



Please reply to:

Contact: Gillian Scott
Service: Committee Services
Direct line: 01784 444243
E-mail: g.scott@spelthorne.gov.uk
Date: 10 March 2020

Notice of meeting

Licensing Sub-Committee

Date: Wednesday, 18 March 2020

Time: 10.00 am

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames

To the members of the Licensing Sub-Committee

Councillors:

R.W. Sider BEM

R.O. Barratt

S.A. Dunn

Note: In the event of one of the aforementioned Licensing Committee Members being unable to attend or serve on this Sub-Committee another Member of the Licensing Committee will be called to serve in their place.

Councillors are reminded that the Gifts and Hospitality Declaration book will be available in the meeting room for you to record any gifts or hospitality offered to you since the last Committee meeting.

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

www.spelthorne.gov.uk customer.services@spelthorne.gov.uk Telephone 01784 451499

AGENDA

Page nos.

1. Disclosures of Interest

To receive any disclosures of interest from members in accordance with the Members' Code of Conduct.

2. To consider an application for a Private Hire Operator's Licence from OLA UK Private Ltd

3 - 112

To consider whether OLA UK Private Ltd is a 'fit and proper person' to hold a private hire operator's licence.

The procedure for the hearing is attached followed by the Report of the Deputy Chief Executive.

SPELTHORNE BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

GUIDANCE NOTES ON PROCEDURE WHEN CONSIDERING PRIVATE HIRE OR HACKNEY CARRIAGE VEHICLE OPERATOR'S LICENCES

1. The Council's Legal representative will conduct election of Chairman (unless Chairman or Vice-Chairman of Licensing Committee is a Member of the Sub-Committee).
2. Chairman will ask Members of Sub-Committee if they have any Disclosures of Interest.
3. Chairman introduces Members of Sub-Committee and Officers.
4. Chairman will ask:-
 - Is the applicant/respondent present
 - The applicant/respondent to introduce themselves
 - If the applicant/respondent is legally represented.
 - If the applicant/respondent has any witnesses and if so give their names and position.
5. The Licensing Officer will present the Report of the Deputy Chief Executive and:
 - a. explain the reasons for referral of the application to the Licensing Sub-Committee
 - b. call any witnesses in support
 - c. present the views of the Police, if any, who if present may be called upon to present their evidence/state their objections.
6. The applicant/respondent or his/her representative may ask the Licensing Officer, the Council's witnesses or Police, questions about the Report before the Sub-Committee.
7. The Licensing Sub-Committee may also ask the Licensing Officer, the witnesses or Police, questions about the report.
8. The applicant/respondent or his/her representative will put his/her case, calling any witnesses to speak on their behalf.
9. The Licensing Officer may then ask questions of the applicant /respondent and any witnesses.
10. The Licensing Sub-Committee may question the Licensing Enforcement Officer, the applicant/respondent and any witnesses.
11. The Licensing Officer may make a closing speech.
12. The applicant/respondent or his/her representative may make a closing speech.
13. The Sub-Committee will then retire to consider its decision in private, accompanied by its legal representative.
14. When it returns the Chairman will announce the Sub-Committee's decision with reasons, to all parties.

15. The decision of the Sub-Committee will subsequently be confirmed to the applicant in writing.

NOTES

Human Rights

The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way which is incompatible with a convention right.

The Sub-Committee will have regard to the Human Rights Act when exercising its licensing functions, with particular reference to the following provisions: -

- Article 1 of the first protocol states that every person is entitled to the peaceful enjoyment of his/her possessions and the Licensing Authority, when taking into account this right will strike a fair balance between the applicant's interest and the interests of the public.
- Article 6 relates to the determination of civil rights and obligations and states everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

It is established that holding a Licence is a civil right within the meaning of Article 6 and therefore any hearing to determine licence applications, renewals or revocations would need to comply with the safeguards of the convention. The Council's hearings will be conducted fairly in accordance with the rules of natural justice and as applicants have a full right of appeal to an independent tribunal against any decision made by the Licensing Authority, the requirements of Article 6 will have been complied with.

- Article 8 states that
 - (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
 - (2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Like Article 1, the Licensing Authority, when considering this right must strike a fair balance between the applicant's interest and the interests of the public.

Licensing Sub-Committee

18 March 2020



Subject	To consider the application from OLA UK Private Ltd of Suite 139 Business Design Centre, 52 Upper Street, Islington London, N1 0QH for the grant of a Private Hire Operator's licence.		
Purpose	For determination		
Report of	Deputy Chief Executive	Ward	Staines
Contact	Lucy Catlyn, Principal Licensing Officer, 01784 444202		

Reason for referral	<p>On 4 September 2019 the Licensing Department received a new Operators licence application form from Fionn Hart from OLA UK Private Ltd. This is attached as Appendix A.</p> <p>Section 55 of the Local Government (Miscellaneous Provisions) Act 1976 (LG(MP) A 1976) requires that the Council shall not grant a Private Hire Operators licence unless they are satisfied that the applicant is a fit and proper person.</p> <p>Under the scheme of delegations officers can refer applications to be determined by the Licensing Sub Committee.</p>
Operator's background	<p>OLA UK Private Ltd are a private limited company registered under company number 1154418. The company was incorporated on 17 January 2018. They have 4 current officers: Fionn Conor Mccarthy Hart –Director Balasubrahmanyam Vijay – Director Karl Eric Andres Lutzow – Director</p> <p>OLA UK Private Limited intend to operate an APP based booking platform for providing transportation services through private hire vehicles on their platform; essentially allowing mobile phone users to book the services of private hire and metered taxis via an APP.</p> <p>OLA UK Private Limited is one of the group companies on ANI Technologies Private Limited, which is a technology company providing an online platform for taxi/minicab services based out of India. ANI Technologies operates under the brand name "OLA" and has presence in more than 110 cities in India. OLA has successfully launched its operations in Australia and is desirous of expanding its operations in the UK. As of February 2020, OLA has begun its commercial operations in around 79 Local Authority areas, including South Wales, Bristol Area,</p>

	Exeter, Coventry, Bournemouth, Liverpool, Luton, Manchester and Sunderland.
Legal Implications	<p>According to Section 255 of the Greater London Authority Act 1999, the provisions of both the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 apply in relation to the licensing of hackney carriage and private hire vehicles and drivers within the Spelthorne Borough Council area, along with the Spelthorne Borough Council Hackney Carriage Byelaws.</p> <p>Consideration must be given to the Human Rights Act 1998, namely Article 6 (the right to a fair trial), Article 8 (the right to respect for private and family life) which is a qualified right and Article 1 of Protocol 1 (the protection of property) which is also a qualified right.</p> <p>Article 6 provides licensees the right to a fair trial and provides as a minimum; a fair and public hearing, an independent and impartial tribunal (via an appeal in the Magistrates' Court) and a reasoned judgement. Any decision to potentially revoke or suspend a licence will engage these rights.</p> <p>In relation to Article 8, the purpose behind the licensing regime is public safety and accordingly a licence can be removed without consideration of the impact on a person's family.</p> <p>Case law has established that a decision maker dealing with a licensed driver should not regard the licence as a possession for the purposes of Article 1 of Protocol 1.</p> <p>Due regard must be given to the Public Sector Equality Duty. The Equality Act 2010 sets out obligations for public bodies to advance equality of opportunity among people and eliminate discrimination.</p> <p>Regard should also be given to Spelthorne Borough Council's Hackney Carriage and Private Hire Licensing Policy 2019 and the Private Hire Conditions.</p>
Options	<p>The Sub-Committee is asked to consider whether or not OLA UK Private Ltd is a fit and proper person to hold a private hire operator's licence.</p> <p>After considering all of the information, including oral representations, the options open to the Sub-Committee in respect of the operator licence application are:</p> <ol style="list-style-type: none"> 1) Grant the Operator's licence for a 5 year period 2) Grant the Operator's licence for a limited duration up to 5 years 3) Grant the Operator's licence with such additional conditions as the Sub Committee consider reasonably necessary 4) Refuse the application. This carries a right of appeal to the Magistrates Court. <p>If the Sub- Committee choses option 4 they must be satisfied that OLA are not 'fit and proper person' to hold an Operator's licence (as set out in s.55 of the 1976 Act) and give their reasons for the decision reached.</p>

1. Background

- 1.1 The Licensing Department received an application from OLA on 4 September 2019 for a 5 year new Operators Licence for 21 or more private hire vehicles. They advised on their application form that 'as an APP-based service we will on-board all drivers on launch – we will provide these details immediately upon launching'. OLA have advised on their application form that a "nearby office will be open during regular working hours and the APP will be available 24/7".
- 1.2 Since the application form has been submitted OLA have advised that their office address in Spelthorne is: Mansell Office, 21 Woodthorpe Road, Ashford, Middlesex, TW15 2RP. I attach as **Appendix A** a copy of their application form. OLA have advised that the office would be an unmanned office with a desk, chairs and internet access and that there would be no public access.
- 1.3 Customers book a ride with OLA (the Operator) through an APP on their smartphone, which automatically locates the nearest vehicle and dispatches it to them with full details of the driver and vehicle. The driver picks up the customer and upon completion of the journey the rider is charged via their credit or debit card, details of which are entered prior to the journey.
- 1.4 OLA have advised that they are able to meet the Licensing Authority at the office at any time in order for us to inspect their records or just for a general meeting. Further when they launch in Surrey they would have a central operating office which would be manned. A Regional Manager would be based there and would be our single point of contact. It should be noted that this would be somewhere in Surrey, but not necessarily in Spelthorne.

2. Additional Information

- 2.1 OLA provided a cover letter on 2 March 2020 in support of their application. Please find attached at **Appendix B**. The main points of this letter are covered in this report. OLA have also provided documentation to support their application which I have attached as **Appendix C**.
- 2.2 OLA were founded in India in 2011 by Bhavish Aggarwal and Ankit Bhati and is one of the world's largest ridehailing companies.
- 2.3 OLA launched in the UK in 2018 and hold 80 Private Hire Operator Licenses throughout the country. Please find at **Appendix D** a list of their current operator licenses. This document also details where they have applied for a licence elsewhere as well.
- 2.4 OLA have advised that customers can book a ride through the OLA APP and can choose between a metered taxi or a private hire vehicle. They have stated that passenger and driver-partner safety is their priority and they have processes to make rides safer for passengers and drivers including in-APP emergency features, 24/7 customer care and an option to share ride details with emergency contacts.
- 2.5 The Licensing Department asked OLA what system they have in place for when a driver's badge and plate is going to expire to ensure that they get the renewed badge of the driver. OLA have advised that the drivers receive messages in the lead up to their badges and plates expiring, reminding them

that they are due to expire and that they need to upload their updated versions. OLA have advised if drivers do not upload them in time they are automatically 'offroaded' (temporarily blocked from the APP) until they do.

- 2.6 Drivers supply their insurance and MOT when they apply and OLA state that the driver receives notifications when the renewal date is upcoming and is automatically 'offroaded' if any documents become out of date.
- 2.7 OLA have advised that they hold both the national insurance number and DLVA driving licence number for each driver as a unique identifier saved in their system. This means that if a driver is ever blacklisted with OLA they will not be able to drive with them again, even if they attempt to on-board with them under a new name or with new documents such as insurance or a council issued drivers licence.
- 2.8 The applicant has been invited to attend the meeting in support of the application.

3. Sub-Contracting

- 3.1 The licensing department have made enquiries with OLA regarding journeys that are booked and they have advised:

Journeys starting and finishing in another district where OLA has a licence:	<i>"We do not limit the number of jobs which drivers can do, so they can do as many as they like in Guildford, Runnymede, Woking etc. When done by Spelthorne drivers, we would subcontract the booking to our Spelthorne licence in order to comply with the legislation. The only exception would be if a job took them a long way from the region, for example Kent or Reading. Drivers would then only be able to get a job back to their licensed area."</i>
Journeys starting in a district where OLA does not have a licence:	<i>"If a journey has taken a driver to a council where OLA is not licensed, they would technically be able to get a job back to their licensing area. However this would be fairly unlikely as there would not have been any marketing done in the area, so customer app use is likely to be minimal. It's more likely they would not be able to do any pickups until they returned to their licensed area. Drivers would not be able to any jobs within the district."</i>

- 3.2 OLA state that they 'geo fence' the district to ensure all bookings can only be taken in Spelthorne. That "GPS/mapping data is built into the APP, which means that the APP 'knows' the location of the phone and therefore the user and whether they are within the district or not".
- 3.3 As per James button (Button on Taxis: Licensing Law and Practice 4th edition) point 12.60 "in October 2015 two new sections were introduced to the LG(MP)A 1976 by the Deregulation Act 2015. Sections 55A and 55B allow a

private hire operator to sub-contract a booking to another private hire operator, irrespective of where either is licensed within the UK mainland, with the exception of Plymouth". The relevant sections are at **Appendix E**.

4. Spelthorne Borough Council taxi policy requirements:

- 4.1 Spelthorne Borough Council's Taxi Policy point 2.10 states: "with the increasing popularity of APP-based PH Operations there has been an influx of enquiries from prospective PH Operators who wish to work via "virtual offices". For the avoidance of confusion, a virtual office is one which need not be manned, from which any landline is redirected to a head office based elsewhere (often outside of the borough). In line with legal guidance outlined in Button On Taxis and under these circumstances, the Council is prepared to accept applications for PH Operator licences under the proviso that the applicant agrees to supply digital records from their head office without delay on request from a LEO or other authorised officer working on behalf of the Council. Any failure to subsequently do so would immediately call into question the suitability of the applicant to hold a PH Operator licence and would usually trigger a referral to a Licensing Sub-Committee accordingly in order for members of the Licensing Committee to determine whether they deem it appropriate for the licence to remain in place." A copy of the Spelthorne Borough Council Taxi Licensing Policy 2019 is attached at **Appendix F**.
- 4.2 The Licensing Team have checked with OLA and they have advised that they are able to provide digital records from our single point of contact without delay.
- 4.3 The Spelthorne Borough Council Taxi Licensing Policy at 5.4, together with (attached as **Appendix G**) 'Form A Spelthorne Borough Council Private Hire Operators licence conditions of licence' details the conditions we expect Operators to follow.
- 4.4 Under the Spelthorne Borough Council Taxi licensing policy 2019 applicants and every controller are required to submit a standard DBS disclosure or a Police National Computer (PNC) check obtained within the last month.
- 4.5 A Basic Disclosure and Barring Service (DBS) check was submitted with the application form for Fionn Conor McCarthy Hart which is dated 22 July 2019 and no police records of convictions, cautions, reprimands and warnings are recorded. A copy of this is attached at **Appendix H**. A further updated DBS was submitted on 2 March 2020 dated 29 November 2019 which shows no offences recorded.
- 4.6 A basic DBS check was submitted on 2 March 2020 for Balasubrahmanyam Juturi dated 20 January 2020 and shows no police records of convictions, cautions, reprimands and warnings are recorded. A copy of this is attached at **Appendix I**.
- 4.7 A basic DBS check was submitted on 2 March 2020 for Karl Eric Lutzow dated 7 November 2019 and shows no police records of convictions, cautions, reprimands and warnings are recorded. A copy of this is attached at **Appendix J**.
- 4.8 As per point 2.12 of the Spelthorne Borough Council Taxi Licensing Policy - all controllers working under the employ of a Spelthorne-licensed PH Operators (whether paid or not) will be required to undertake this training

module (Barnardos' Safeguarding Adult & Child Sexual Exploitation (CSE) online training module) before commencing work. The Licensing Sub Committee need to direct who they specifically want to undertake the CSE Training.

5. Legal Implications

- 5.1 A private hire operator (PHO) is the person who takes a booking for a private hire vehicle (PHV) and then dispatches a private hire vehicle driven by a licensed private hire driver (PHD) to fulfil that booking. All three licenses (PHO, PHV and PHD) must have been granted by the same authority.
- 5.2 The underlying purpose of this regulatory regime is "to provide protection to members of the public who wish to be conveyed as passengers in a motor car provided by a private hire organisation with a driver" (St Albans District Council v Taylor [1991] RTR 403-A-B per Russell LJ).
- 5.3 A private hire vehicle can only be despatched to a customer by a private hire vehicle. The licensing of operators of private hire vehicles is provided at section 55 of the LG (MP) A 1976 (**Appendix E**).
- 5.4 The Council thus has a statutory duty to grant the licence unless it considers that the applicant is not a fit and proper person to hold a licence.
- 5.5 The licence should be granted for a five year period unless there are specific reasons in the particular circumstances of the case that justify granting the licence for a shorter period.
- 5.6 Section 80 of the 1976 Act defines "operate" as follows: - "operate means in the course of business to make provision for the invitation or acceptance of bookings for a private hire vehicle".
- 5.7 Section 46(1) (d) LG (MP) A 1976 makes it clear that anyone acting as an operator must have an operator's licence: "(d) no person shall in a controlled district operate any vehicle as a private hire vehicle without having a current licence under S55 of this Act" and a local authority cannot grant a licence (s55(1)) "unless they are satisfied that the applicant is a fit and proper person to hold an operator's licence". Attached as **Appendix K**.
- 5.8 Should the Sub-Committee decide not to grant the operator's licence to OLA, the grounds on which such a decision was made must be given to them in writing within 14 days of the date of the hearing, as required by section 62(2)(a) of the Local Government (Miscellaneous Provisions) Act 1976.
- 5.9 Under the provisions of section 62(3) LG (MP) A 1976 OLA has the right to appeal against the decision to the Magistrates Court within 21 days of receiving written notice of the Sub-Committee's decision.

Appendices:

Appendix A	Application form
Appendix B	Cover letter from OLA
Appendix C	Supporting documentation from OLA
Appendix D	List from OLA of Operator licenses applied for/granted
Appendix E	Section 55 LG (MP) A 1976
Appendix F	Spelthorne Borough Council Taxi Policy 2019
Appendix G	Form A - Spelthorne Borough Councils' PH Operator Conditions
Appendix H	Fionn Hart DBS dated 29 November 2019
Appendix I	DBS Balasubrahmanyam Juturi dated 20 January 2020
Appendix J	DBS Karl Eric Lutzow dated 7 November 2019
Appendix K	Section 46 LG (MP) A 1976

This page is intentionally left blank

SPELTHORNE BOROUGH COUNCIL
TAXI AND PRIVATE HIRE OPERATOR LICENCE APPLICATION FORM

PLEASE COMPLETE THE FORM IN BLACK INK AND BLOCK LETTERS

1. Licence details

Licence number

Date of expiry of licence

2. Applicant details

Forename(s)

FIONN

SURNAME

HART

Address

Telephone no

Mobile

E-mail address (if available)

FIONN.HART@OLACABS.COM

3. Company

If the applicant is part of any partnership or limited company, please show the following details of each company (continue on a separate sheet if necessary)

Company trading name

OLA

Registered Address of company

1 FETTER LANE, LONDON, EC4A 1BR

Company Number

11154418

4. Partner(s)

(continue on a separate sheet if necessary)

Forename(s)

SURNAME

Address

Telephone no

Mobile

E-mail address (if available)

5. Driver & vehicle details

Please list all drivers currently working for the company, as well as details of their vehicle licence.
 (continue on a separate sheet if necessary)

Driver name

Vehicle licence number

AS AN APP-BASED SERVICE WE WILL ON-BOARD ALL DRIVERS
 ON LAUNCH - WE WILL PROVIDE THESE DETAILS
 IMMEDIATELY UPON LAUNCHING.

6. Criminal convictions

Have there ever been any convictions in relation to any offences recorded against you or your company *
YES / NO

If **YES** please give details here. Please continue on a separate sheet if necessary.

7. Office Opening times of business: (if relevant)

Please list your opening times below

Day	Open	Close
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

A NEARBY OFFICE WILL BE OPEN
 DURING REGULAR WORKING HOURS:-
 AND THE APP WILL BE AVAILABLE
 24 / 7.

8. Fees

(please tick appropriate box)

	<u>1 year</u>		<u>5 years</u>	
1 private hire vehicle	£212.00	<input type="checkbox"/>	£925.00	<input type="checkbox"/>
2 - 5 private hire vehicles	£264.00	<input type="checkbox"/>	£1,157.00	<input type="checkbox"/>
6 - 20 private hire vehicles	£377.00	<input type="checkbox"/>	£1,717.00	<input type="checkbox"/>
21 or more private hire vehicles (charged as an hourly rate)	£57.00 p/h	<input type="checkbox"/>	£57.00 p/h	<input checked="" type="checkbox"/>

9. Declaration

The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence knowingly or recklessly to make a false statement in connection with an application for the grant or renewal of a licence to be treated as making a false statement of he produces, furnishes, signs or otherwise makes (that contains a false statement).

Signature Date 4.09.19

(*please delete as appropriate)



About Ola

Founded in 2011 by Bhavish Aggarwal and Ankit Bhati, Ola is one of the world's largest ridehailing companies. Having risen to market leader status in India and expanding services internationally to Australia and New Zealand, Ola arrived in the UK in 2018, bringing vast experience in delivering world-class solutions to everyday mobility needs.

Ola in the UK

Ola launched its ridehailing services in the UK last year and is now operational in several major UK cities including London, Cardiff, Bristol, Exeter, Liverpool and Birmingham. We integrate transportation for customers and driver-partners onto a mobile technology platform ensuring convenient and quick service fulfilment through our app. We offer passengers the choice of both Private Hire Vehicles and Hackney Carriages on one easily accessible app-based platform.

