
Home address:					
Date of birth:	/	/	Driver's badge no: (if licensed)		

Please note that a Basic Disclosure, issued within the last month, must be submitted for any director **who does not hold a valid hackney carriage / private hire driver's licence issued by the Council.**

Privacy Notice

This privacy notice explains how St Albans City & District Council (the Data Controller) will use any personal information we collect about you when you use our services.

What information do we collect about you?

The information that the Council will collect varies depending on how you use the Council's Services. We are using the information provided in this case because we have a legal obligation (Art. 6(1)(c)). This means we collect your personal information from you so that we can carry out a function we are required by law to carry out. In this case we are collecting personal information for the purposes of Taxi Licensing.

If you're providing us with special category personal information (such as details about your health) we will be processing this under Art. 9(2). If you're providing us with criminal conviction personal information we will be processing this under Art.10.

How will we use the information about you?

We use the information to process your private hire operator licence application. We may share the information with other departments at the Council to enable us to deal with your application. We will only share the information to enable us to deal with this matter.

We will not share the personal information we hold with any external organisations except for partner organisations. By partner organisations we mean Local Authorities, your Doctor, your Insurance company or other statutory authorities, such as Her Majesty's Revenue and Customs (HMRC), Cabinet Office, Home Office, Audit Commission, Department for Transport, DVLA, Police or similar agency, where sharing your data is necessary to deal with your matter. We may be required to share your personal information with the Police, or similar agency, or another Council for the purposes of preventing and detecting fraud.

We will ensure that all personal information is kept securely.

How long will we keep this information?

We will destroy this personal information in accordance with our Disposal Schedules. To determine how long we should keep information, we consider what the legislation states and what is good practice. This means we will securely destroy the information once we no longer need it. If you would like to know the specific period of time that relates to your personal information please contact GDPR@stalbans.gov.uk

Individuals' Rights

You have a right to request a copy of the personal information that we hold about you. If you would like a copy of some or all of your information, please contact foi@stalbans.gov.uk and ask for a subject access request.

If you consider we hold inaccurate personal information about you, you can contact us to ask for this information to be corrected. We will consider your request and respond within one month. Please contact GDPR@stalbans.gov.uk.

You can find out more about your rights on our website:

<http://www.stalbans.gov.uk/council-and-democracy/departmentsPoliciesPlans/data-protection/>

Cookies

Cookies are text files placed on your computer to collect standard internet log information and visitor behaviour information. This information is used to make your use of the internet better. For further information on how we use these and how you can control it, please visit <http://www.stalbans.gov.uk/about-this-site/legal-notices/cookies.aspx>

Changes to our Data Protection Policy

We have a Data Protection Policy in place and this can be found here:

http://www.stalbans.gov.uk/Images/SADC%20Data%20Protection%20Policy%20March%202017_tcm15-57902.pdf

We review this policy annually. An updated General Data Protection Regulation version will appear here before 25th May 2018.

Data Protection Officer

Our Data Protection Officer for the purposes of Articles 37 to 39 of the General Data Protection Regulation is Charles Turner, Solicitor to the Council. He can be contacted by emailing GDPR@stalbands.gov.uk or calling 01727 819209 for our Complaints Team.

How to contact us

Please contact us if you have any questions about our Data Protection Policy, or concerns about how we handle your information: by emailing foi@stalbands.gov.uk or write to us at: FOI Team, St Albans City & District Council, St Peter's Street, St Albans, AL1 3JE.

Complaints

You have a right to complain to the Information Commissioner if you are unhappy with how we process your personal information. You can do so through their website: <https://ico.org.uk/concerns/> or by emailing: casework@ico.org.uk or calling their helpline on 0303 123 1113.

STANDARD CONDITIONS FOR PRIVATE HIRE OPERATOR'S LICENCE

- (1)
 - (i) The licensee shall keep a record in the form of a bound book or such other form as may be approved by the Council and notified to the licensee, in writing, and shall enter therein before the commencement of each journey the following particulars of every booking of a Private Hire Vehicle invited or accepted by him or her, whether from the hirer or another Operator:-
 - (a) date;
 - (b) time;
 - (c) whether direct from hirer or at request of another Operator (in the latter instance the name of the Operator must be given);
 - (d) where possible name of hirer and address;
 - (e) place at which vehicle is to attend;
 - (f) date and time at which vehicle is to attend;
 - (g) destination;
 - (h) plate and registration number of vehicle;
 - (i) name of driver of vehicle; and
 - (ii) the licensee shall preserve the particulars of each journey at the address of the place of business notified to the Council, in writing, for a period of not less than twelve months.
- (2) The Licensee shall keep a certified true copy of the current Private Hire Operator Licence issued by St Albans District Council at the Operators office, and of the following particulars of any Private Hire Vehicle operated by him or her:
 - (a) Registration number
 - (b) Private hire plate number
 - (c) Permitted number of passengers to be carried
 - (d) Make and model of vehicle
 - (e) Name and address of proprietor of the vehicle
 - (f) Date on which the Vehicle was added to the licensees fleet.
 - (g) Date on which the vehicle was withdrawn from the licensees fleet.
- (3) The licensee shall keep a record of the following particulars of all licensed Private Hire Drivers engaged to drive any Private Hire Vehicle operated by him or her:-
 - (a) Full name(s) and permanent address of driver
 - (b) Date of birth
 - (c) Private Hire Drivers Badge Number and expiry date;
 - (d) Date that employment commenced;