Ola currently holds Private Hire Operator Licences from 80 licensing authorities across the UK and we continue to engage with regulators and local licensing procedures to expand our services to reach full nationwide coverage across the UK by 2021. Ola holds a licence and has a physical premises and direct relationship with the licensing officers in every borough in which we operate.

There are now more than 500,000 Ola customers in the UK and our 30,000 driver-partners have enabled them to make over 4 million rides to date across five different regions.

Ola values

Passenger and driver-partner safety is our priority and we will always assist local authorities on matters of safety for drivers and riders. We are committed to providing safe and affordable travel for passengers and we have a zero-tolerance policy regarding any inappropriate or offensive behaviour for any of our passengers or drivers. Indeed, we have put in place processes to make rides safer for passengers and drivers including in-app emergency features, 24/7 customer care and an option to share ride details with emergency contacts, among others.

Our business is literally driven by our driver-partners. We place them at the heart of our approach and provide them with the best commission in the industry, so that driver-partners earn more from each trip with Ola than any of our competitors.

Ola is recognised for its collaborative approach, working with national governments and local authorities, to help solve transport mobility issues in innovative and meaningful ways. We look

forward to working with the council during the Private Hire Operator licence application process, and as we develop our investment plans for the area.

Booking Acceptance By The Operator

When a booking request originates from Customer App, it is passed to Dispatch System via the Booking Orchestrator. The Dispatch System then confirms the booking allocation to driver through Driver Gateway. **Here, the Dispatch System is accepting the booking.**

A booking request passes through the below systems to reach the Driver app from the Customer app.

1. Customer Gateway
2. Booking Orchestrator
3. Booking System
4. Dispatch/Allocation System
5. Driver Gateway

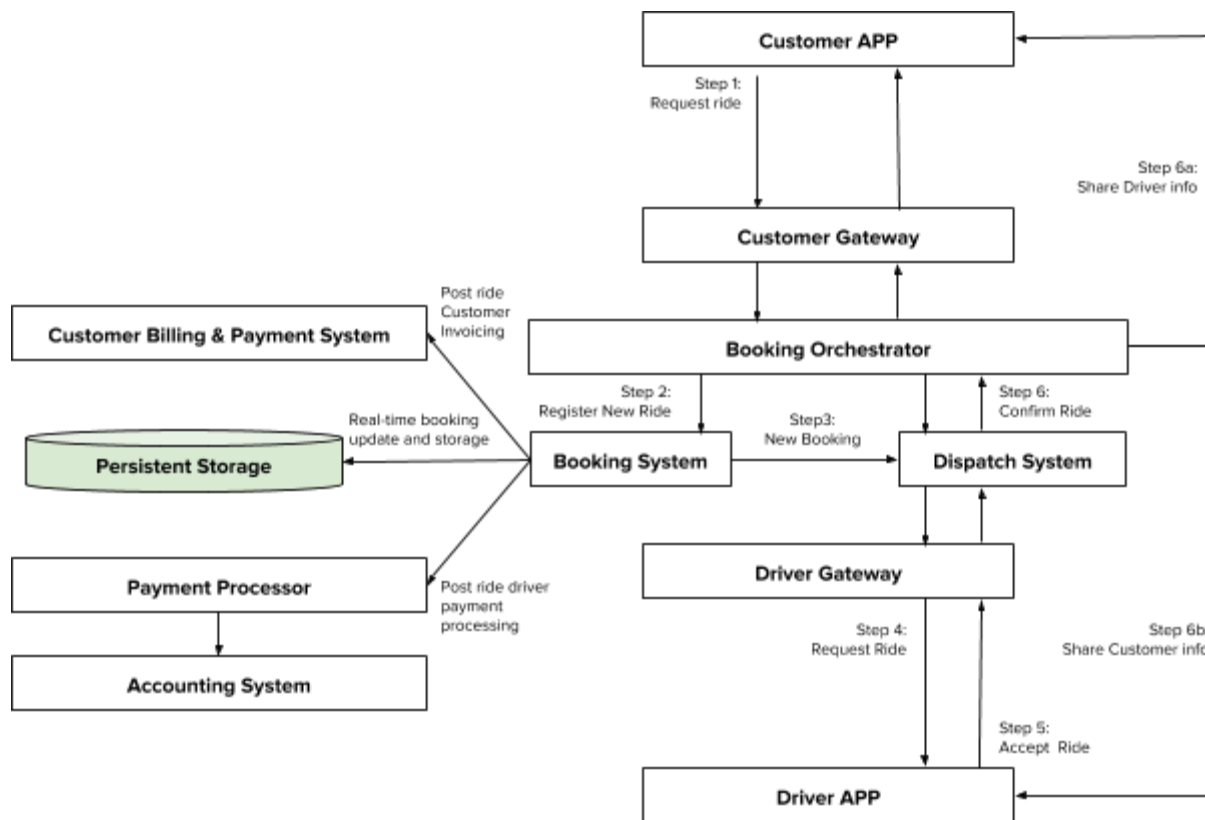
Here is it how it happens step by step.

1. Passenger requests a ride using the **Customer App**
2. The request reaches the integrated backend system through the **Customer Gateway**
3. **Customer Gateway** passes the request to **Booking System** through **Booking Orchestrator**
4. **Booking System** registers this as a new booking and passes it to the **Dispatch/Allocation System** to look for a driver
5. **Dispatch/Allocation System** looks for a driver based on various parameters. It sends the request to one or more drivers through the **Driver Gateway**.
6. One or more drivers receive the booking request on their **Driver Apps**.
7. When a driver accepts the booking, **Dispatch/Allocation System** is informed that the booking has been accepted. **This is where the system is accepting the booking as the operator.**

Managing The Booking

Various configurations are set beforehand to ensure decisions are made programmatically by various components of the Ola integrated backend systems. Once the configurations are set, the entire process is automated without any manual intervention.

The status of the booking is constantly updated by the Booking System - a key part of the backend systems. The process has been detailed below:



1. Passenger requests for a ride using the Customer App. The request is then sent to the Customer Gateway over the internet.

[Customer Gateway - Helps the customer app communicate with the backend systems. It enables the customer app to send and receive information from the backend.]

2. The request is then passed on to the Booking System through the Booking Orchestrator.

[Booking Orchestrator - Just like its name, it orchestrates the whole booking process. It coordinates with various backend components to process a booking request.]

[Booking System - Maintains the life cycle of a booking. It constantly updates the status of a booking whenever it changes (E.g. Requested, Allocated, Cancelled, In progress, Stocked out, etc.)]

3. Booking System registers this request as a new booking and passes it on to the Dispatch/Allocation System to find a driver to serve this request.

[Dispatch/Allocation System - This system takes all the decisions related to sending a booking request to the appropriate driver. It takes into account factors like proximity, availability, category requested, etc.]

4. Dispatch/Allocation System sends the request to one or more drivers through the Driver Gateway. Drivers receive this request on their Driver App.

[Driver Gateway - Helps the driver app communicate with the backend systems. It enables the driver app to send and receive information from the backend.]

5. Driver accepts the booking from the Driver App. If a driver does not accept a booking within the given time, the request is passed on to other drivers according to the rules defined by the Dispatch/Allocation System.
6. After a driver accepts the request, he/she receives the details required to pick up the passenger. Passengers are also provided the driver and vehicle details. The Booking System also updates the state of the booking to “Allotted” from “Requested”.
7. The driver then reaches the passenger’s location and begins the trip. Booking System updates the status as “In Progress”. The system constantly receives the status of the booking from the Customer and Driver Gateways and updates the status accordingly.
8. The driver reaches the passenger’s drop location and ends the trip. Booking System updates the status as “Completed”. It alerts the Customer Billing and Payment System to calculate the fare and process the payment.

[Customer Billing and Payment System - This system calculates the bill amount of a ride and charges it to the passenger’s card.]

9. The Booking System then communicates with the Driver Payment Processor to calculate the earnings of the Driver for the booking. This system then communicates to the Driver Accounting System to schedule the payment to the driver.

[Driver Payment Processor - This system calculates the payments to be made to the driver based on the agreement between the driver and Ola.]

[Driver Accounting System - This system schedules the final payments for drivers.]

[These systems are responsible for calculating each driver's payout on a regular basis. They also facilitate payment of the calculated amount to the driver's preferred bank account at a frequency determined by Ola and in accordance with the banking norms of the country. They are additionally responsible for explaining the driver's earnings, payments and related accounting on the driver app.]

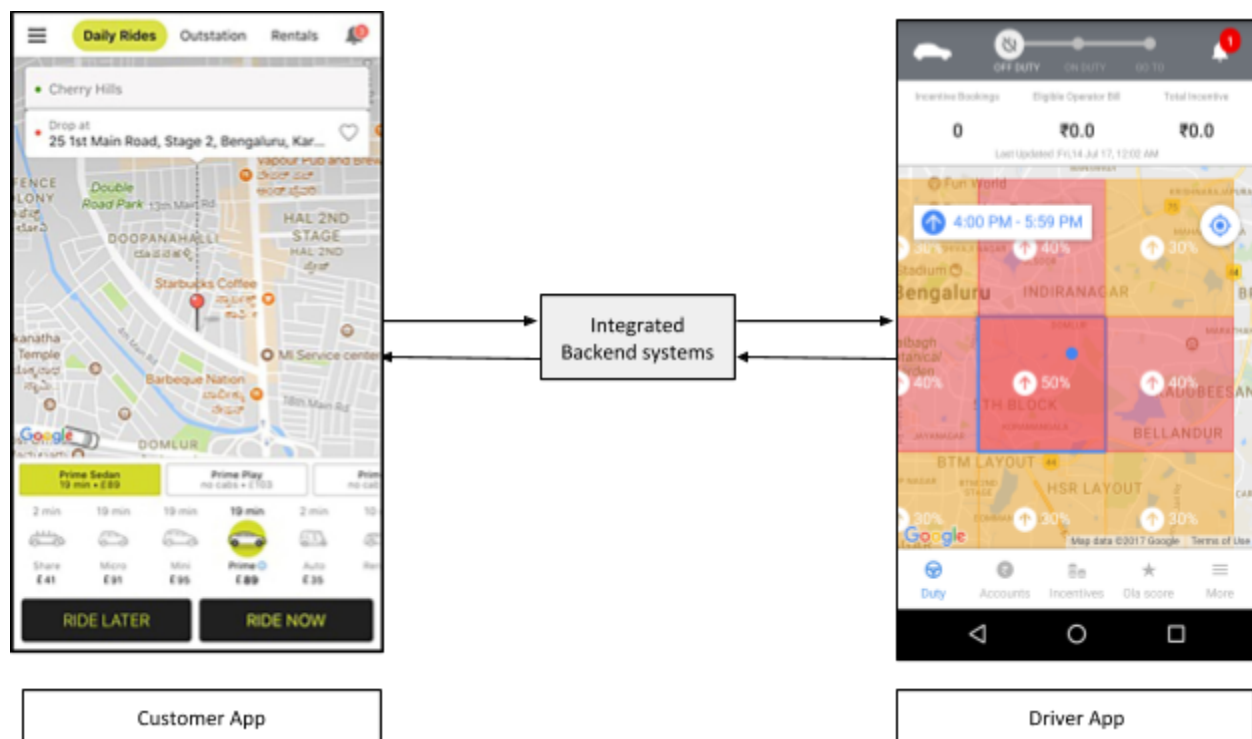
The Booking Orchestrator/ System is contractually managed/ handled by Ola UK Private Limited while the Driver related systems are contractually managed/ handled by Ola Netherlands B.V.

Persistent Storage - This is where all the data is stored. It constantly communicates with the booking system to keep the information up to date. All the backend systems including persistent storage reside in secured servers provided by Amazon Web Services.

How Does The Ola App Work?

The app-based operating model consists of 3 platforms:

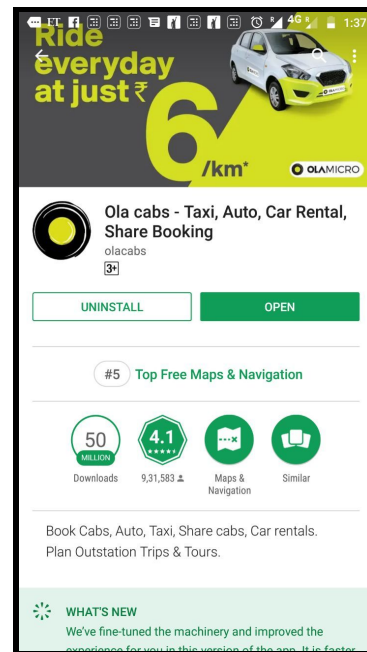
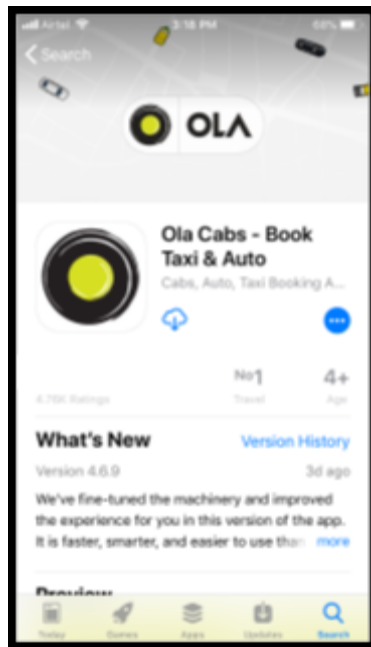
- Customer app
- Driver app
- Backend systems



The customer app is used to request rides, the driver app is used to accept rides and serve bookings. The integrated backend systems help both these apps communicate to make a booking happen successfully.

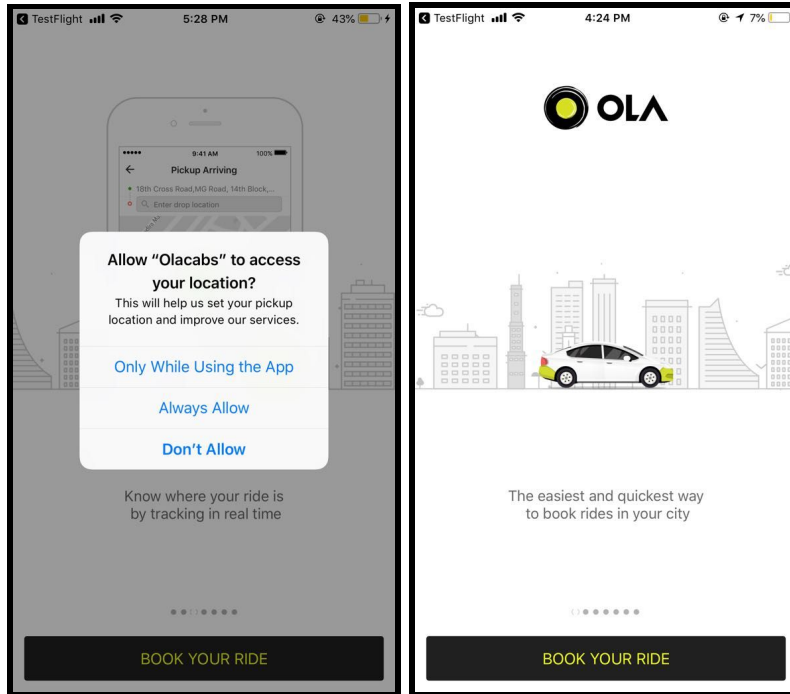
Customer App

The Ola app is available for download and can be installed on both android and iOS phones. It can be downloaded from Apple's App Store and Google Play.



A. Getting started

Get started by downloading and installing the app on your phone. GPS or location services on your phone needs to be ON to use the Ola app. The Ola app will request you to turn on your location settings. It will also request for permission to access your location information from the GPS.



Once you have turned on GPS and allowed the app to access your location, you can now start using the app. Tap the “Book Your Ride” button to create your account.

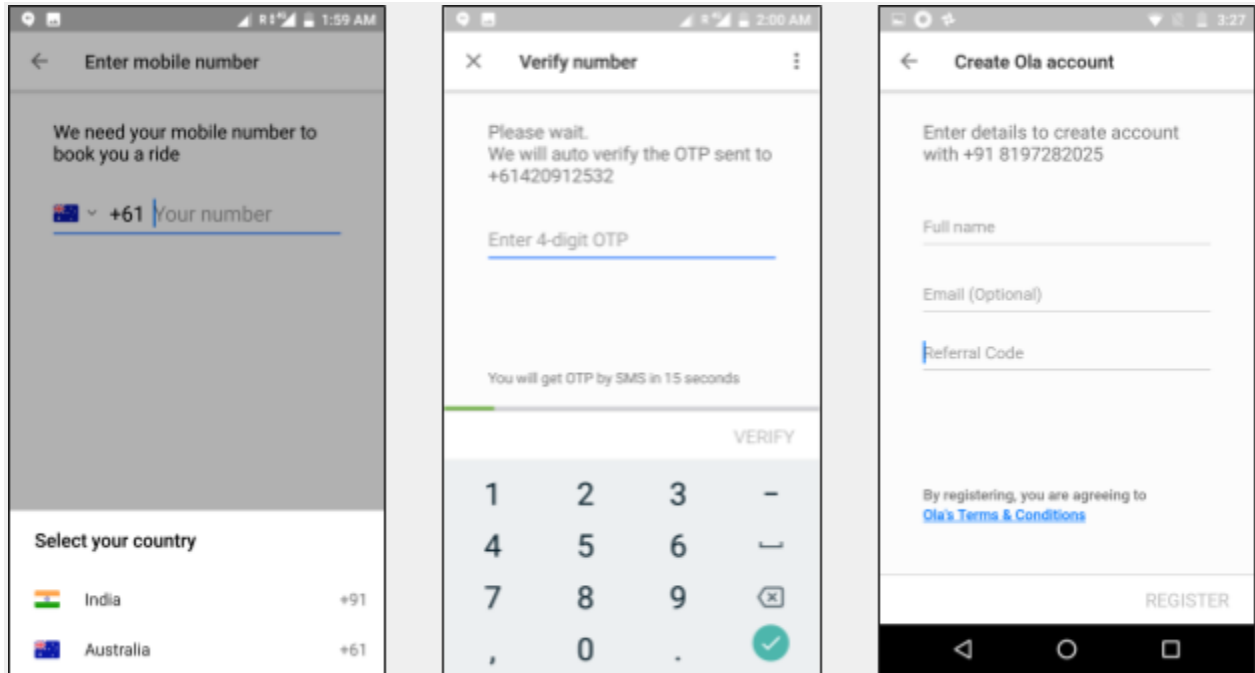
Creating an account

Your account will be created in the following steps:

Step 1: Mobile Number Verification

- The app will request for your mobile number
- Enter your mobile number
- The app will then ask for a One Time Password (OTP) to be sent to this number via SMS
- Check your SMS and enter the 4-digit OTP into the app
- This will verify your mobile number

This mobile number will be linked to your account and will be required every time you log into your account.



Step 2: Basic Details

The app will then request 2 basic details:

1. Full Name (Required)
2. Email ID (Optional - You can provide this later)

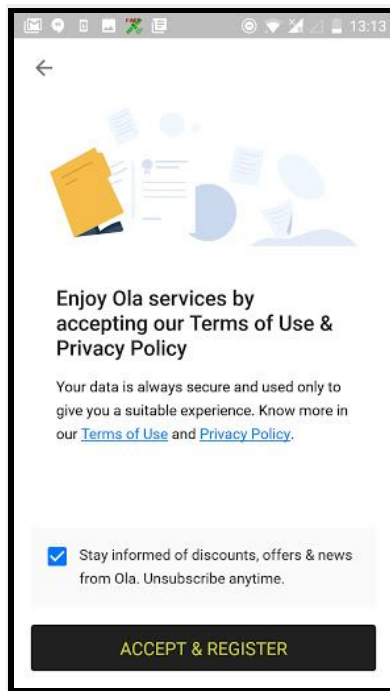
Adding an email ID will help in receiving ride invoices and in account recovery. You will be asked to verify the email ID later.

If you have a referral code, you can provide this to avail a referral discount on your first ride. You can get a referral code if a friend has invited you to use the Ola app by sharing their referral code. Referral schemes can vary from city to city.

Note: Applying a referral code is not required to create an account.

Step 3: GDPR compliance

The app will request you to accept Ola's Terms of Use and Privacy Policy. The links to the complete Terms of Use and Privacy Policy will be provided on this screen. By clicking on these links, you can review them before accepting.



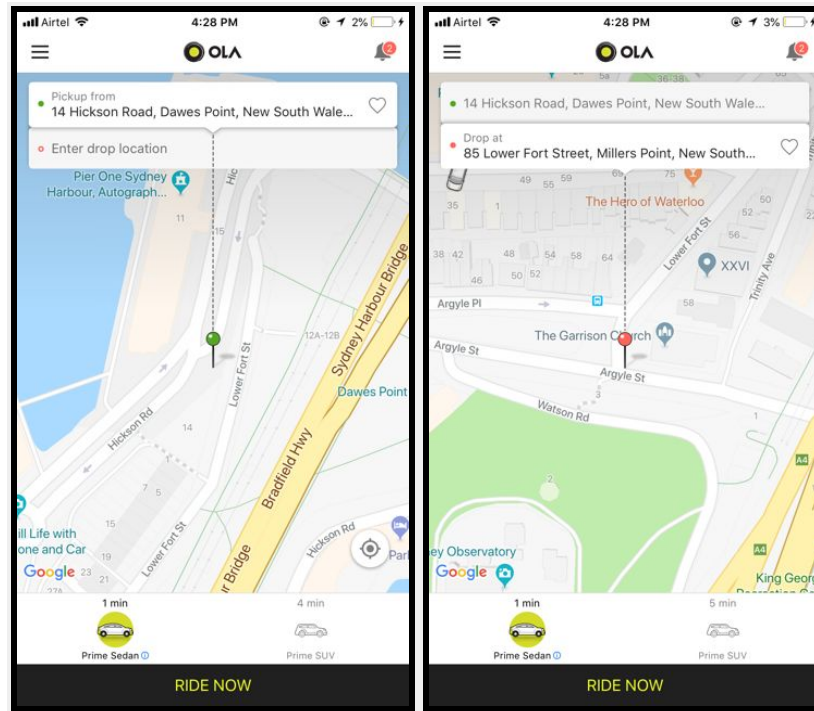
The app will require your explicit consent to complete the process of creating your account. Tapping on the button ACCEPT & REGISTER will create your Ola account and log you into the app. The home screen will load next where you can book your first ride.

Note: Once you have logged in, you will stay logged in until you log out from the app menu. This will save the effort of logging in each time the app is opened.

Booking the first ride (RIDE NOW)

Step 1: Setting the pickup and drop locations

The home screen shows a map that indicates your current location. At the top, you will see two fields - one for your pickup and one for your drop.



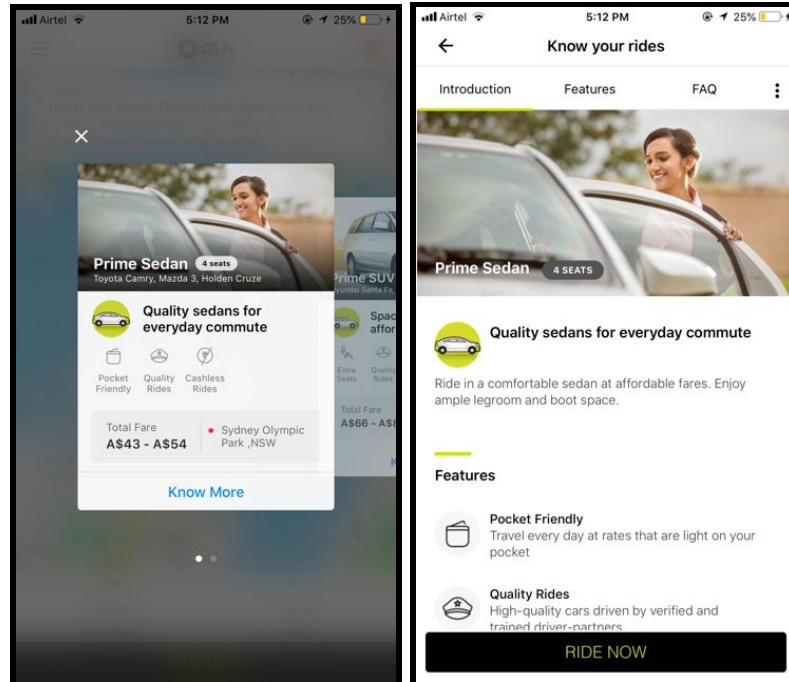
The app will automatically identify your current location using the phone's GPS settings. So you'll see the pickup address field is pre-filled accordingly. If you wish to choose a different pickup location, you can tap this field, search for the address and select it (just like you would do in Google Maps). You can also move the pin to set your pickup location.

You can enter the address of your destination in the drop location field. Here too, you can search for an address and also use the pin to set the location.

Step 2: Choosing your ride

The category panel at the bottom of the home screen displays the ride options available. You can pick the ride you want based on your requirement.

Tapping once on the category icon will reveal a green strip that provides a short description of the category /what to expect / the benefit it provides.



Tapping twice or pressing and holding the category icon provides all the information about that category. This includes top features, number of seats, fare details, frequently asked questions and more.

If there are Ola rides nearby, you'll see an approximate Estimated Time of Arrival (ETA) above the category icons. You may not see this information if rides are high in demand. You will see "no rides" if there are absolutely no rides around.

To pick your ride, simply select the icon and tap RIDE NOW.

Step 3: Confirming your request

Tapping RIDE NOW will take you to a confirmation screen where you can review your booking details before confirming. This screen will display all the below details:

- Ride category
- Estimated time of arrival
- Pickup and drop locations
- Fare estimate
- Rider profile
- Payment method
- Coupon application

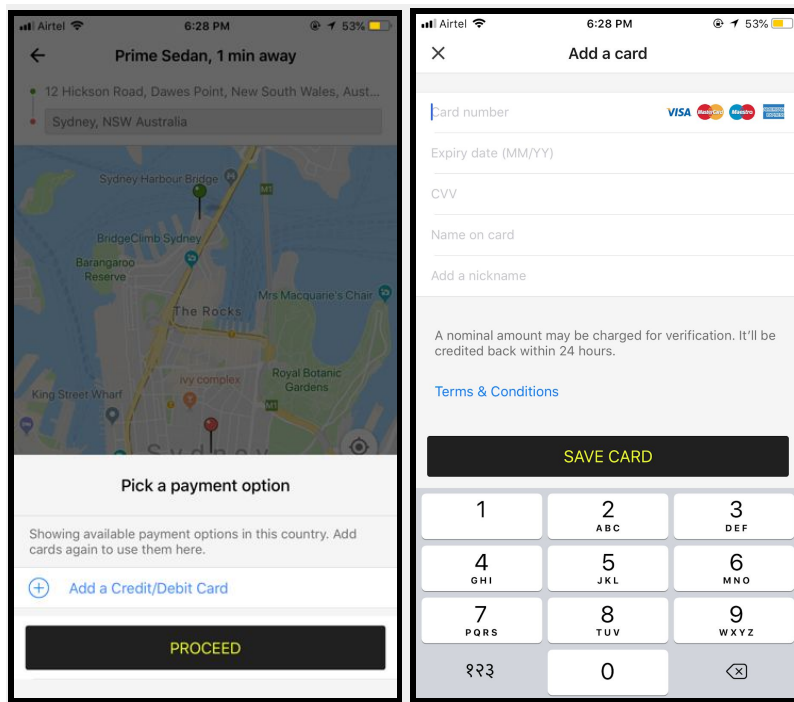


Here, you can review all your details before confirming your ride using the CONFIRM BOOKING button at the bottom. You can edit your drop location here as well.

You'll see a "Set up payment" button on this screen because this is your first ride and you haven't set up your payment preference yet. This is required to book a ride. You can do this by tapping the "Set up payment" button and adding your credit/debit card details.

Step 4: Setting up your payment option

Ola supports multiple payment options in India. In the UK, passengers can pay for their rides using their credit or debit cards.



You can save your card details on the app and authenticate it for verification. A small amount will be charged for verification and will be refunded to your account in a few days. Once your card is saved, you can go ahead and book your ride. The bill amount will then be automatically debited at the end of your ride.

You can add multiple cards and pick the one you want before each ride.

Rider profile

You will see “Personal” as your rider profile beside your payment option. Ola supports two kinds of profiles - personal and corporate. You can add a corporate profile to tag a ride as a corporate ride and receive the ride invoice in your official email.

Fare estimate

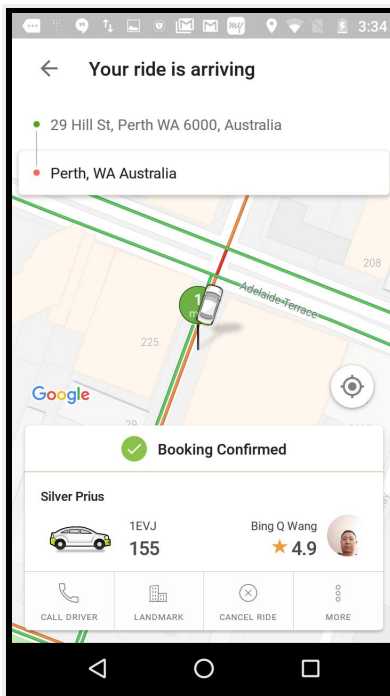
You will see a fare estimate for the trip you are about to take. This is indicated as an approximate range. If you have a coupon code to avail an offer, you can tap “Apply Coupon” to enter the coupon code and avail a discount or offer on the ride. Your fare estimate will change to reflect the discount.

Once you’ve set up your payment option and reviewed your booking details, tap on CONFIRM BOOKING to confirm your request. The app will then start looking to get you a suitable ride.

Step 5: Booking confirmation

Your ride is confirmed as soon the booking is allotted to a driver. This may take a few seconds from the time you confirm your request. It depends on the availability of rides around you. If no ride is available you’ll see a message asking you to try again or book a different ride.

As soon as your booking is allotted to a driver, you’ll get a booking confirmation on your app along with the ride details. You’ll see this screen titled as “Your ride is arriving”. It’ll contain the below information.



Pickup details:

- Your pickup and drop location
- Location of the ride
- Estimated time of arrival

Ride details:

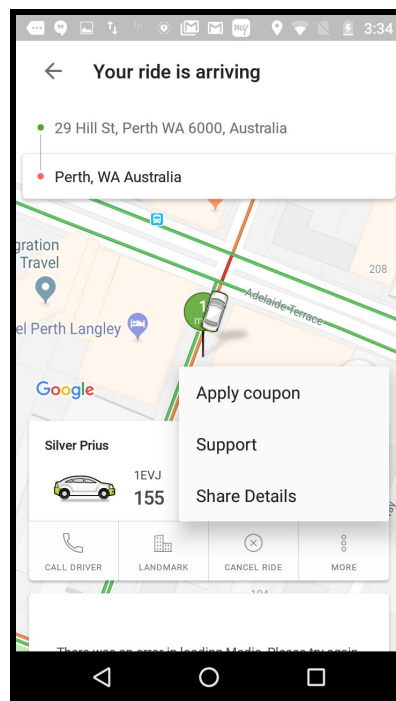
- Make & model and color of the car
- Vehicle number
- PHL number of the driver
- Name of the driver
- Photograph of the driver
- Present rating of the driver

Options to:

- Call the driver
- Navigate to the pickup point
- Share a landmark with your driver to help identify your location
- Cancel the ride
- Check more options

Tapping MORE will give you the option to:

- Share your ride details with anyone in your contacts
- Seek support for this ride



You will be able to track your ride in real time on this screen and watch it arriving.

At the same time, you would have also received a push notification alerting you about the booking confirmation. Important details about your ride are provided in the notification.



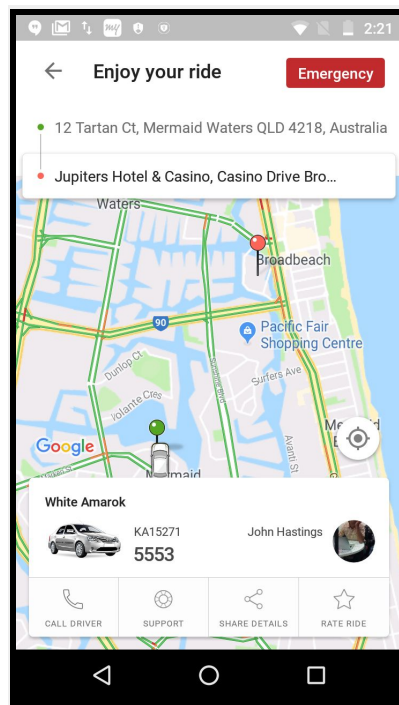
Step 6: Taking the ride

You'll receive another push notification once the driver has reached your pickup location.

The Ola app will also indicate that the ride has arrived. You can use the ride details shared with you to identify the car.

Once you board the car, your driver will start the trip using the Ola driver app. The driver might ask your name for confirmation before starting the trip.

As soon as your trip starts, you'll see the emergency button displayed on the screen of your app. You can also choose to rate your ride during the trip. This only records your feedback that you can submit once the ride is complete.



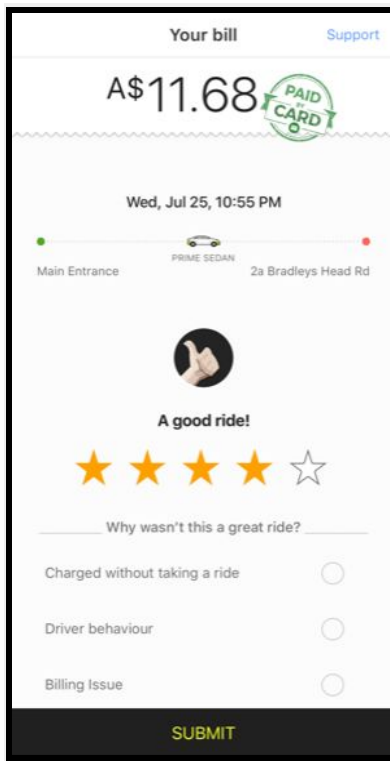
The driver app will help your driver navigate to the drop location. However, you can always let the driver know if there is a particular route you would like to take.

When you reach your drop location, the driver will end the trip from the driver app. You will see the bill amount and feedback options in the app.

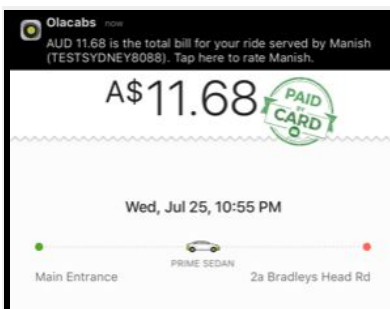
Step 7: Paying for your ride

When your trip ends, your app will display the bill amount along with options to rate your experience. Your card will be charged as soon as your ride gets over. If you have provided your email ID, you will receive an invoice in your email at the end of your ride.

Since you are paying by card, there is no need to discuss the bill or payment with the driver. You can simply thank your driver and step out of the car.



You will also get a push notification informing you of the bill amount when the trip ends.



Step 8: Rating your ride

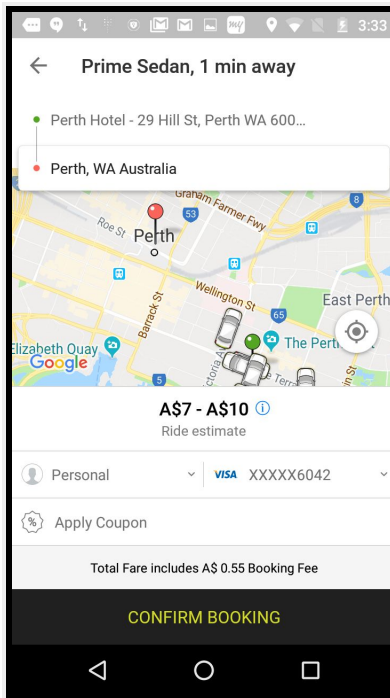
After every ride, you will be asked to rate your experience and share your feedback. This helps us to constantly improve the ride experience. It also affects the overall rating of the driver.

Two side-by-side screenshots of a ride rating interface. Both screens show a bill of A\$11.68, a "PAID CARD" badge, and a timeline from Main Entrance to 2a Bradleys Head Rd. The left screen shows a rating of 3 stars with the text "An ok-ok ride!" and a "Tell us what went wrong" section with three radio button options: "Charged without taking a ride", "Driver behaviour", and "Billing Issue". The right screen shows a rating of 5 stars with the text "A great ride!" and a "What went perfect for you?" section with three radio button options: "Polite and professional driver", "On-time pickup", and "Comfortable feature-rich car". Both screens have a "SUBMIT" button at the bottom.

You can rate the ride from 1 to 5, select feedback reasons that are relevant, add any comments if you like and submit your feedback.

Booking the next ride (RIDE NOW)

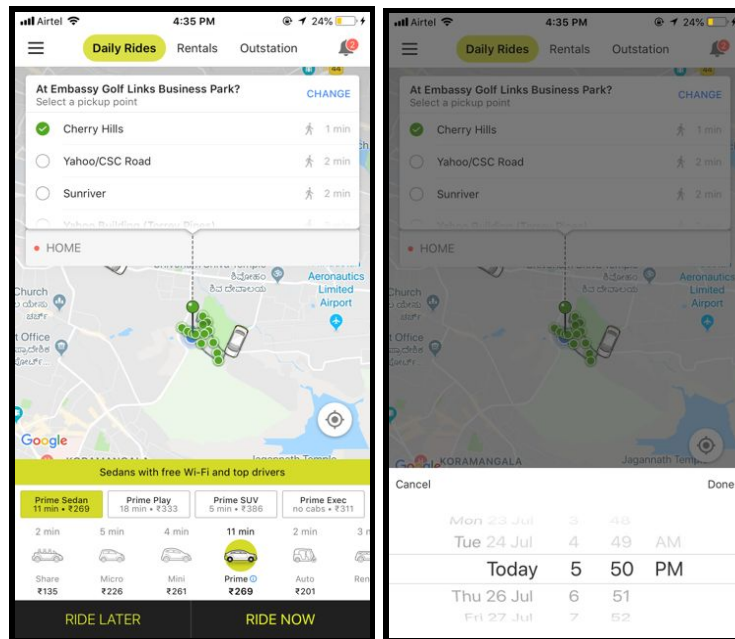
When reviewing your booking details before confirming your request, you'll see that the card you selected the last time for payment is pre-selected. You can switch to another card if you prefer to.



The rest of the steps remain the same. Set your pickup and drop locations, pick a ride category, review your booking details and confirm your request. Get all the ride details on allotment and board your Ola ride.

Booking for a later date (RIDE LATER)

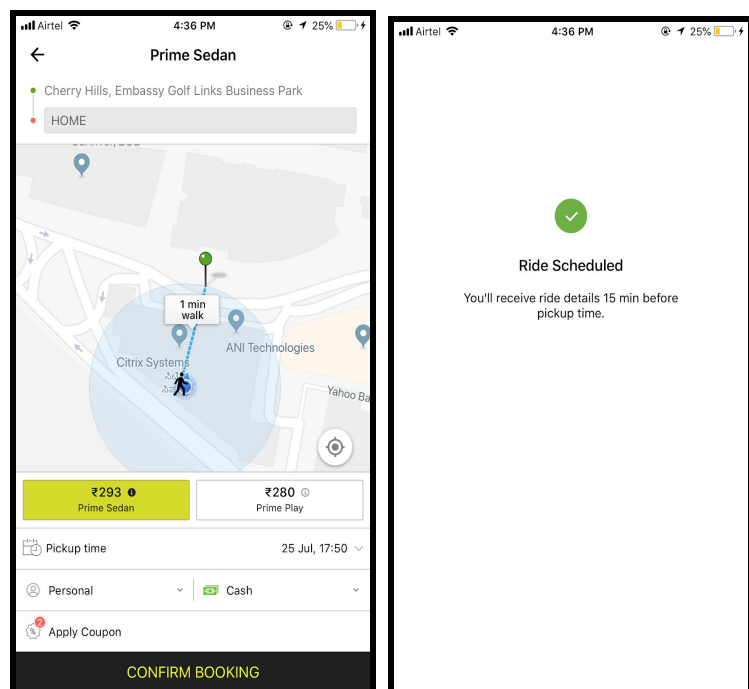
When the option to book in advance is available, you'll see the button RIDE LATER appear on selecting the category. Tap this button and pick the date and time of your pickup. You can book up to 10 days in advance. *Note: RIDE LATER feature will not be live at launch.*



Once you've chosen your pickup date and time, review your booking details before confirming your request (just like you would do when booking a regular ride).

Post review, tap the CONFIRM BOOKING button to confirm your request. You'll see a confirmation message that says your ride is scheduled and that you will receive the ride details, which is usually 15 minutes before your scheduled pickup time.

A notification with the ride details will be sent to you 15 minutes before your pickup.

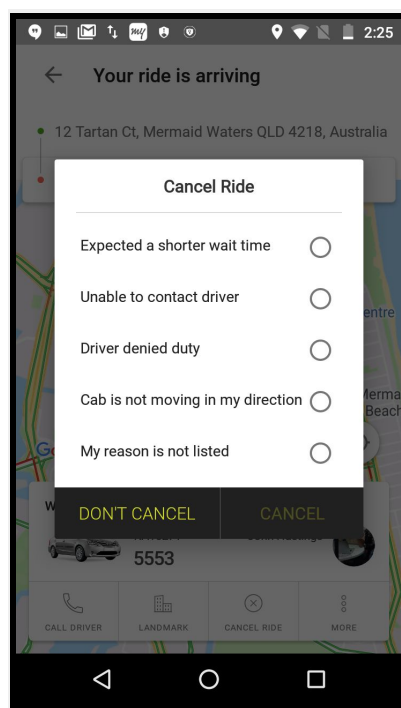


Ride cancellations

Cancellation by passenger

You have the option to cancel your ride anytime before your trip has started. A cancel option is available on the screen where you track your ride. Just tap this button and select your reason for wanting to cancel and confirm using the button CANCEL RIDE. You will see a confirmation that your ride is cancelled.

Selecting a cancellation reason will help us understand if you faced any issues and we can work towards preventing them in the future.



You can cancel without penalty within 5 minutes of receiving the ride details. A cancellation fee may be charged if you cancel after that or if your driver has already arrived for your pickup. This fee helps compensate for the driver's time and fuel spent in trying to reach your pickup location.