- (e) Date that employment terminated;
- (4) The licensee or his controllers shall produce all or any of the records specified in conditions 1, 2 or 3 above on request to any Authorised Officer of the Council or to any Constable for inspection on demand.
- (5) The licensee shall not operate any vehicle, which is not exempted from the provisions of Part II of the Local Government (Miscellaneous Provisions) Act, 1976, by section 75(1) of that Act, as a Private Hire Vehicle unless it is subject to a current Private Hire Vehicle Licence Granted by the Council. However, the Licensee may operate any unlicensed vehicle from the authorised premises mentioned in the Licence provided that the usage of such vehicle is exempt from control under Part II of the Local Government (Miscellaneous Provisions) Act, 1976.
- (6) The licensee shall not employ or otherwise engage whether directly or indirectly any driver to drive any Private Hire Vehicle operated by the Licensee unless the driver has a current Private Hire Driver's Licence granted by the Council.
- (7) This licence does not permit the Licensee to operate licensed Private Hire Vehicles from premises other than the authorised premises mentioned in the Licence. The Operators licensed premises has to be located within St Albans District Council. Any change in the details of these premises must be notified within seven days of the change to the Licensing Department, Civic Centre, St Peter's Street, St Albans, AL1 3JE.
- (8) Any change of address of the Licensee must be notified to the Licensing Department, address as immediately above within 7 days.
- (9) (a) no advertisement containing wording which includes the words "cab" "taxi-cab" or "taxi" may be exhibited on the notified premises or attached to the exterior thereof including any door, window, brickwork or fascia;
- (b) if the Operators firm, company name or names contains the words "cab" "taxicab" or "taxi" these names may not be displayed in the advertisements referred to in (9)(a) above and
- (c) in addition to the restrictions imposed by the provisions of (9)(a) and (9)(b) above no advertisement by the licensee:
- (i) indicating that motor cars can be hired on application to an address or telephone number; or
- (ii) on or near the notified premises indicating that motor cars can be hired at those premises shall include the words "cab" "taxi-cab" or "taxi";
- in this licence "advertisement" includes any form of advertising, whether in a publication or by the display of notices or by means of circulars or other documents or by an exhibition of photographs, pictures, video tape, film, computer generated images or by way of sound broadcasting or television.
- "taxi", "taxi-cab" and "cab" includes the words whether in the singular or plural and words of similar sound or appearance whether alone or as part of another word.

- (10) The licensee shall not cause or permit the colour of any licensed vehicle operated by him or her for Private Hire work to have a colour scheme which does not comply with Condition (1) of the Council's Standard Conditions for a Private Hire Vehicle Licence.
- (11) The licensee shall not permit any licensed vehicle operated by him or her to display on or above the roof of any vehicle any sign which consists of or includes the words "cab", "taxi-cab" or "taxi" whether in singular or plural or "hire", or any words of similar meaning or appearance to any of those words whether alone or as part of another word; or any sign, notice, mark, illumination or other feature which may suggest that the vehicle is a taxi, as defined in sub-section (3) of section 64 of the Transport Act, 1980.
- (12) (a) The licensee shall ensure that any Private Hire Vehicle operated by him or her is in suitable mechanical condition, safe, comfortable, clean and presentable and that the Private Hire Vehicle Plate is affixed to the vehicle as follows:-
- (i) affixed to the outside rear of the vehicle so as to be plainly visible from the exterior of the vehicle;
 - (ii) a replica plate to be affixed on the inside front windscreen of the vehicle in the upper nearside quarter so as to be plainly and distinctly visible from the interior of the vehicle;
and
 - (iii) the identifying disc issued by the Council shall be affixed inside the vehicle to the lower nearside of the front windscreen so that the information thereon is plainly and distinctly visible from the exterior of the vehicle.
- (b) The licensee shall ensure that the vehicle is insured for the carrying of passengers for hire or reward at all times and that every Private Hire Vehicle operated by him or her is insured for the carrying of passengers for hire and reward by previous bookings; and a copy of the vehicles current insurance details are to be held by the operator and available for inspection on demand by an authorised officer of the Council or a Police Officer; and
- (c) that the provisions of Section 50 of Part II of the Local Government (Miscellaneous Provisions) Act, 1976 are complied with.
- (13) The licensee shall notify the Licensing Department of any material change in the particulars originally supplied to the Council when this Licence was applied for or if the change was not expected as soon as possible after it has taken place.
- (14) The licensee must inform the Council in writing within 7 days of a driver joining or leaving the company or firm.
- (15) This licence has been granted to the licensee personally and does not licence any other person, who may take over the licensee's business for which he or she requires a Private Hire Operator's Licence, as a Private Hire Operator. Therefore, unless any person who intends to take over the licensee's said Private Hire business is already an Operator licensed by the Council that person must obtain an Operator's licence in his or her own right from the Council prior to taking over the said Licensee's Private Hire business.
- (16) The licensee shall display this licence on the premises at all times and produce this licence on request to any Authorised Officer of the Council or to any Constable for inspection.