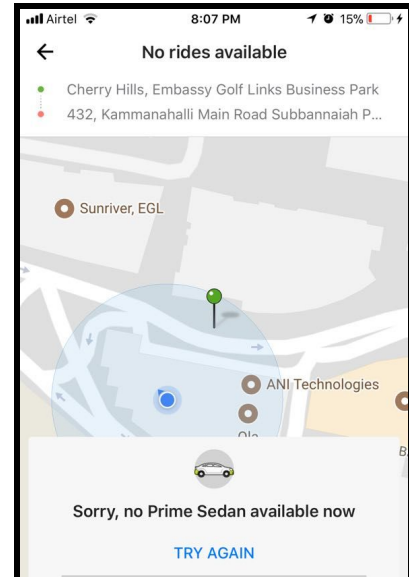
You can also dispute this fee by reaching out to customer support through email / In-app self serve

Cancellation by driver

In certain circumstances, your driver may have to cancel the ride. When this happens, the process of auto-allotment begins to find the next available ride. Your ride details will be updated on the app and a push notification will be sent to you.

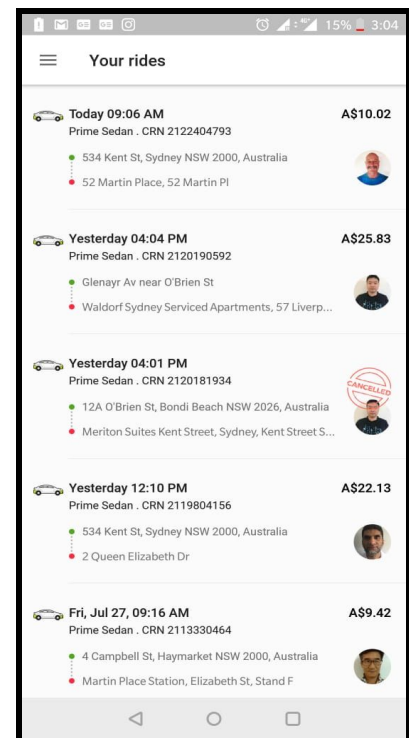
If we are unable to find another ride, you'll receive a message on your app letting you know of the situation and requesting you to book another ride.

Drivers are always asked to accept every booking that comes their way and are discouraged from cancelling a booking.



Ride history

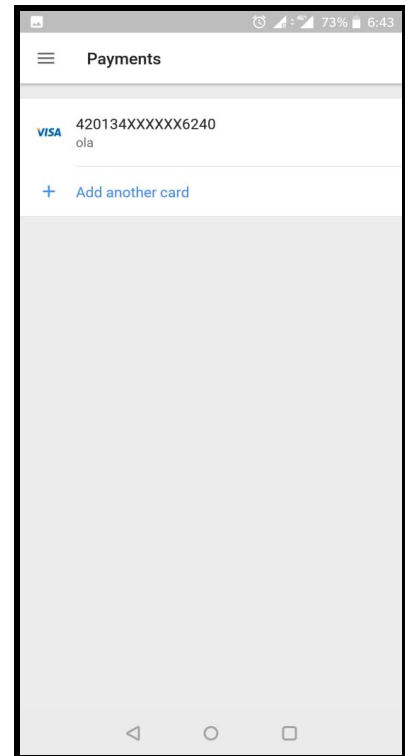
You can check your ride history from the "Your Rides" section of the app. You will see this button in the app's menu. Here, all the details of your last 20 rides are available including any cancelled bookings.



Payment settings

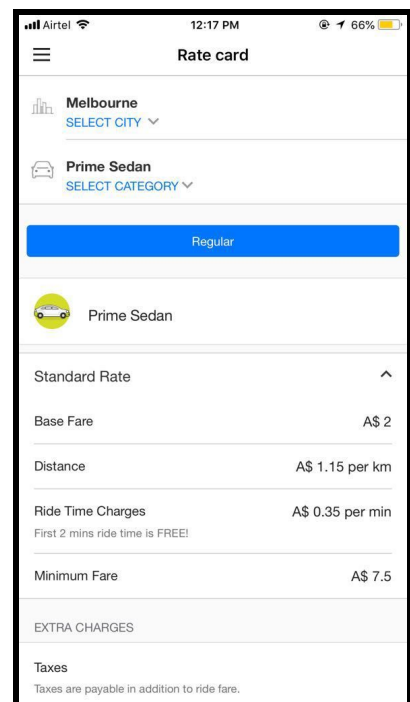
There is also a Payments section that you can access from the app's menu. Here, you'll find all the payment options available to you. You can add or delete your credit/debit cards here and view all the cards you have added.

The card number is partially hidden and CVV number is not available to view on the app. This is to ensure your card details remain private.



Rate card

This button is available on the app's menu. Tapping this button will take you to the section where you can see fare information for the categories available in different cities. Select the city and the category to check the fare details. You can see how your fare is calculated for that category in the city you selected.



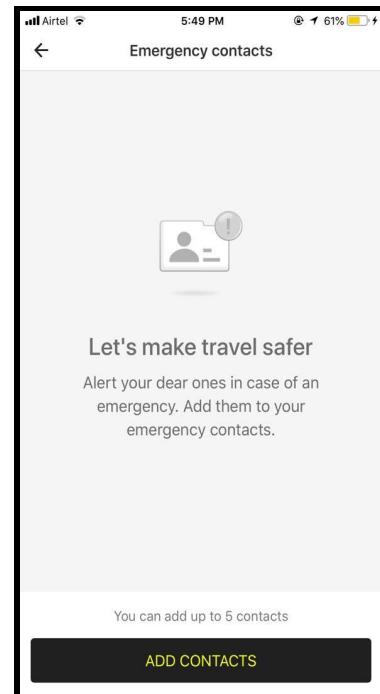
Safety features

There are multiple safety features available in the Ola app.

Emergency contacts

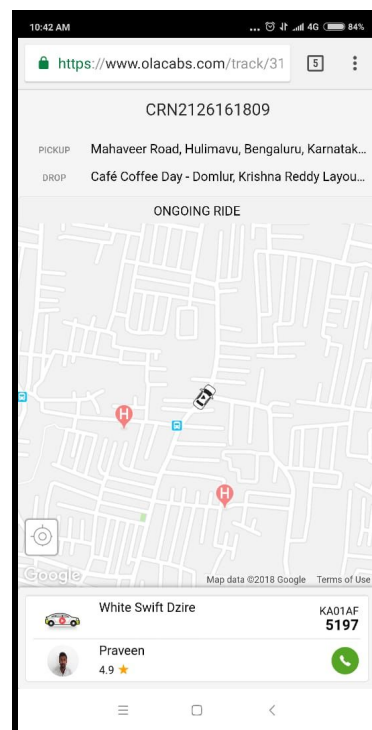
You can save up to 5 emergency contacts in your account settings. You can choose to share details of every ride with them automatically whenever you book.

They will receive an SMS with a link to track your ride. Clicking the link will load a web page in their phone's browser that will display all the ride details along with the location of your ride in real time.



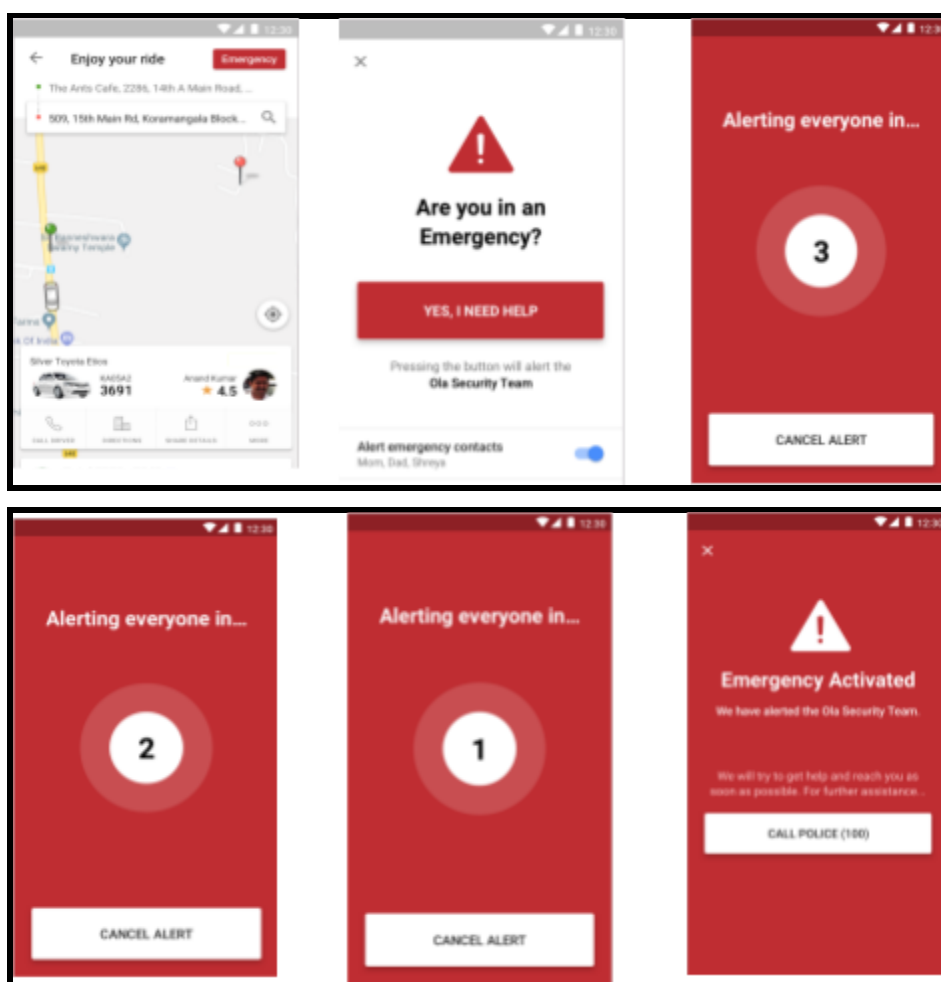
Share your ride details

You can also share the ride details with anyone in your contact list. When you book a ride, on tapping MORE, you will see a “Share ride details”. Use this option to select a contact and send them your ride details. They will be able to track your ride in real time and see all your ride details.



Emergency alert

You will see an emergency button in the app once the trip begins. In case of an emergency, tapping this button will give you the option to raise an alert. When an alert is raised, our Safety Response Team, trained to deal with such situations, will immediately call you to assist. You will also have the option to alert your emergency contacts at the same time and call the local police for help.



24x7 support

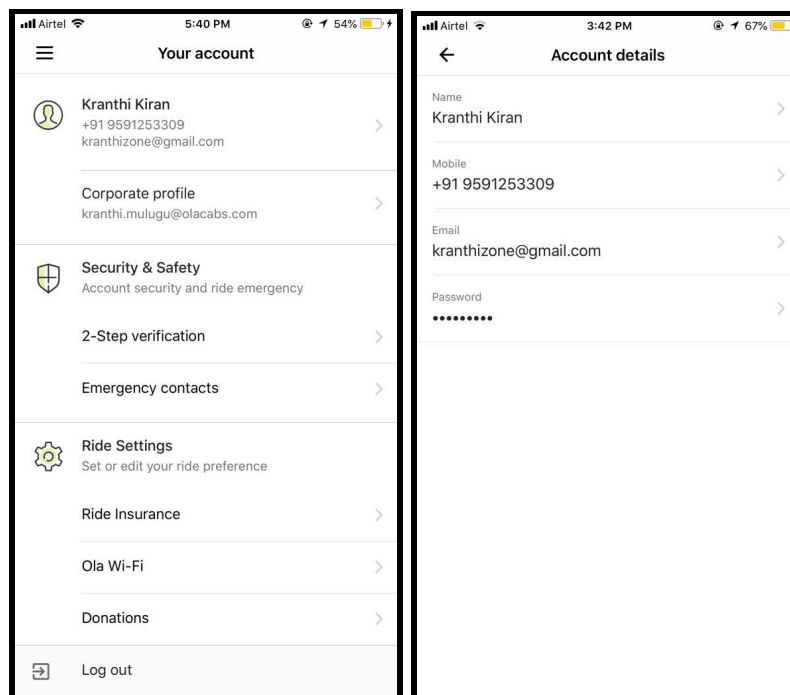
You can contact our 24x7 customer support centre anytime by tapping the “Call Us” from the support section in the app. This section can be visited from the app’s menu. You can also choose to dial the customer support number displayed in this section of the app. Our trained customer support agent will then assist you.

Account settings

Account details

As you open the menu on the left, you'll see your name and phone number on the top of the menu. Tap here to visit your account settings. You can tap on your name to edit the below details:

- Full name
- Mobile number
- Email ID
- Password

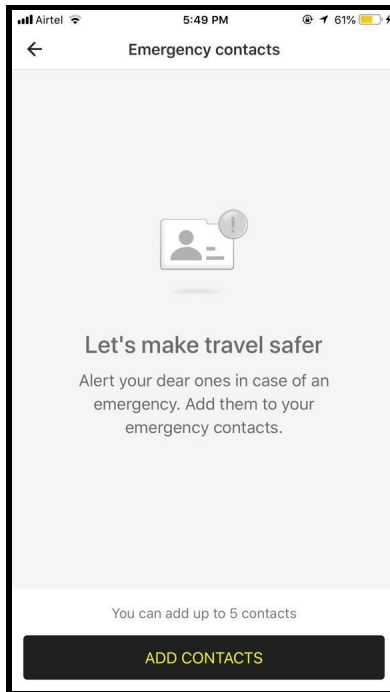


You can add an email ID here if you skipped adding it while signing up. You will be asked to verify your email ID using the verification link that will be sent to your inbox. Having a verified email ID will help in getting ride invoices and also recovering your account.

You can also add or change your password from here to protect your account.

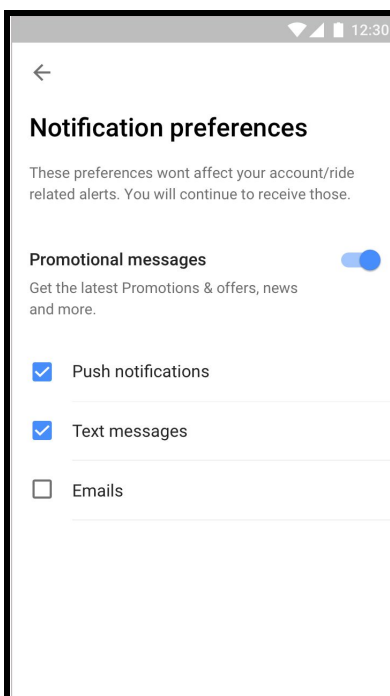
Emergency contacts

You can add up to 5 emergency contacts from your account settings and edit them anytime. You can also choose to share your ride details automatically with them.

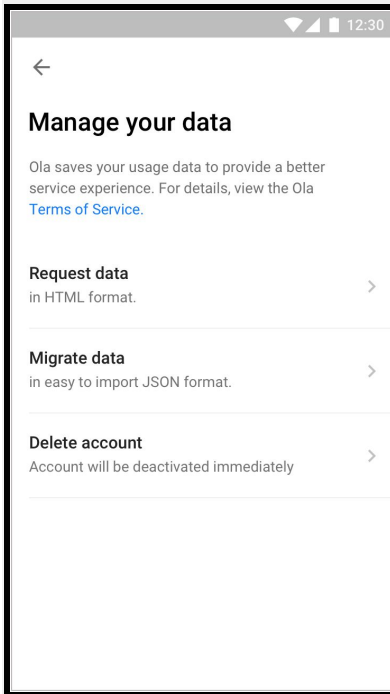


Data and privacy

You can visit the data and privacy settings to manage your notifications and data. You can choose to turn off or turn on promotional messages from Ola. You can also select the medium of receiving promotional communication viz. Push notifications, SMS messages and email.



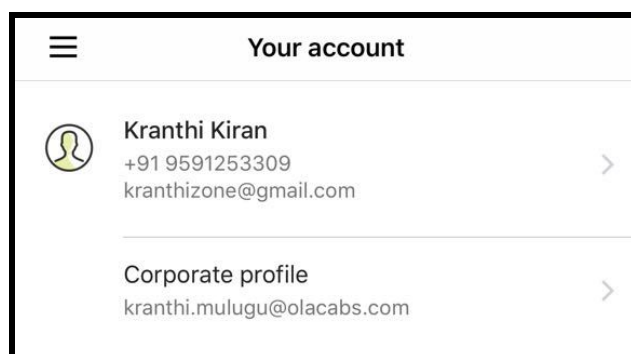
You can request to get a copy of your data stored with Ola. You can choose if you want to receive your data in an HTML file or a JSON file which will be sent by email.



You can also request to delete your Ola account. The account will then be deactivated for 30 days before being permanently deleted.

Profiles

You can view your corporate profile details in your account settings.

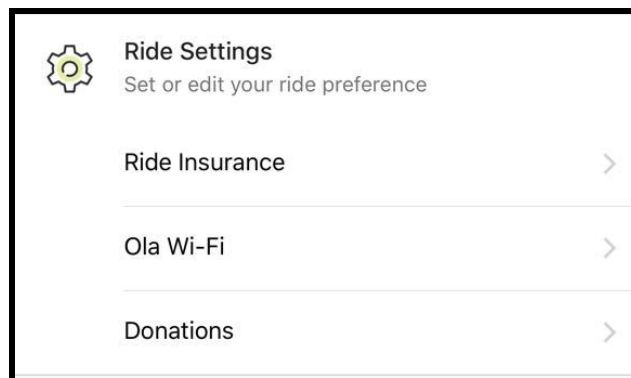


You can add a Corporate profile to receive your ride invoices in your official email. Corporate profiles help employees take rides sponsored by their companies. Corporate profile option will

not be available initially in the UK. All bookings will therefore happen on a personal profile by default.

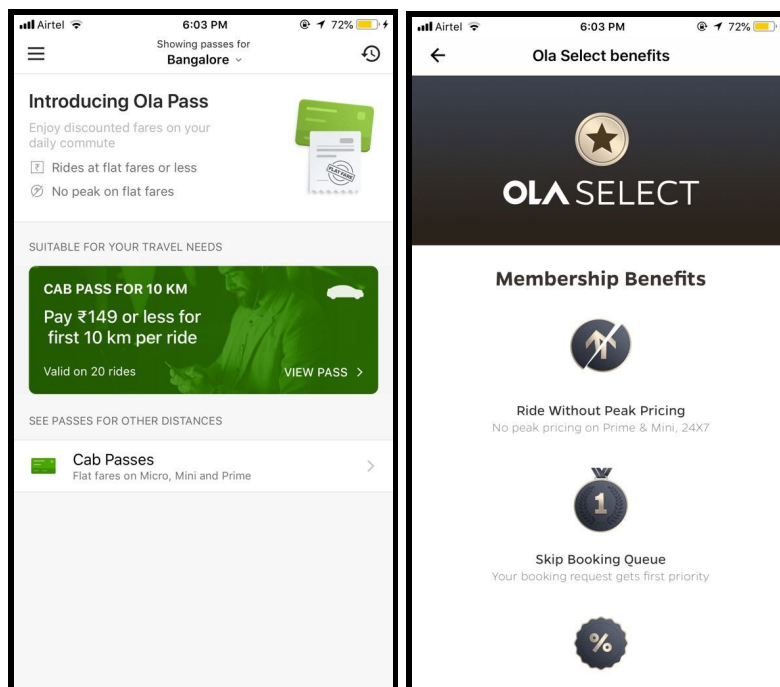
Ride preferences or add-ons

Ola offers particular add-ons for rides in India. These include in-trip Wi-Fi, ride insurance, option to add a donation for a cause and more. Information about these add-ons can be found in the account settings.



Subscriptions

Ola also offers ride-related subscriptions in India that one can purchase for discounts or added benefits on rides. These subscriptions can be purchased, cancelled or renewed from the app.



Ola support

Ola offers 24x7 customer support through multiple channels:

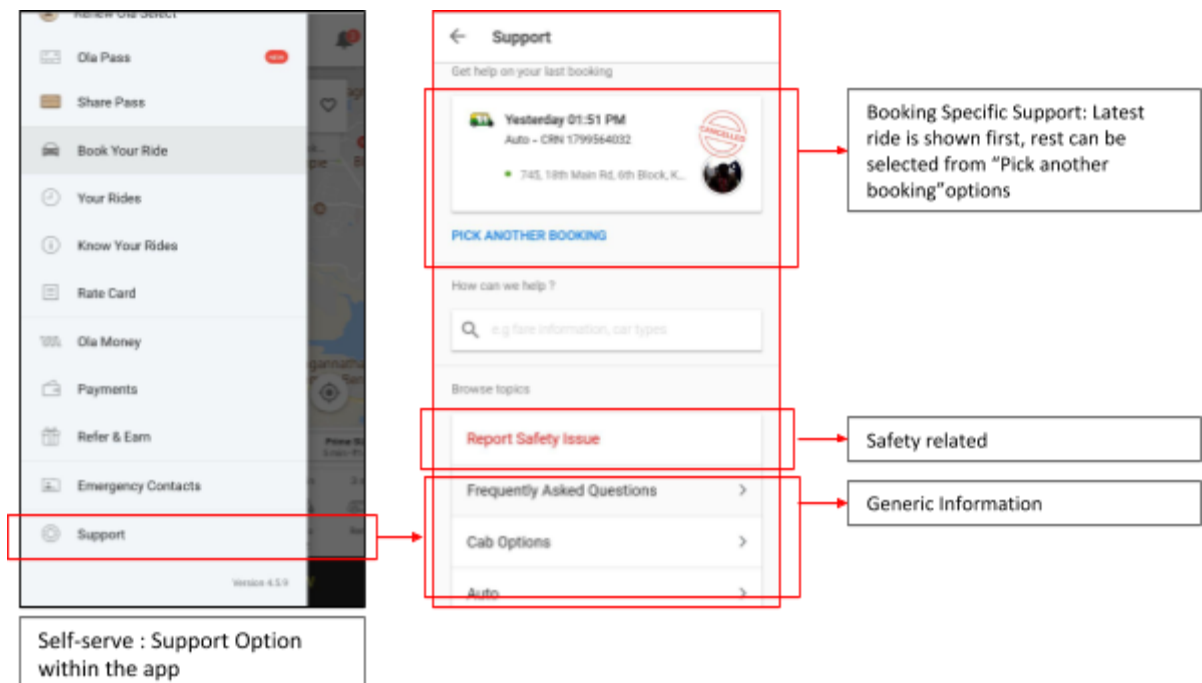
- Voice
- In-app
- Email
- Emergency alert
- Ride feedback

Voice

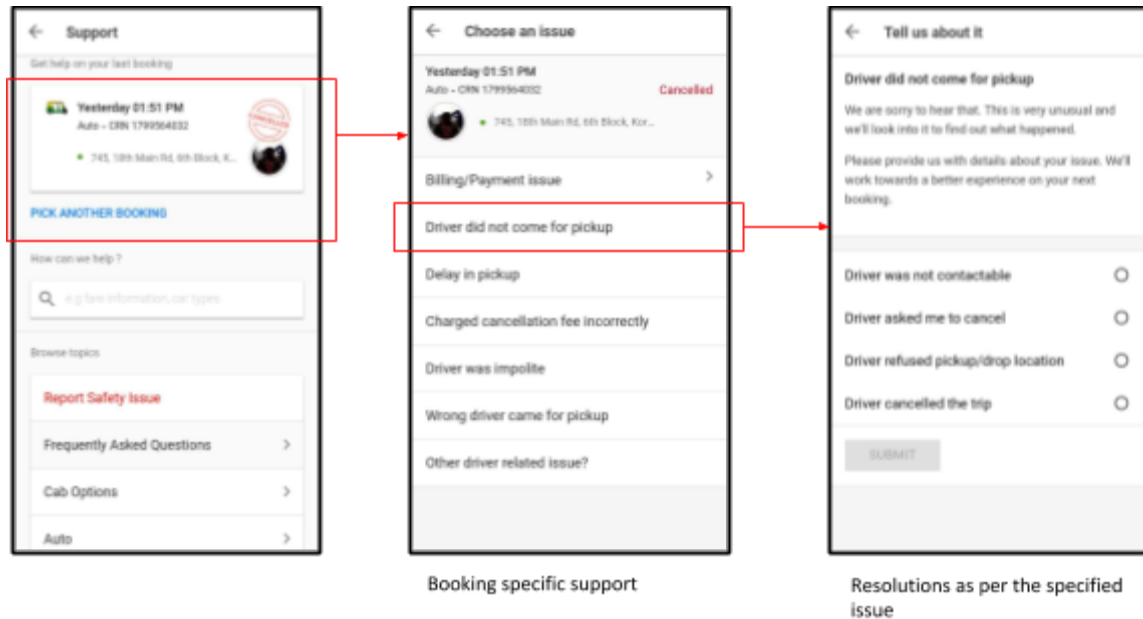
You can call our support contact centre anytime to talk to Ola's customer support agent. The number is clearly displayed in the support section of the app. You can also tap the "Call Us" button instead of dialling.

In-app

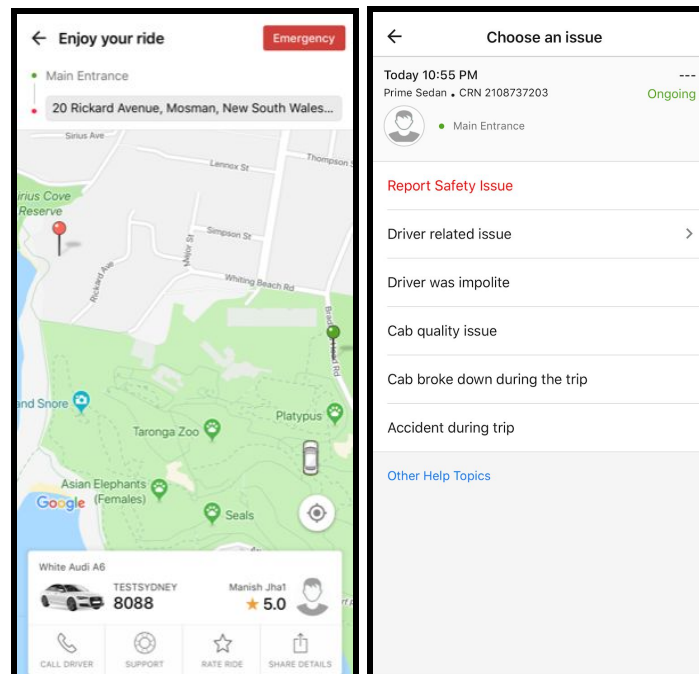
Contextual support is available across different points in the app. You can visit the support section and read the information readily available for you. You can search various topics by typing in keywords into the search bar.



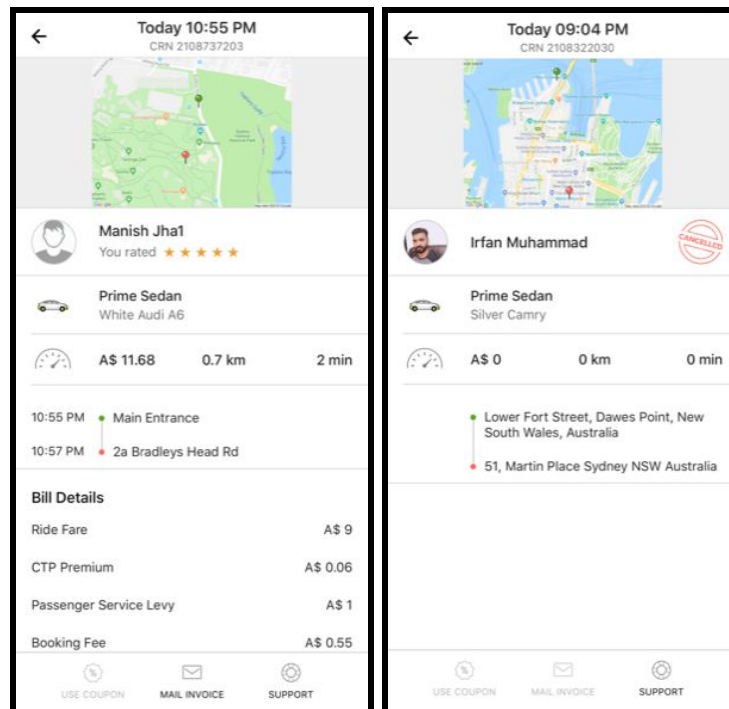
You can view your recent booking visible at the top of the section. You can tap on this for any queries or issues related to the booking. Pick an issue from the wide range of options available and easily inform us right from the app. There is no need to call the customer support centre. You can do everything right from this self-serve option in the app.



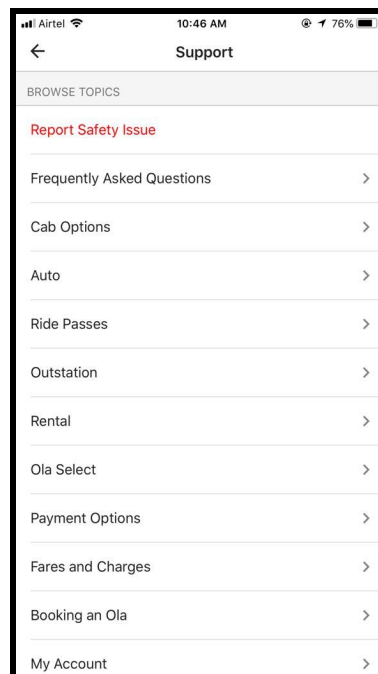
The support is contextual because you can find this button even on the screen where you track your ride. When you tap it, you'll see relevant options depending on that state of your booking - waiting for pickup or ride in progress.



You can also access support from your ride history. Visit “Your rides” and choose the booking you need help with. The state of the booking (scheduled, ongoing, cancelled or completed) is also displayed here.



The in-app support is highly automated and any non-safety related issues are automatically resolved. If an immediate resolution is available, the issue is sorted instantly. If the issue cannot be resolved immediately, it will be appropriately investigated and addressed within 48 hours.



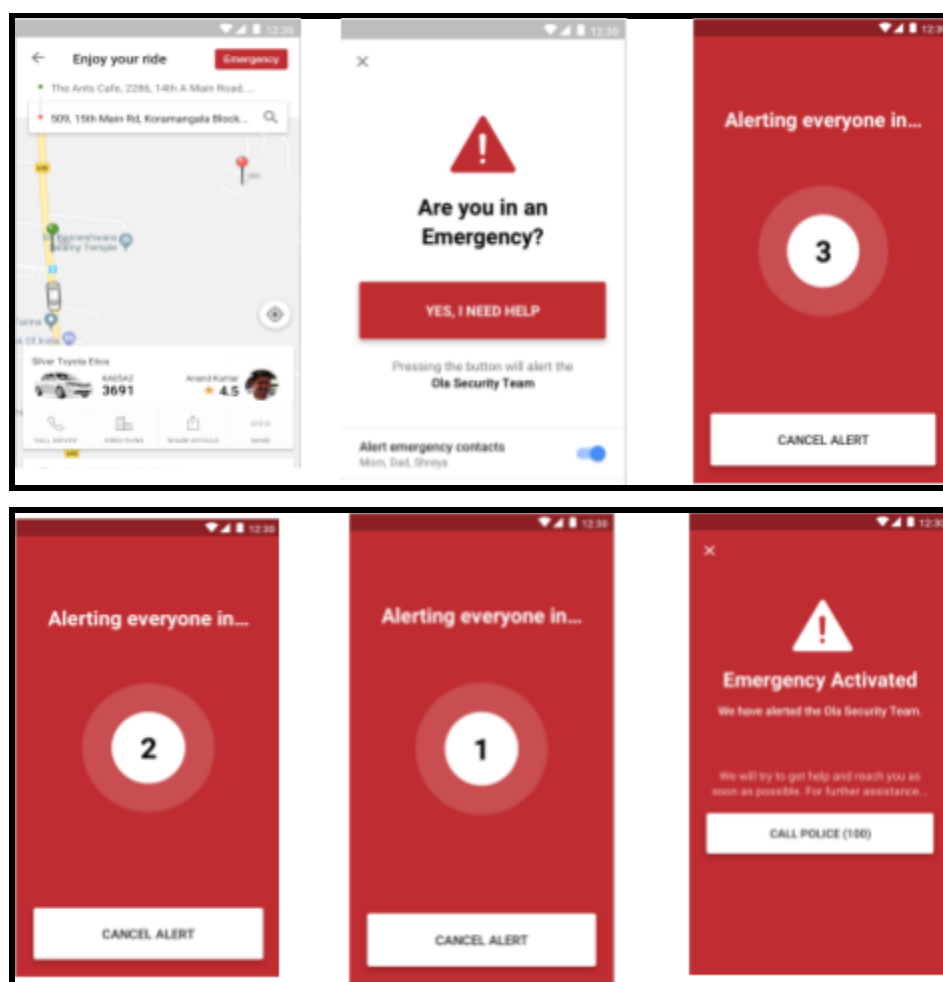
All the information about the Ola app and services is available in the in-app support section. This helps you receive instant support without having to talk to a customer support agent.

Email

You can also write an email to customer support using the email ID support.uk@olacabs.com available in the support section of the app. You can expect a response within 48 hours.

Emergency alert

You will see an emergency button in the app once the trip begins. In case of an emergency, tapping this button will give you the option to raise an alert. When an alert is raised, our Safety Response Team, trained to deal with such situations, will immediately call you to assist you. You will also have the option to alert your emergency contacts at the same time and also call the local police for help.

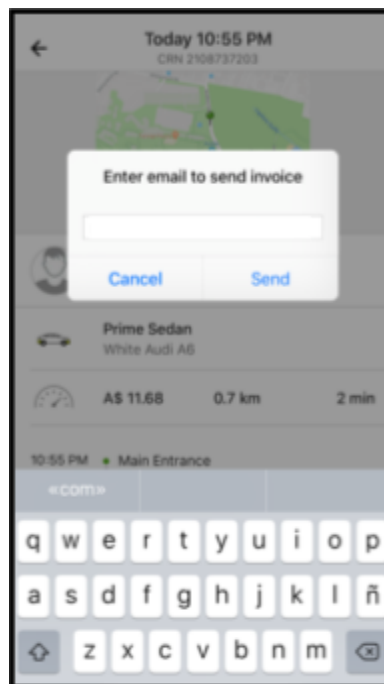


Ride feedback

If you've selected a safety-related issue while submitting your ride-rating, our customer support agent will call you within 15 minutes to understand more and assist you.

Getting a legal invoice

While you'll always get your bill details in an email at the end of every ride, you can also get a legal invoice with complete fare and tax breakdown. All you have to do is visit the support for the ride you want an invoice for. You will see an option "I need a copy of my invoice". Just give the email ID where you want us to send it and get it within a few minutes.



Driver App

Drivers can receive and accept bookings using the Ola driver app. Before getting access to the app, drivers have to complete the onboarding process. They can sign up on our website for drivers <drive.olacabs.com> by providing the necessary information and uploading proofs for verification.

My Profile

APPLICATION STATUS

Application is incomplete. Please fill up the details

VEHICLE REG. NO: VIC147 APPLICATION TIME: a few seconds ago

REGISTRATION PROCESS

- Vehicle Information >
- Partner Information >
- Payment Information >

PARTNER PROFILE

Saikat Chowdhury

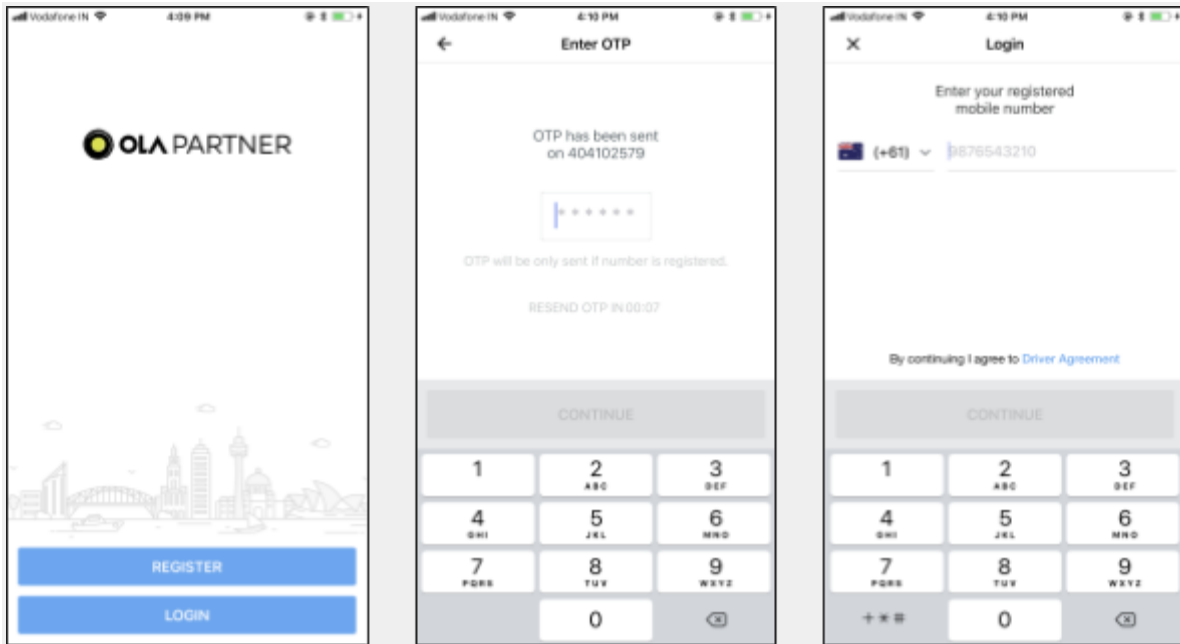
SUBMIT APPLICATION

Drivers will receive a link to download the Ola driver app after they've been thoroughly verified. Ola will follow the stringent eligibility criteria in line with TfL's regulations to onboard a private hire driver and private hire vehicle.

Once verified, drivers can then download and install the Ola driver app on their smartphones.

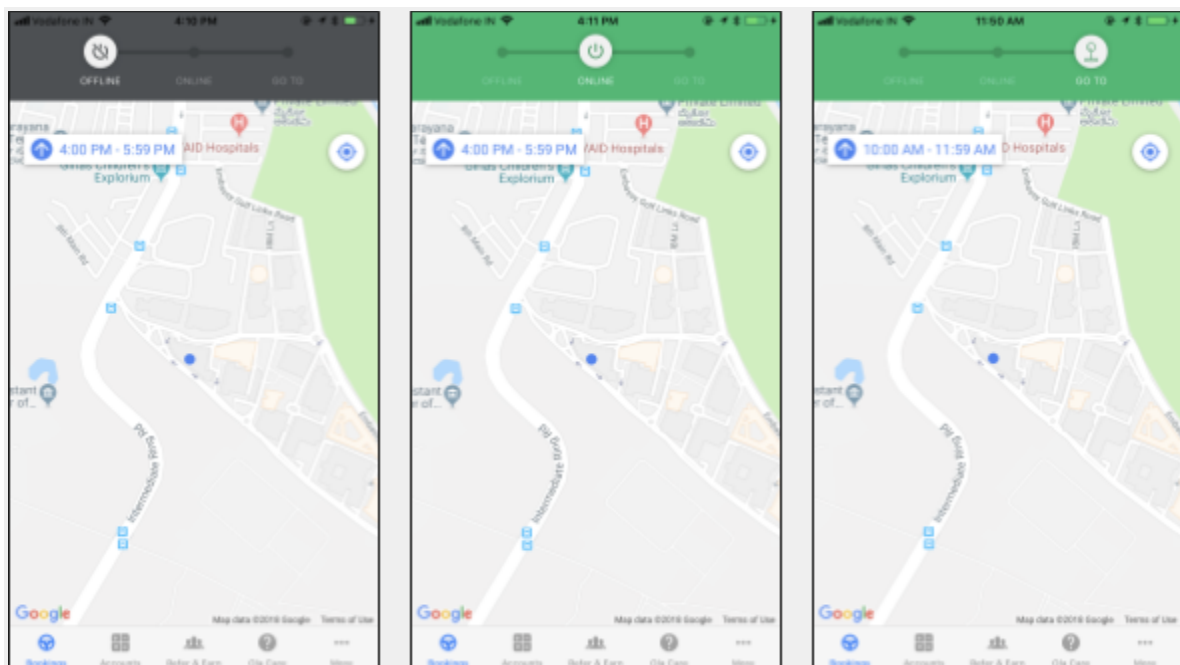
Logging in

Drivers can log into their app using their registered mobile number. A One Time Password (OTP) will be sent to this mobile number. Drivers can enter this 4-digit code to complete verification and log in.



Accepting a booking

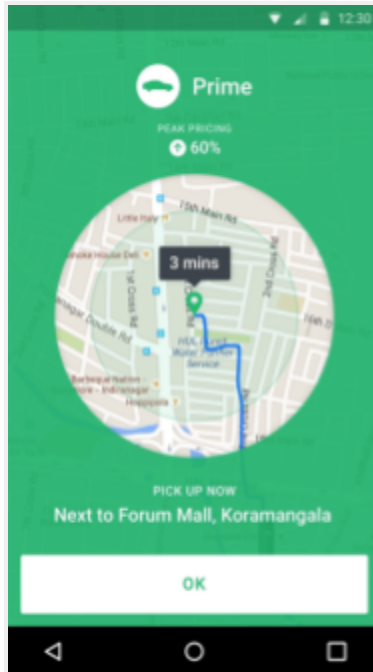
To start receiving bookings, drivers must choose the ONLINE option. Going online means the app is ready to receive booking requests. They can go OFFLINE when they do not want to receive any booking requests. Drivers can also use the “Go To” feature to receive bookings towards their preferred location.



Receiving a booking request

Drivers will receive booking requests as Ola uses multiple allocation strategies depending on the location and supply situation:

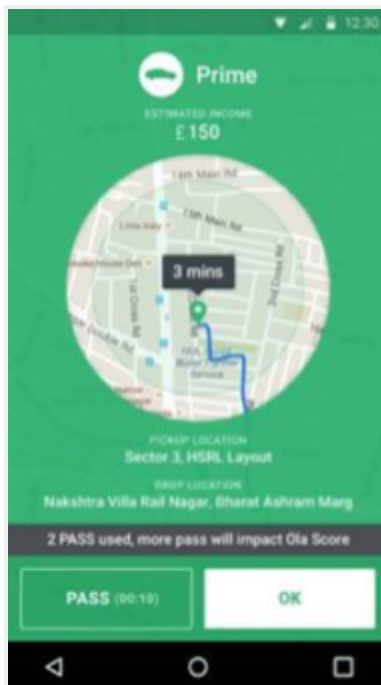
Hard allotment



Hard Allotment

Drivers are allotted the booking without a choice to pass on the request. They can choose to cancel the booking instead. However, when drivers cancel without a valid reason, they can face a penalty.