- (17) The licensee shall not permit or cause or suffer to be conveyed in a Private Hire Vehicle a greater number of persons than that specified in the current Private Hire Vehicle Licence in respect of that vehicle.
- (18) The licensee shall keep clean and in good state of decoration and repair, adequately heated, ventilated and lit any premises which they provide and to which the public have access whether for the purpose of booking or waiting; shall ensure that the waiting area has adequate seating facilities and that such facilities and any other furnishings provided are in a good state of repair and shall ensure the appropriate fire precautionary equipment is provided, properly maintained and kept in an accessible location.
- (19) The Licensed Operator is to ensure that the drivers employed or used by the Operator are licensed by St Albans District Council by checking the status of their Licence with the Licensing Department.
- (20) The Licensed Operator is to be directly concerned in the day-to-day management of the business and is to ensure that all of the conditions listed above are adhered to.
- (21) The Council reserve the right to vary, delete or waive any of the forgoing conditions
- (22) The Licensed Operator is to ensure that they comply with Section 170 of the Equality Act 2010 (EA 2010) it is an offence for a private hire operator to fail or refuse to take a booking for a private hire vehicle;
- (a) If the booking is requested by or on behalf of a disabled person or a person who wishes to be accompanied by a disabled person, and
- (b) The reason for the failure or refusal is that the disabled person will be accompanied by an assistance dog.

It is also an offence by virtue of EA2010, s 170(2), for the operator to make any additional charge as a result of the need to carry an assistance dog.

- (23) **Planning** - The granting of an operators licence does not allow the use of the premises as a private hire operator's base in the absence of planning permission. The Council will notify planning that an application has been granted.
- (24) **Consideration of disclosed criminal history** - Under Sections 51, 55, and 59 of the 1976 Act, the Council is required to ensure that an applicant for the grant or renewal of a hackney carriage and / or a private hire driver licence and / or private hire operator's licence is a 'fit and proper' person to hold such a licence.
- (25) If an applicant has been convicted of any offence, received warnings, cautions, reprimands, or has matters recorded against them where restorative justice has been used, has charges against them awaiting trial, is on bail before being charged or has been the subject of an anti-social behaviour order, the Council will consider:
- How relevant the offence(s) are to the licence being applied for will be determined in line with the Councils Conviction Policy which can be found on the Council website as detailed below:

http://www.stalbans.gov.uk/Images/Convictions%20Policy%20FINAL%2004%2007%2016_tcm15-54710.pdf

Deregulation Act 2015 – Changes to Private Hire Sub Contracting

Since 1st October 2015 Private Hire Operators have been allowed to subcontract bookings to Private Hire Operators licensed in other council areas. Previously they were only permitted to subcontract to other Private Hire Operators in the same council area as them.

This is the only change that has been made. There is no general relaxation allowing any driver or vehicle to work anywhere in the UK.

Where a booking has been subcontracted, it must be completed by a vehicle and driver licensed by the same council as the operator who has received the subcontracted booking.

For example, if a Watford based operator subcontracts a booking to a St Albans operator, the booking must be carried out by a driver and vehicle licensed by St Albans City and District Council. If a St Albans based operator sub-contracts a booking to a Watford operator, the booking must be carried out by a driver and vehicle licensed by Watford Borough Council.

If you are licensed as a private hire driver by St Albans City and District Council, you may only take bookings given to you by a licensed St Albans operator. St Albans private hire drivers can only drive private hire vehicles licensed by St Albans City and District Council - this remains unchanged. You may not go and work for operators in other areas without a licence from that Local Authority.

If you are a St Albans licensed Private Hire Operator, you **may** subcontract work to, and accept subcontracted work from, licensed Private Hire Operators in other districts. If you do so you **must** record the full details in your records for each individual booking.

However, for bookings in St Albans District you **may only** give them directly to drivers and vehicles licensed in St Albans District. You **may not** give St Albans District bookings directly to drivers licensed by other councils.