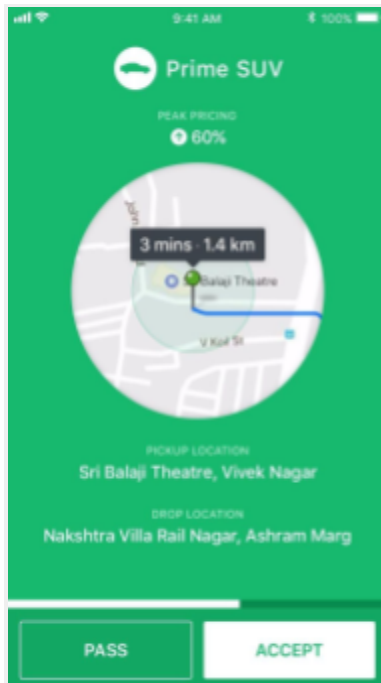
Deferred allotment



Deferred Allotment

Drivers receive a booking request but are given a few seconds of time to pass on the request if they want. Their details are not shared with passengers until they accept the request. If they pass on the request, it will be sent to another driver. If they neither pass nor accept the booking, it's automatically allotted to them after 10 seconds.

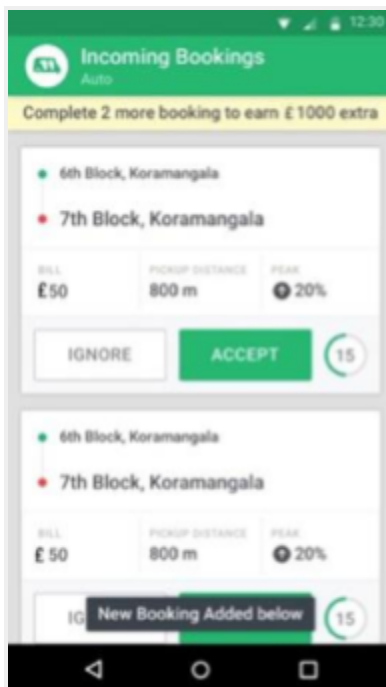
Unicast allotment



Unicast Allotment

Drivers are allotted a booking that they can accept or pass on within a few seconds. If they choose to pass it or not take any action, the booking is passed on to another driver.

Broadcast allotment



Broadcast Allotment

Drivers receive multiple booking requests at the same time. They can choose which one to accept and ignore the others. They will need to accept within a set amount of time, usually a few seconds. Bookings that are not accepted are passed on to other drivers.

Ola drivers are encouraged to accept every booking they receive. If drivers pass on bookings more often, it can affect their Ola Score. Drivers with a low Ola Score might lose out on earning opportunities or be taken off duty.

When drivers receive a booking, they see the below details before accepting:

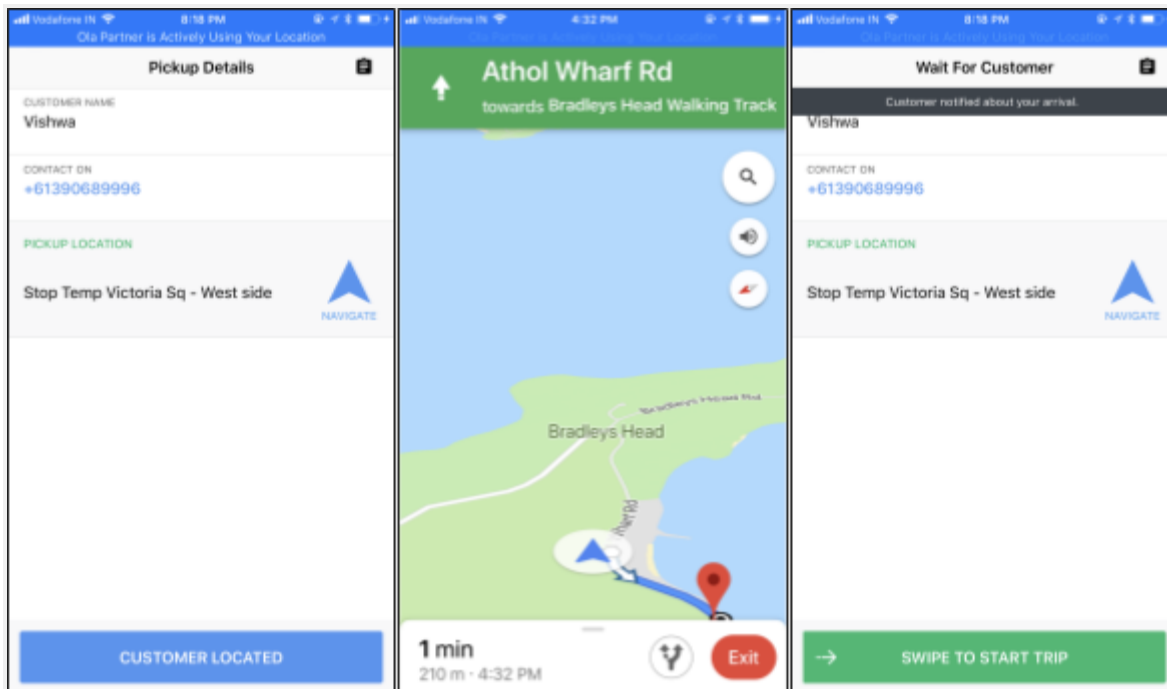
- The category of the ride being booked
- Peak pricing - if applicable in the region
- Pickup location pointed out on a map
- Estimated time to reach the pickup location
- Drop location of the passenger
- Option to accept or pass on the booking

Drop location of the passenger might not be shared depending on the allotment strategy applied.

Peak pricing is when fares increase by a percentage to encourage more drivers to serve a particular location where demand is high. You can find more details about peak pricing in further sections of the PHV/101 form, especially in B2 (h).

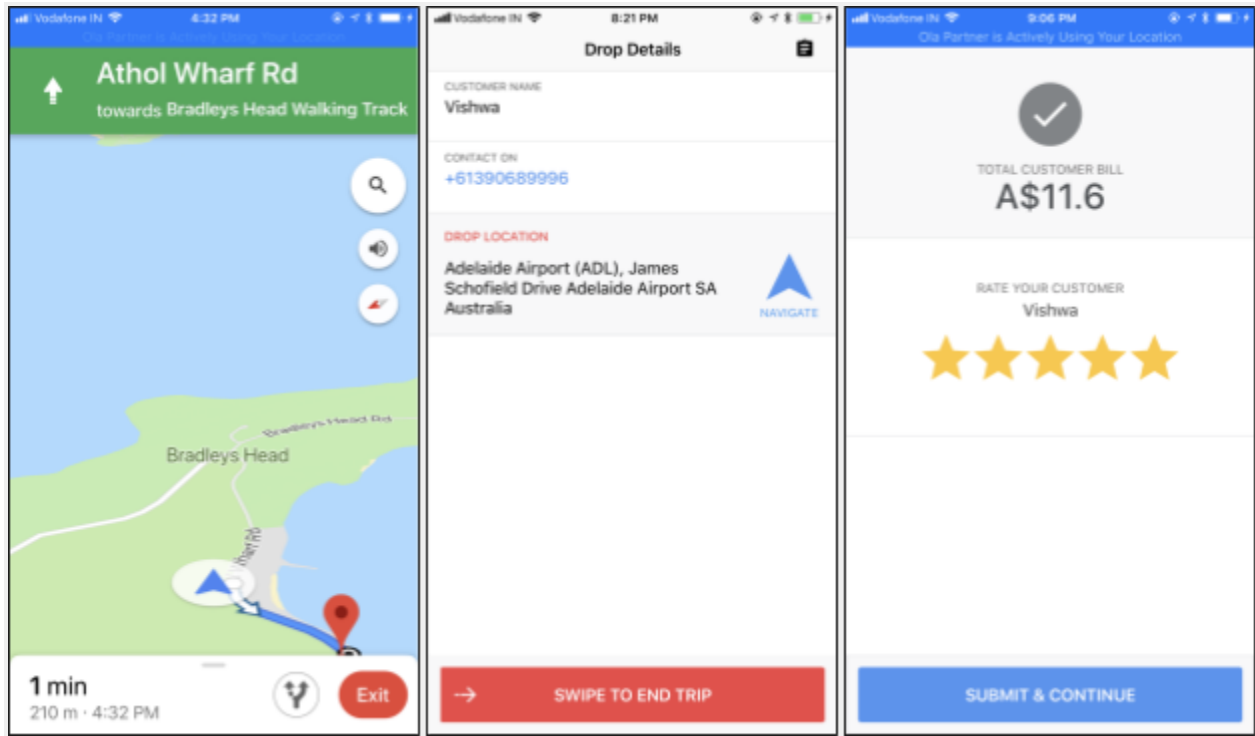
Serving the booking

When drivers accept a booking, they will see an option to navigate to the pickup location. Using this option they can follow the directions on Google Maps or Waze. If needed, they can also call the passenger (through a masked phone number) and seek more details about the pickup. They can let passengers know if there's a delay or if they're having trouble reaching the location.



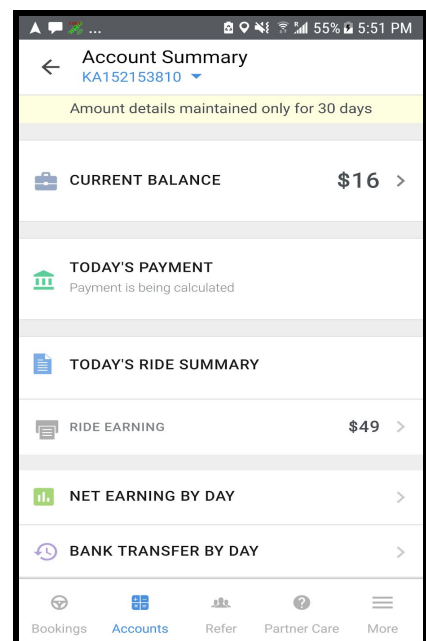
Once they reach the pickup location, they press the CUSTOMER LOCATED button that alerts the passenger of their arrival. This alert is sent as a push notification to passengers.

Drivers are also given the first name of the passenger. When passengers board the ride, they can confirm the name of the passenger before beginning the trip. Drivers then need to swipe the START TRIP button to begin the trip. Once again, they can seek the help of navigation to reach the drop location.



Once they reach the drop location, drivers need to swipe the END TRIP button to complete the ride. They will then be asked to rate their experience with the passengers. This helps us improve the experience of both the drivers and passengers.

They can always check their updating earnings right on their app.



Backend Systems

The integrated backend systems communicate with the customer and driver app. They also facilitate the automated process of managing a booking from request to billing. Here are the systems that part of the backend:

Customer Gateway - Helps the customer app communicate with the backend systems. It enables the customer app to send and receive information from the backend.

Driver Gateway - Helps the driver app communicate with the backend systems. It enables the driver app to send and receive information from the backend.

Booking Orchestrator - This system orchestrates the whole booking process. It coordinates with various backend components to process a booking request.

Booking System - Maintains the life cycle of a booking. It constantly updates the status of a booking whenever it changes (E.g. Requested, Allocated, Cancelled, In progress, Stocked out, etc.)

Dispatch/Allocation System - This system takes all the decisions related to sending a booking request to the appropriate driver. It takes into account factors like proximity, availability, category requested, etc.

Persistent Storage - All the data processed by the backend systems resides here. It constantly communicates with the booking system to keep the information up to date. All the backend systems including persistent storage reside in secured servers provided by Amazon Web Services.

Customer Billing and Payment System - This system calculates the bill amount of a ride and charges it to the passenger's card.

Driver Payment Processor - This system calculates the payments to be made to the driver based on the agreement between the driver and Ola.

Driver Accounting System - This system schedules the final payments for drivers.

More details about how these systems work together to enable the booking experience are provided in the answers for B2 - b, c, d and e.

Process Of Booking Acceptance

The entire process between a passenger sending a request to a driver accepting it is entirely automated.

The request is first sent to the backend systems through the **Customer Gateway**. It is then sent through the **Booking Orchestrator** to the **Booking System** where it is registered as a new request. The **Dispatch/Allocation System** then decides who to send the request to. The system looks for drivers based on various programmed parameters:

- Whether to hold the request or process it immediately
- Allocation radius for searching drivers
- Ranking parameters that are used to match a customer to a driver
- Whether to directly allocate a booking to a driver or send the driver (or multiple drivers) a request to accept

Based on this, the system then passes on the request to a driver or a set of drivers. The requests are sent to the driver apps via the **Driver Gateway**. Whichever driver accepts the request first is given the details to pick up the passenger. The passenger then receives the driver and vehicle details accordingly.

Certain drivers may also be allocated the booking without a choice to pass it on. They may cancel the booking later on. In this case, the system will once again look for other drivers to take up the request.

If a driver rejects a request, it is passed on to other drivers until it is accepted. If the request is not accepted by any driver or if the system cannot find a driver, the passenger is asked to try again or try another ride.

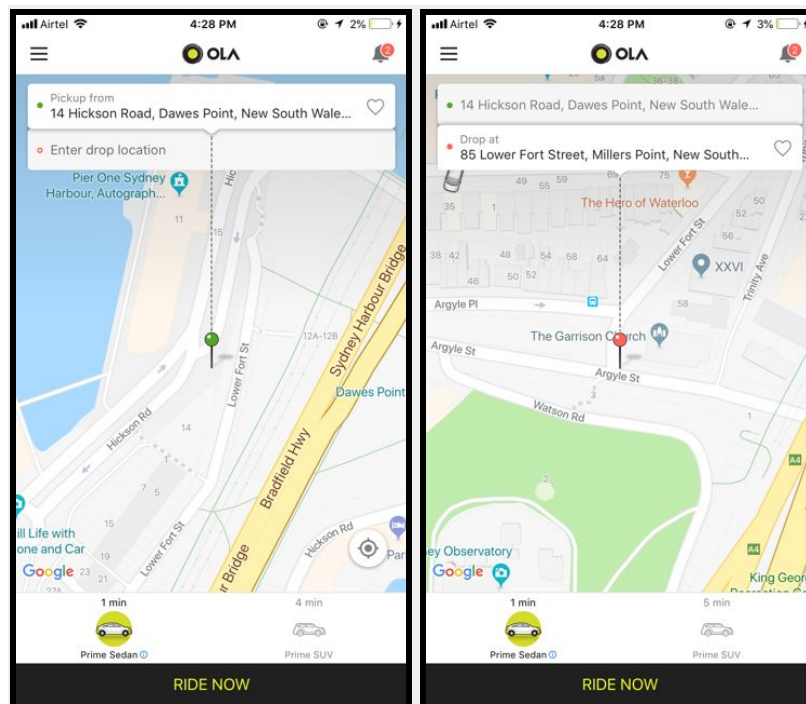
Record Keeping

Customers need to have a registered Ola account to book Ola rides from their smartphone. They need to create an account using their mobile number, name and email ID. Every time customers request a ride using these credentials, their name and timestamp of the booking request are recorded in the system. As soon as the Booking System registers the new request, it is stored in the Persistent Storage.

[Persistent Storage - This is where all the data is stored. It constantly communicates with the booking system to keep the information up to date. All the backend systems including persistent storage reside in secured servers provided by Amazon Web Services.]

Location details:

The app will automatically identify their current location using the phone's GPS settings. This is set as their pickup location by default. They can choose a different pickup location and drop location by entering their address in the search bars (just like you would do in Google Maps). They can also move the pin to set the pickup and drop locations.



Timestamp:

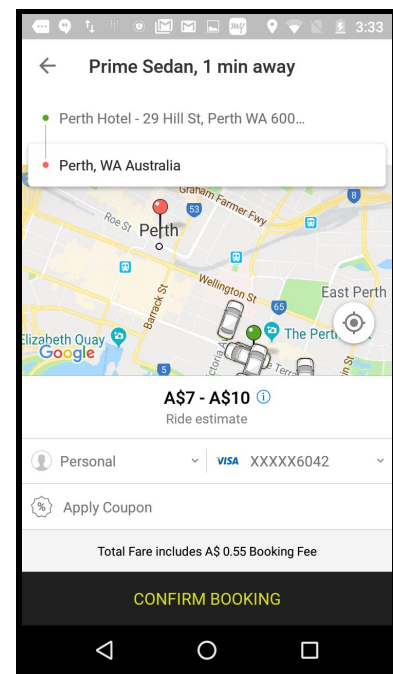
Customers can book to leave immediately or book for a future date and time.

Ride Now: When booking for an immediate requirement, the timestamp of the request is stored as the proposed booking data and time.

Ride Later: When scheduling to ride late, the scheduled date and time is stored as the proposed booking date and time.

In case of an immediate requirement, the app instantly brings customers to a confirmation window where they can see a snapshot of the booking details :

1. Ride category
2. Estimated time of arrival
3. Pickup and drop locations
4. Fare estimate
5. Ride profile
6. Payment method
7. Coupon application

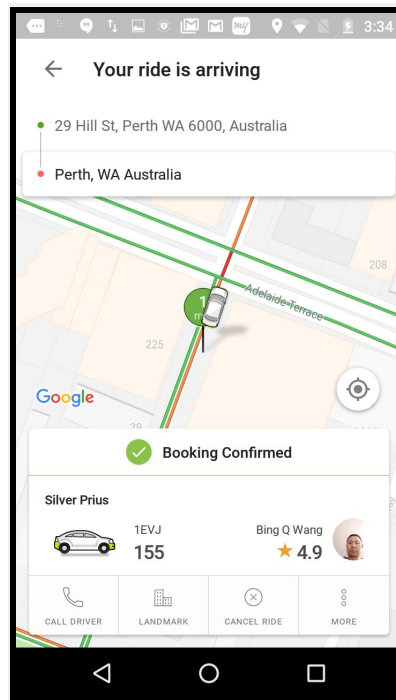
**Fare Estimate:**

The pricing system calculates fare based on the fare chart of the ride category. It uses the distance and time estimated by Google Maps for the pickup and drop location entered. We record high-precision longitude, latitude for all pickup and drops, which ensures precise estimation.

The pricing system has a capability to incorporate real time data on demand and supply. This allows Ola to dynamically set prices ensuring that demand and supply are always efficiently matched and the consumer surplus is captured.

Ride details:

The details shown here are captured and stored along with the booking request in the Persistent Storage. After the Dispatch/Allocation System matches the request to the right driver, details of the driver and vehicle are shown to the customer along with the estimated time for arrival. All these details are also stored in the database with the status of the request changed to “allocated” state from “new”.



Ola controls and monitors this data using following major tools from the local office:

1. **Information Management System (IMS):** IMS is the central repository of all information pertaining to drivers and vehicles. If needed, the same can be accessed from a local office.
2. **Relationship Management System:** This system gives access to real-time as well as historic data of all trip details of both drivers and customers. The details include, but are not limited to, contact details of customers and drivers, pickup and drop details, customer bill, duration of the trip, etc.
3. **War-room:** The war-room gives real-time data of status and location of all driver devices in the city.
4. **Connect:** Connect is our in-house communication tool which can be used to communicate with our driver base anytime, if needed.

This page is intentionally left blank

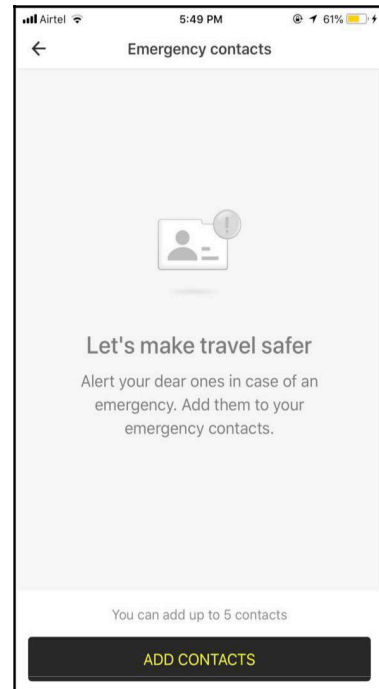
Safety features

There are multiple safety features available in the Ola app.

Emergency contacts

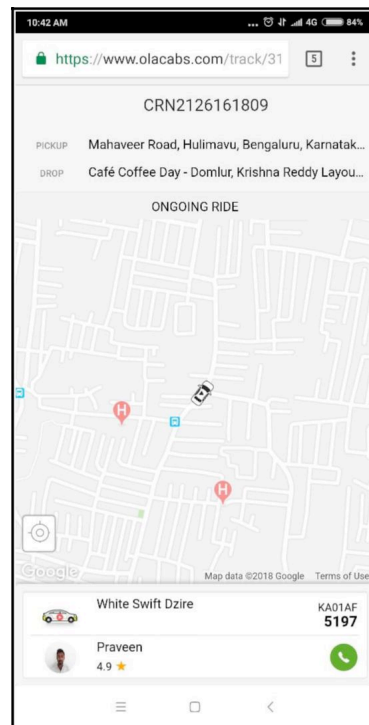
You can save up to 5 emergency contacts in your account settings. You can choose to share details of every ride with them automatically whenever you book.

They will receive an SMS with a link to track your ride. Clicking the link will load a web page in their phone's browser that will display all the ride details along with the location of your ride in real time.



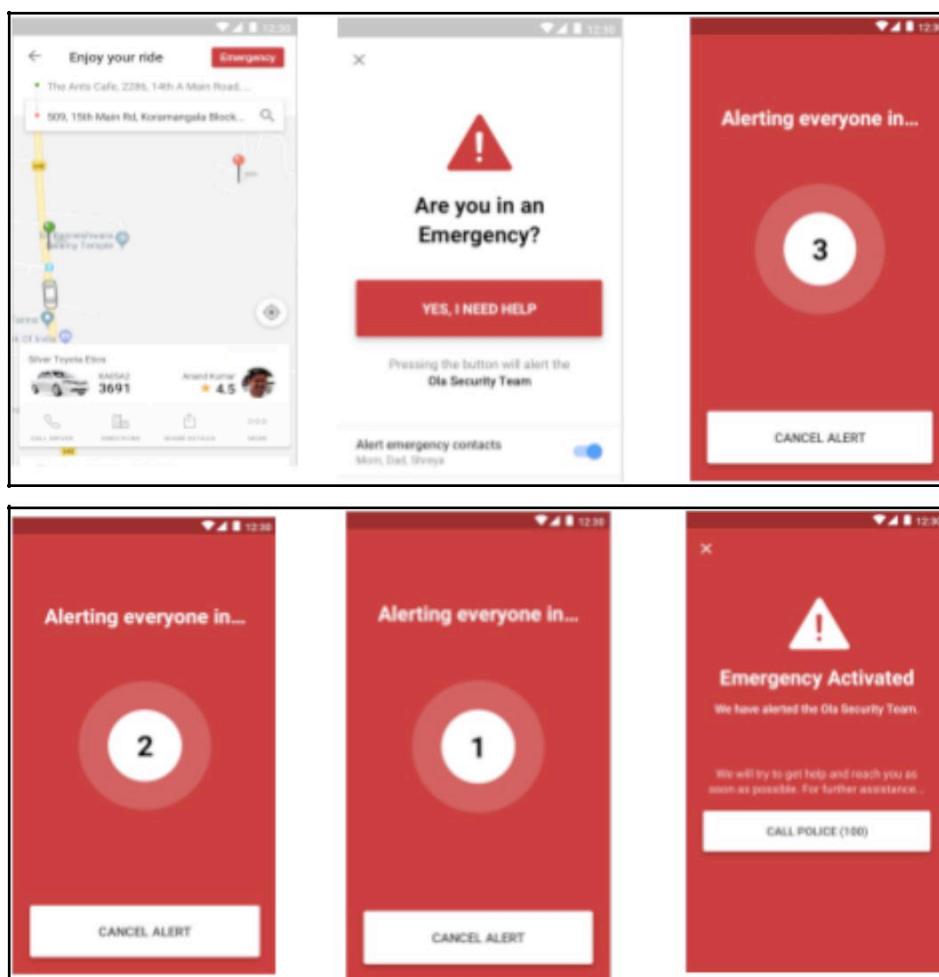
Share your ride details

You can also share the ride details with anyone in your contact list. When you book a ride, on tapping MORE, you will see a “Share ride details”. Use this option to select a contact and send them your ride details. They will be able to track your ride in real time and see all your ride details.



Emergency alert

You will see an emergency button in the app once the trip begins. In case of an emergency, tapping this button will give you the option to raise an alert. When an alert is raised, our Safety Response Team, trained to deal with such situations, will immediately call you to assist. You will also have the option to alert your emergency contacts at the same time and call the local police for help.



24x7 support

You can contact our 24x7 customer support centre anytime by tapping the “Call Us” from the support section in the app. This section can be visited from the app's menu. You can also choose to dial the customer support number displayed in this section of the app. Our trained customer support agent will then assist you.

Contact number: +44 203 972 0800

Email address: support.uk@olacabs.com

<u>Licences Annex</u>		
License type	Borough	Status
PHV operator	Bracknell Forest	Applied
PHV operator	Chichester	Applied
PHV operator	Crawley	Applied
PHV operator	Elmbridge	Applied
PHV operator	Epsom and Ewell	Applied
PHV operator	Gateshead	Applied
PHV operator	Newcastle	Applied
PHV operator	North Tyneside	Applied
PHV operator	Poole	Applied
PHV operator	Rotherham	Applied
PHV operator	Rushcliffe	Applied
PHV operator	Southend on Sea	Applied
PHV operator	South Tyneside	Applied
PHV operator	Spelthorne	Applied
PHV operator	Surrey Heath	Applied
PHV operator	Tandridge	Applied
PHV operator	Uttlesford	Applied
PHV operator	Winchester	Applied
PHV operator	Woking	Applied
PHV operator	Wokingham	Applied
PHV operator	York	Applied
PHV operator	Ashfield	Granted
PHV operator	Barnsley	Granted
PHV operator	Bath & NE Somerset	Granted
PHV operator	Birmingham	Granted
PHV operator	Bolton	Granted
PHV operator	Bournemouth	Granted
PHV operator	Bradford	Granted
PHV operator	Brentwood	Granted
PHV operator	Bristol	Granted
PHV operator	Broxbourne	Granted
PHV operator	Bury	Granted
PHV operator	Calderdale	Granted

PHV operator	Cambridge	Granted
PHV operator	Cardiff City	Granted
PHV operator	Cheltenham	Granted
PHV operator	Chester / Cheshire West	Granted
PHV operator	Chiltern	Granted
PHV operator	Coventry	Granted
PHV operator	Dartford	Granted
PHV operator	Derby	Granted
PHV operator	Doncaster	Granted
PHV operator	Dudley	Granted
PHV operator	East Devon	Granted
PHV operator	Eastleigh	Granted
PHV operator	Edinburgh	Granted
PHV operator	Exeter	Granted
PHV operator	Fareham	Granted
PHV operator	Gloucester	Granted
PHV operator	Guildford	Granted
PHV operator	Havant	Granted
PHV operator	Hertsmere	Granted
PHV operator	Hull	Granted
PHV operator	Huntingdonshire	Granted
PHV operator	Kirklees	Granted
PHV operator	Knowsley	Granted
PHV operator	Leicester	Granted
PHV operator	Liverpool	Granted
PHV operator	London / TFL	Granted
PHV operator	Luton	Granted
PHV operator	Manchester City	Granted
PHV operator	Milton Keynes	Granted
PHV operator	Newport	Granted
PHV operator	North Somerset	Granted
PHV operator	North West Leicestershire	Granted
PHV operator	Nottingham City	Granted
PHV operator	Oldham	Granted
PHV operator	Portsmouth	Granted

PHV operator	Reading	Granted
PHV operator	Reigate and Banstead	Granted
PHV operator	Rochdale	Granted
PHV operator	Rossendale	Granted
PHV operator	Runnymede	Granted
PHV operator	Salford	Granted
PHV operator	Sandwell	Granted
PHV operator	Sefton	Granted
PHV operator	Sheffield	Granted
PHV operator	Slough	Granted
PHV operator	Solihull	Granted
PHV operator	South Bucks	Granted
PHV operator	South Cambridgeshire	Granted
PHV operator	South Gloucestershire	Granted
PHV operator	Southampton	Granted
PHV operator	St. Helen's	Granted
PHV operator	Stockport	Granted
PHV operator	Stoke on Trent	Granted
PHV operator	Sunderland	Granted
PHV operator	Swindon	Granted
PHV operator	Tameside	Granted
PHV operator	Teignbridge	Granted
PHV operator	Trafford	Granted
PHV operator	Vale of Glamorgan	Granted
PHV operator	Wakefield	Granted
PHV operator	Walsall	Granted
PHV operator	Warwick	Granted
PHV operator	West Berkshire	Granted
PHV operator	Wigan	Granted
PHV operator	Windsor & Maidenhead	Granted
PHV operator	Wirral	Granted
PHV operator	Wolverhampton	Granted
PHV operator	Tonbridge and Malling	Provisionally Granted

PHV operator	Glasgow	Refused
--------------	---------	---------

55Licensing of operators of private hire vehicles.

(1) Subject to the provisions of this Part of this Act, a district council shall, on receipt of an application from any person for the grant to that person of a licence to operate private hire vehicles grant to that person an operator's licence:

Provided that a district council shall not grant a licence unless they are satisfied **[F115 —**

(a)] that the applicant is a fit and proper person to hold an operator's licence **[F116;** and

(b) if the applicant is an individual, that the applicant is not disqualified by reason of the applicant's immigration status from operating a private hire vehicle.]

[F117(1A)] In determining for the purposes of subsection (1) whether an applicant is disqualified by reason of the applicant's immigration status from operating a private hire vehicle, a district council must have regard to any guidance issued by the Secretary of State.]

[F118(2)[F119] Subject to section 55ZA, every] licence granted under this section shall remain in force for five years or for such lesser period, specified in the licence, as the district council think appropriate in the circumstances of the case.]

(3) A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary.

(4) Any applicant aggrieved by the refusal of a district council to grant an operator's licence under this section, or by any conditions attached to the grant of such a licence, may appeal to a magistrates' court.

Textual Amendments

F115 Words in s. 55(1) renumbered as s. 55(1)(a) (1.12.2016) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 5 para. 21\(2\)\(a\)](#) (with [Sch. 5 para. 54](#)); [S.I. 2016/1037, reg. 5\(i\)](#) (with [reg. 6](#))

F116 S. 55(1)(b) inserted (1.12.2016) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 5 para. 21\(2\)\(b\)](#) (with [Sch. 5 para. 54](#)); [S.I. 2016/1037, reg. 5\(i\)](#) (with [reg. 6](#))

F117 S. 55(1A) inserted (1.12.2016) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 5 para. 21\(3\)](#) (with [Sch. 5 para. 54](#)); [S.I. 2016/1037, reg. 5\(i\)](#) (with [reg. 6](#))

F118 S. 55(2) substituted (1.10.2015) by [Deregulation Act 2015 \(c. 20\), ss. 10\(3\), 115\(7\); S.I. 2015/994, art. 11\(d\)](#)

F119 Words in s. 55(2) substituted (1.12.2016) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 5 para. 21\(4\)](#) (with [Sch. 5 para. 54](#)); [S.I. 2016/1037, reg. 5\(i\)](#) (with [reg. 6](#))

Modifications etc. (not altering text)

C101 S. 55: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853, reg. 2\(1\), Sch. 1](#) Table B5

S. 55 extended (13.3.2000) by [S.I. 2000/412, art. 4\(4\)](#)

[F12055ZA Operators' licences for persons subject to immigration control

(1) Subsection (2) applies if—

Appendix E – Section 55 Local Government (Miscellaneous Provisions) Act 1976

(a) a licence under section 55 is to be granted to a person who has been granted leave to enter or remain in the United Kingdom for a limited period (“the leave period”);

(b) the person's leave has not been extended by virtue of section 3C of the Immigration Act 1971 (continuation of leave pending variation decision); and

(c) apart from subsection (2), the period for which the licence would have been in force would have ended after the end of the leave period.

(2) The district council which grants the licence must specify a period in the licence as the period for which it remains in force; and that period must end at or before the end of the leave period.

(3) Subsection (4) applies if—

(a) a licence under section 55 is to be granted to a person who has been granted leave to enter or remain in the United Kingdom for a limited period; and

(b) the person's leave has been extended by virtue of section 3C of the Immigration Act 1971 (continuation of leave pending variation decision).

(4) The district council which grants the licence must specify a period in the licence as the period for which it remains in force; and that period must not exceed six months.

(5) A licence under section 55 ceases to be in force if the person to whom it was granted becomes disqualified by reason of the person's immigration status from operating a private hire vehicle.

(6) If a licence granted in accordance with subsection (2) or (4) expires, the person to whom it was granted must, within the period of 7 days beginning with the day after that on which it expired, return the licence to the district council which granted the licence.

(7) If subsection (5) applies to a licence, the person to whom it was granted must, within the period of 7 days beginning with the day after the day on which the person first became disqualified, return it to the district council which granted the licence.

(8) A person who, without reasonable excuse, contravenes subsection (6) or (7) is guilty of an offence and liable on summary conviction—

(a) to a fine not exceeding level 3 on the standard scale; and

(b) in the case of a continuing offence, to a fine not exceeding ten pounds for each day during which an offence continues after conviction.

(9) The Secretary of State may by regulations made by statutory instrument amend the amount for the time being specified in subsection (8)(b).

(10) Regulations under subsection (9) may make transitional, transitory or saving provision.

Appendix E – Section 55 Local Government (Miscellaneous Provisions) Act 1976

(11)A statutory instrument containing regulations under subsection (9) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.]

Textual Amendments

F120S. 55ZA inserted (1.12.2016) by [Immigration Act 2016 \(c. 19\)](#), [s. 94\(1\)](#), [Sch. 5 para. 22](#) (with [Sch. 5 para. 54](#)); [S.I. 2016/1037](#), [reg. 5\(i\)](#) (with [reg. 6](#))

[F121]55A Sub-contracting by operators

(1)A person licensed under section 55 who has in a controlled district accepted a booking for a private hire vehicle may arrange for another person to provide a vehicle to carry out the booking if—

(a)the other person is licensed under section 55 in respect of the same controlled district and the sub-contracted booking is accepted in that district;

(b)the other person is licensed under section 55 in respect of another controlled district and the sub-contracted booking is accepted in that district;

(c)the other person is a London PHV operator and the sub-contracted booking is accepted at an operating centre in London; or

(d)the other person accepts the sub-contracted booking in Scotland.

(2)It is immaterial for the purposes of subsection (1) whether or not sub-contracting is permitted by the contract between the person licensed under section 55 who accepted the booking and the person who made the booking.

(3)Where a person licensed under section 55 in respect of a controlled district is also licensed under that section in respect of another controlled district, subsection (1) (so far as relating to paragraph (b) of that subsection) and section 55B(1) and (2) apply as if each licence were held by a separate person.

(4)Where a person licensed under section 55 in respect of a controlled district is also a London PHV operator, subsection (1) (so far as relating to paragraph (c) of that subsection) and section 55B(1) and (2) apply as if the person holding the licence under section 55 and the London PHV operator were separate persons.

(5)Where a person licensed under section 55 in respect of a controlled district also makes provision in the course of a business for the invitation or acceptance of bookings for a private hire car or taxi in Scotland, subsection (1) (so far as relating to paragraph (d) of that subsection) and section 55B(1) and (2) apply as if the person holding the licence under section 55 and the person making the provision in Scotland were separate persons.

In this subsection, “private hire car” and “taxi” have the same meaning as in sections 10 to 22 of the Civic Government (Scotland) Act 1982.

Appendix E – Section 55 Local Government (Miscellaneous Provisions) Act 1976

(6) In this section, “London PHV operator” and “operating centre” have the same meaning as in the Private Hire Vehicles (London) Act 1998.

Textual Amendments

F121 S. 55A - S. 55B inserted (1.10.2015) by [Deregulation Act 2015 \(c. 20\)](#), **ss. 11**, [115\(7\)](#); [S.I. 2015/994](#), [art. 11\(e\)](#)
55B Sub-contracting by operators: criminal liability

(1) In this section—

- “the first operator” means a person licensed under section 55 who has in a controlled district accepted a booking for a private hire vehicle and then made arrangements for another person to provide a vehicle to carry out the booking in accordance with section 55A(1);
- “the second operator” means the person with whom the first operator made the arrangements (and, accordingly, the person who accepted the sub-contracted booking).

(2) The first operator is not to be treated for the purposes of section 46(1)(e) as operating a private hire vehicle by virtue of having invited or accepted the booking.

(3) The first operator is guilty of an offence if—

(a) the second operator is a person mentioned in section 55A(1)(a) or (b),

(b) the second operator contravenes section 46(1)(e) in respect of the sub-contracted booking, and

(c) the first operator knew that the second operator would contravene section 46(1)(e) in respect of the booking.】

Textual Amendments

F121 S. 55A - S. 55B inserted (1.10.2015) by [Deregulation Act 2015 \(c. 20\)](#), **ss. 11**, [115\(7\)](#); [S.I. 2015/994](#), [art. 11\(e\)](#)



Spelthorne Borough Council
Council Offices
Knowle Green
Staines-upon-Thames
TW18 1XB

Tel: 01784 444202

email: licensing@spelthorne.gov.uk

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY 2019

Contents

- 1 Introduction**
 - 1.1 Shared information
 - 1.2 Decision making
- 2 Applying for a New HC Driver Licence, a PH Driver Licence, or a PH Operator Licence**
 - 2.1 Application form
 - 2.2 Fee
 - 2.3 Disclosure and Barring Service (DBS) Disclosure (Formerly Criminal Records Bureau (CRB) Disclosure)
 - 2.4 Overseas Criminal History (OCH) Checks (where applicable)
 - 2.5 Driving Licence
 - 2.6 Knowledge Test
 - 2.7 Medical Assessment Form
 - 2.8 Blue Lamp Trust enhanced Tests (where applicable)
 - 2.9 HC applications from existing PH licence holders
 - 2.10 Applications for PH Operator Licences
 - 2.11 Immigration Checks
 - 2.12 Child Sexual Exploitation (CSE) Training
- 3 Renewing your HC Driver Licence, PH Driver Licence or PH Operator Licence**
- 4 Problems with your application?**
- 5 Responsibilities of HC Drivers, PH Drivers and PH Operators**
 - 5.1 Equality Act 2010
 - 5.2 HC Drivers
 - 5.3 PH Driver – Standard Licensing Conditions
 - 5.4 PH Operator – Standard Licensing Conditions
 - 5.5 Bespoke Conditions
 - 5.6 Appeals
- 6 Applications for HC Vehicle and PH Vehicle Licences**
 - 6.1 General
 - 6.2 MOT and Vehicle Inspection Test (VIT)
 - 6.3 Licence Plates
 - 6.4 Seating Capacity of Vehicles
 - 6.5 Tinted Windows
 - 6.6 CCTV (where fitted)
 - 6.7 Cycle carriers and roof racks (where fitted)
 - 6.8 Executive PH Vehicles
 - 6.9 Stretch Limousines
 - 6.10 Period of Licences
- 7 HC Vehicles and PH Vehicles – Standard Licence Conditions**
 - 7.1 Vehicle licence conditions

7.2 HC vehicle licence conditions

7.3 Bespoke conditions

7.4 Appeals

8 Transfer of Entitlement to a Vehicle Licence

9 Enforcement

9.1 Inspections

9.2 DVLA penalties and driving standards

9.3 Suspension / Revocation of driver licences

9.4 Suspension or revocation of vehicle licences

9.5 Appeals

10 Acronyms

Appendix 1 – Licensing Authority guide to right to work checks

Appendix 2 – Policy regarding the relevance of convictions and other related information

Appendix 3 – Equality Act 2010

Appendix 4 – Byelaws made by Spelthorne Borough Council with respect to Hackney Carriages

Appendix 5 – Spelthorne Borough Council's Penalty Points Scheme

1 Introduction

Spelthorne Borough Council ('the Council') is the Local Licensing Authority for Hackney Carriage (HC) drivers and vehicles (taxis), in accordance with the Town and Police Clauses Act 1847 and for Private Hire (PH) drivers, operators and vehicles (minicabs), in accordance with the Local Government (Miscellaneous Provisions) Act 1976.

This policy was adopted on 23 May 2017 and came into force on 14 July 2017. It was last updated and published on 21 November 2019.

This policy aims to protect the safety of the public, whether they are fare paying passengers or other road users, by ensuring that only fit and proper persons hold licences to work as HC drivers and/ or PH drivers, or PH operators and that HC and PH vehicles are safe, roadworthy and fit for purpose, thereby upholding the high standards expected of the trade.

This policy will be reviewed at regular intervals to ensure that it remains current. However, when and where necessary, minor amendments may be made by agreement, by the Deputy Chief Executive and the Chairman of the Licensing Committee, in accordance with the Council's Constitution.

<https://spelthorne.gov.uk/CHttpHandler.ashx?id=10765&p=0>

1.1 Shared Information

The Council reserves the right to consider information from internal and external sources as part of its licensing activities and to share information supplied by applicants with other enforcement bodies, e.g. the Audit Commission, the Police etc, in accordance with the Data Protection Act 1998 and any statutory code or guidance made under that Act.

In particular, applicants for HC or PH driver licences should be aware that - in the event that the Council opts to refuse an application for or revokes an existing HC or PHD driver licence for any reason - information will be submitted for inclusion on the National Anti-Fraud Network (NAFN)'s National Register of Refusals and Revocations (NR3). Further information about how this information is stored can be found on the relevant privacy notice, available from the NAFN.

1.2 Decision making

Day to day decisions on the grant or renewal of licences are delegated to the Senior Environmental Health Manager (SEHM). In cases of doubt, such as where an individual's criminal or medical history casts doubt on their suitability to be licensed, a report will be presented to a licensing sub-committee who will take the decision as to whether a person is "fit and proper" to be licensed.

2 Applying for a New HC Driver Licence or a PH Driver Licence

All applicants must submit the following documents when applying for a new licence:

2.1 Application form

Failure to complete the appropriate form could result in an application being delayed or declined.

Knowingly or recklessly making a false declaration or omitting any material information required when applying for a licence is an offence. Where an applicant has knowingly made a false statement or declaration the application will normally be rejected or refused.

2.2 Fee

Failure to pay the full fee could result in an application being delayed or declined.

A list of current fees and charges is published on the Council's website www.spelthorne.gov.uk or can be requested from the Licensing department.

2.3 Disclosure and Barring Service (DBS) Disclosure (Formerly Criminal Records Bureau (CRB) Disclosure)

Applicants must submit an enhanced DBS disclosure, obtained within the last six months. The disclosure must show that applicants have been checked against the "other" workforce list.

Subsequent to submitting an application for an enhanced DBS disclosure, applicants will need to subscribe to the DBS' online update service so that snapshots of their criminal history (or lack thereof) can be provided in real-time to the Council's Licensing department.

Any Taxi and Private Hire drivers already licensed by Spelthorne Borough Council will also need to sign up to the DBS' online update service at the time their next DBS application is submitted. It is not anticipated that further paper applications will be submitted on their behalf beyond September 2022, instead applicants will be required to provide a check code which enables LEOs to view their criminal record in real-time via an online system.

2.4 Overseas Criminal History (OCH) Checks (where applicable)

Applicants who have continuously lived outside the UK for at least one year as an adult (aged 18 or over), must produce a "Certificate of Good Conduct" by a competent judicial or administrative authority, for every country of prior domicile. The Certificate must comprise an extract from the judicial record (or equivalent) and either record all the applicant's prior convictions, or confirm their "good conduct".

Applicants for a Driver Licence must also submit the following:

2.5 Driving Licence

Applicants must produce a current, valid UK driving licence or equivalent issued by a member state of the European Union, European Economic Area, or Switzerland, that they have held for at least three years prior to the date of application (excluding any periods of suspension/ revocation) and showing the applicant's current address.

In order to allow the Council to monitor what endorsements have been made on a licence, applicants must provide a licence “check code” obtained via the DVLA’s Shared Driving Licence Service (c/o gov.uk) - which will allow Licensing Enforcement Officers (LEOs) to obtain a printout of the applicant’s DVLA record.

2.6 Enhanced Driving Tests for Taxi and Private Hire Drivers

Applicants must produce a certificate confirming that they have passed a Blue Lamp Trust Enhanced Driving Test for Taxi and Private Hire Drivers, or equivalent. At the discretion of the Principal Licensing Officer (PLO), where an applicant is to be employed by a company exclusively using specially-adapted minibus vehicles for the sole purpose of Blue Badge school runs, a certificate for an alternative, equivalent test for competence to drive minibuses may be supplied.

2.7 Spelthorne Borough Council Knowledge Tests

All applicants must pass the Council’s: -

- English & Numeracy test
- Licence Conditions test
- Geographical test

There are two versions of both the Licence Conditions and Geographical tests. The HC Driver tests require more detailed topographical knowledge, as applicants are required to describe specific routes between specified places.

Applicants who fail a test must wait for a minimum of a two week period before re-sitting the test and may only sit the test three times in any 12 month period. There is a charge for re-sitting tests which is reviewed annually.

2.8 Medical Assessment Form

Applicants must submit a “Group 2” Medical Examiner Report, **completed by their GP (or a Doctor working at their registered GP’s practice)** who has access to their full medical records. Reports completed by other Doctors will only be accepted with good reason, and where said-Doctor has access to their applicant’s full medical record.

Applicants must satisfy the Council that they are medically fit to drive and will be expected to meet DVLA Group 2 standards.

Medical reports which may indicate that an applicant may not meet the Group 2 Standard will be referred to the Council’s independent medical advisor.

Where a LEO or the Council’s independent medical advisor has reason to believe that an applicant’s ability to drive may be impaired by a specific medical condition, the applicant or their GP, or in the case of eyesight requirements, an optician, may be asked to provide further information at any time following the submission of the medical assessment form.

The Council may require a new medical assessment, at the licensee’s expense, if a LEO has reason to believe that a licensee’s medical status may have changed.

Licensees must resubmit medical assessment forms every five years until they are aged **65**. When a licensee reaches the age of **65**, annual medical assessment forms must be submitted. More frequent medicals may also be required if recommended by the Council's independent medical advisor.

2.9 HC applications from existing PH licence holders

Existing PH drivers who wish to hold a HC Driver licence can apply to do so at any time. Applicants must pay the relevant fee and pass both the licence conditions and topographical tests.

Points imposed under the Council's Penalty Points Policy will transfer to the new licence.

2.10 Applications for PH Operator Licences

To be eligible for a PH Operator licence, applicants would normally be expected to operate from premises located within the Borough.

Virtual Offices for app-based PH Operations

With the increasing popularity of app-based PH Operations there has been an influx of enquiries from prospective PH Operators who wish to work via "virtual offices". For the avoidance of confusion, a virtual office is one which need not be manned, from which any landline is redirected to a head office based elsewhere (often outside of the borough). In line with legal guidance outlined in Button On Taxis and under these circumstances, the Council is prepared to accept applications for PH Operator licences under the proviso that the applicant agrees to supply digital records from their head office without delay on request from a LEO or other authorised officer working on behalf of the Council. Any failure to subsequently do so would immediately call into question the suitability of the applicant to hold a PH Operator licence and would usually trigger a referral to a Licensing Sub-Committee accordingly in order for members of the Licensing Committee to determine whether they deem it appropriate for the licence to remain in place.

Criminal record checks for PHOs and their controllers

All staff working in a "Controller" capacity for a PH Operator (whether paid or unpaid) will need to be listed on the relevant space on the Council's application form. Applicants and every Controller working under their employ (paid or unpaid) will need to submit a standard DBS disclosure or a Police National Computer (PNC) check obtained within the last month. This will need to be done every three years. At such a time as a new Controller begins working for the PH Operator, a standard DBS disclosure or PNC check dated within the preceding month will be supplied to the Council accordingly.

If an applicant for a PH Operator licence or one of the Controllers working for them holds a current HC Driver licence, a PH Driver licence, or has submitted a DBS enhanced disclosure within the last six months, they need not submit a further DBS check.

Where a standard DBS disclosure or PNC check brings to light convictions, cautions, reprimands, warnings, charges which do not necessarily lead to conviction or any other information which may call into question the character of an applicant or his/her Controller(s) – the Council may take this information into account when determining whether to grant or renew a licence.

The Council needs to assured that staff members working for Operators in a controller capacity are fit and proper to do so. Controllers have access to sensitive information, such as which properties are empty; as well as information about vulnerable people. When considering whether an individual is appropriate to carry out this role, the Council therefore expects Operators to give regard to the same 'Policy regarding the relevance of convictions and other related information' which the Council itself references when determining applications from prospective drivers (attached to this document as Appendix 1). It is not expected that Operators will employ persons with: a previous conviction, caution, court order or similar (including reprimands, warnings, charges which do not necessarily lead to conviction or any other information); which could call into question their suitability to work in a position of trust. Furthermore, where an individual is employed as a controller but convictions later come to light which might call into question their character, Operators would be expected to refer to the 'Policy regarding the relevance of convictions and other related information' and take appropriate action accordingly. A dim view will be taken of Operators found to be employing persons who it might not consider fit and proper, this information may result in the Council reviewing whether or not it considers an individual fit and proper to continue to hold a Private Hire Operator licence.

The holders of Private Hire Operator licences issued by the Council before 21 November 2019 will be expected to be in a position to produce standard DBS disclosure or PNC checks for all controllers working under their employ (whether paid or unpaid) by 21 May 2020. Failure to comply with this requirement will result in the issue of penalty points to the licence, in accordance with Spelthorne's Penalty Points Scheme (attached to this document as Appendix 5).

Controllers are also required to complete an online training module regarding safeguarding, which is further outlined in point 2.12.

Applicants with licences elsewhere

Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. Normally the guidance in this policy will take precedence over the decision of another authority and each case will be decided on its own merits.

2.11 Immigration checks

Checks will be undertaken in accordance with guidance issued by the Home Office in December 2016 (**please see attached as Appendix 1**), to ensure that an applicant for a driver or operator licence has the right to live and work in the UK before the issue of the licence. Where an applicant has time-limited permission to work in the UK, the duration of the licence will not exceed the length of time the applicant has permission to work in the UK.

It is expected that a “fit & proper” Private Hire Operator will undertake the necessary checks to ensure that controllers working under his/her employ have permission to work in the UK, failure to do so would call into question whether they are suitable to hold said PHO licence and may trigger a referral to a Licensing Sub-Committee in order for a panel of members to determine whether the licence should remain in place.

The Council will not license a Private Hire driver licence to an individual on a Tier 4 (Student) visa unless they are directly employed by an Operator. Proof of employment and compliance with restrictions must be provided before a licence is issued. This is because students on a Tier 4 visa cannot be self-employed.

The Immigration Act 2016 has introduced immigration requirements into licensing regimes, including taxi and private hire licensing. For all applications after the commencement date, the Council must be satisfied that an applicant is not disqualified by their immigration status from holding a licence before being issued a licence. A licence will lapse if the holder’s lawful leave or permission to work ends. Immigration offences will be added to the list of grounds on which licences can be suspended or revoked. It will also be an offence not to return a licence where revoked on immigration grounds.

Where the Home Office is unable to categorically and decisively clarify an applicant’s right to remain and work in the UK in the long-term due to ongoing appeals, there is scope for the Council to issue licences for a shorter time period accordingly. Under these circumstances, it is not typically expected that a HC or PH driver badge will be issued for longer than six months at a time – with Home Office checks being carried out at the request of LEOs before any further extension. The administrative burden of doing so will be taken into account, and the cost of this will need to be passed on to the applicant to ensure the Council continues to recover its costs.

2.12 Safeguarding Vulnerable Adults & Child Sexual Exploitation (CSE) Training

All new applicants for Hackney Carriage and Private Hire driver licences are required to complete Barnardos’ Safeguarding Adult & Child Sexual Exploitation (CSE) online training module and submit evidence that they have done so, before a licence is issued.

Additionally, all controllers working under the employ of a Spelthorne-licensed PH Operator (whether paid or not) will be required to undertake this training module before commencing work. PH Operators should produce pass certificates to the Council’s Licensing department as soon as they are obtained. LEOs will periodically carry out spot-checks and it is expected that certificates for each employee will be available on site for inspection. Any Operators falling foul of this requirement will be subject to the issue of penalty points, in accordance with Spelthorne Borough Council’s Penalty Points Scheme.

Existing PH Operators currently licensed by Spelthorne will be granted a period of six months to enable them to have all current staff undertake and pass the module. For the avoidance of confusion, it is therefore anticipated that PH Operators will be in

a position to produce course completion certificates for all controllers working under their employ by 21 May 2020.

3 Renewing your HC Driver Licence, PH Driver Licence or PH Operator Licence

Whilst the Council will endeavour to send reminders, licensees remain solely responsible for the renewal of their licence(s).

Applications to renew licences should be lodged at least ten working days before expiry but will not normally be accepted more than six weeks before expiry.

The Council would normally require a new application where a licence has expired.

All applicants must submit the following documents when applying to renew their licence: -

- Application form
- Fee
- Driving licence (see above)
- Passport confirming British citizenship, or documentation to prove they have the right to remain (and work)
- DBS enhanced disclosure (required every three years) for drivers; or a standard DBS disclosure / Police National Computer (PNC) check (required every three years) for operators & their controllers
- Medical assessment (required every five years up to the age of **65**, and annually thereafter)
- Data protection mandate, permitting the Council to check the DVLA's records (if none current – required every three years)

4 Problems with your application?

4.1 Previous Convictions

When assessing the suitability of an applicant to hold a licence the Council will consider any previous conviction, caution, court order or similar (including reprimands, warnings, charges which do not necessarily lead to conviction or any other information), from any reliable source, regardless of whether this is 'spent' under the Rehabilitation of Offenders Act 1974. Prior convictions / cautions do not necessarily permanently disbar an applicant. Each application is considered on its individual merits according to:

- the relevance of the offence(s)
- the seriousness of the offence(s)
- how long ago the offence(s) were committed
- the date of conviction
- the circumstances
- the sentence imposed by the court
- the applicant's age at the time of conviction
- whether they show a pattern of offending

- character checks (e.g. personal references)
- any other factors that might be relevant

Spelthorne Borough Council has adopted Surrey-wide guidance in relation to the consideration of previous convictions. This is attached at Appendix 2 and applicants with convictions are urged to consult this for insight into whether or not their criminal history is likely to preclude them from attaining a licence.

The overall offending history must be considered when assessing an applicant's suitability to be licensed. A series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction. Some discretion can be afforded if an offence is isolated and there are mitigating circumstances, but the overriding consideration is the protection of the public.

Applicants should note that failure to declare convictions, cautions, court orders, reprimands, warnings or charges which do not necessarily lead to conviction when submitting an application for a licence, renewal of a licence or during the course of a licence tenure will lead the Council to question whether or not the applicant can be considered fit and proper. The Council's SEHM would usually reject an application for a new licence under these circumstances unless there is good reason for the failure, and LEOs will usually refer an existing licensee to a Licensing Sub-Committee for them to consider whether the individual can continue to be considered fit and proper.

4.2 Appeals

Any person aggrieved by the refusal of the Council to grant (or renew) any licence under this policy may appeal to a magistrates' court.

5 Responsibilities of Combined HC & PH Drivers, PH Drivers and PH Operators

5.1 Equality Act 2010

The Equality Act 2010 (**attached as Appendix 3**) places certain duties on HC and PH Drivers with regards to the transport of wheelchair users and guide dogs. The Act creates offences for failure to comply unless licensees have obtained an Exemption Certificate and yellow Exemption Notice to display on their vehicle from the Council.

5.2 Combined HC and PH Drivers

HC Driver licences issued by the Council automatically carry a dual entitlement, allowing licensees to work as HC and PH drivers.

Holders of HC and PH Driver licences must comply with:

- The Council's Hackney Carriage Byelaws (**see Appendix 4**) and
- The PH Driver Licensing Conditions (see section 5.3).

5.3 PH Driver – Standard Licensing Conditions

PH drivers must not:

1. Display signs, solicit fares, stand with a vehicle at a HC rank or do anything that is likely to give the impression that a vehicle is available for hire as if it were a HC vehicle.
2. Carry more passengers than the number specified on the vehicle licence.
3. Carry any other person during a hiring, without the express permission of the hirer.
4. Carry a child (below the age of ten years) in the front passenger seat of the vehicle.
5. Demand from the hirer a fare in excess of the fare agreed prior to the commencement of the journey (or as shown on the taximeter where fitted).
6. Smoke in their vehicle or permit passengers to smoke, at all, at any time. This also applies to vaping.
7. Eat or drink in the vehicle whilst undertaking a hiring.
8. Play any radio or other sound without the express permission of the hirer.
9. Refuse to carry an assistance dog, unless exempted under Section 37 of the Disability Discrimination Act 1995 and the vehicle is clearly displaying the statutory exemption certificate and yellow Exemption Notice from the Council.

PH drivers must:

1. Notify the Council in writing as soon as possible and in any event within 14 days, of any of the following:
 - a) change of name and / or contact details (including new postal or e-mail addresses and phone numbers);
 - b) any illness or injury affecting fitness to drive;
2. Notify the Council in writing as soon as possible and in any event within five working days of a driving licence endorsement, fixed penalty notice, warning, reprimand, police caution, criminal conviction or other criminal proceedings which do not necessarily lead to conviction (including their acquittal as part of a criminal case). In addition, licence holders must inform the council within 3 working days of their arrest for any matter (whether subsequently charged or not).
3. Conduct themselves in a civil and orderly manner and comply with the reasonable requests of the passengers.
4. Take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
5. Dress respectably and neatly.
6. Convey a reasonable quantity of luggage if so required by the person hiring the vehicle.

7. Give reasonable assistance in loading and unloading the luggage, unless a medical condition precludes them from being able to do so, and they are able to produce a medical certificate or letter from their GP confirming this to be the case
8. Give reasonable assistance in removing luggage to or from the entrance of any place at which he/ she may take up or set down a passenger, unless a medical condition precludes them from being able to do so, and they are able to produce a medical certificate or letter from their GP confirming this to be the case
9. Attend with the vehicle at the time and place agreed with the hirer when the booking was made, unless delayed by some sufficient cause.
10. Provide to a customer on request a written receipt of the cost of the journey undertaken.
11. On termination of a hiring, or as soon as is practicable thereafter, search the vehicle for any lost property left therein and hand anything found to the Operator.
12. Allow disabled passengers to be accompanied by their registered assistance dogs **at no extra charge**, in accordance with the Disability Discrimination Act 1995.

Assistance dogs are trained to sit in the front of a vehicle with their owner. Any other animal can be conveyed at the discretion of the driver, but must be carried in the rear of the vehicle.
13. Comply with the requirements of the Council's licensing policy at all times.
 - . If requested to do so for any reason, return their driver badge issued by the Council forthwith.

The holder of a Spelthorne PH driver licence can only work in a PH vehicle licensed by Spelthorne Borough Council, for a person or company holding a Spelthorne PH operator's licence.

5.4 PH Operator – Standard Licensing Conditions

PH Operators must not:

1. Use the words 'Taxi' or 'Cab', whether in the singular or plural and whether they form part of another word or not, in connection with their PH business.

PH Operators must:

Keep (in permanent and easily legible form) a record of the following:

1. Particulars of every booking taken, regardless of whether it was made with the hirer or undertaken at the request of another operator, including:
 - a) date and time of the booking;
 - b) date and time of commencement of the journey;
 - c) name of the hirer;
 - d) place(s) at which the passenger(s) was/ were collected;
 - e) place(s) at which the passenger(s) was/ were set down;
 - f) PH vehicle licence number;
 - g) full name and licence number of the PH driver;
 - h) fare charged and whether or not calculated by a meter.
2. Particulars of any vehicle operated by the licensee:
 - a) make and model;
 - b) registration mark;
 - c) PH vehicle licence number;
 - d) PH vehicle licence expiry date;
 - e) proprietor of the vehicle;
 - f) date and brief description of all works of modification and major works of maintenance or repair carried out to the vehicle.
3. Miscellaneous:
 - a) lost property;
 - b) date and time found;
 - c) vehicle in which it was found;
 - d) name of hirer.

Records may be kept as part of a computerised record keeping system and shall be retained and kept available for inspection by an authorised officer for a minimum period of 12 months.

PH Operators must also:

4. Notify the Council in writing as soon as possible and in any event within 14 days, of any material change in their operational circumstances, including:
 - a) change of name and / address, e-mail address or phone number;
 - b) change of the nature of the business carried on by him/ her;
 - c) change of the composition of the firm, if a partnership;

- d) the address of any secondary office(s) opened by the PH Operator;
 - e) details of any licensed driver whose services are dispensed with by the operator, where the circumstances of the driver's dismissal relate to his/her unsatisfactory conduct;
 - f) any other change in the information given by the Operator to the Council at the time of granting the current licence.
5. Notify the Council in writing as soon as possible and in any event within five working days of **cautions, court orders, reprimands, warnings or charges which do not necessarily lead to conviction** against the PH Operator or their business partner; and within three days of convictions.
 6. Take all reasonable steps to fulfil each and every booking accepted, punctually at the agreed time.
 7. Ensure that any part of the premises provided for the use of the public to make bookings is:
 - a) kept clean;
 - b) adequately heated and ventilated;
 - c) provided with adequate seating facilities;
 - d) provided with a notice indicating that the service provided is in respect of pre-booked journeys only.
 8. Ensure that a copy of their licence is prominently displayed where members of the public can read it.
 9. Ensure that they comply with all requirements set out by the Immigration Act 2016, keeping copies of all documentation checked. This paperwork will be kept securely on site and available for inspection at all times if requested by the authorities.
 10. Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition, and that any defects are repaired promptly.
 11. Notify the Council in writing within seven days of details of any conviction or fixed penalty notice or formal caution imposed on him/ her.
 12. At all times, comply with the requirements of the Council's policy on the licensing of PH Operators.

The holder of a Spelthorne PH operator licence can only supply private hire work to an individual who holds a current Spelthorne PH driver licence and uses a PH vehicle licensed by Spelthorne Borough Council, except as allowed by sub-contract rules introduced by the Deregulation Act 2015*.

* In section 55A, subsection (1) allows an operator who accepts a booking for a private hire vehicle to sub-contract it to four types of operator - (a) an operator licensed and located in the same district as the initial operator; (b) an operator licensed and located in a different district from the initial operator (a different district but one which is still governed by the same legislation – in practice this means a district in England or Wales but outside London or Plymouth); (c) an operator licensed and located in London; or (d) a person located in Scotland.

5.5 Bespoke Conditions

Notwithstanding the standard conditions above, the Council reserves the right to impose further conditions on any driver or operator licence where it considers this appropriate.

5.6 Appeals

Any person aggrieved by any conditions attached to the grant of a driver or operator licence may appeal to a magistrates' court.

6 Applications for HC Vehicle and PH Vehicle Licences

Applicants must submit the following documents when applying for a new vehicle licence:

1. Application form;
2. Fee;
3. Valid certificate of insurance for the vehicle, insuring it for use as a HC and/ or PH Vehicle on the day of application;
4. Vehicle Registration Document (log book);
5. MOT certificate, where the period since the date of first registration of a vehicle is 1+ year. The certificate must have been issued in the 14 days prior to the date of application;
6. Letter from the registered keeper of the vehicle consenting to the vehicle being licensed (if applicable);
7. The following documents, where vehicles have been altered or converted since original manufacture:
 - Wheelchair Accessible Vehicles – VOSA Certificate M1
 - Stretch Limousines – VOSA SVA Certificate
 - Any other relevant conversion document.

Applications not accompanied by the appropriate documentation will usually be declined.

6.1 General

Vehicles that are the subject of licensing applications must:

1. Not be a London LTI, "Fairway", "Metrocab" or similar style of vehicle;

2. Not be licensed with Transport For London (TFL), or any other authority;
3. Not be over ten years old. The latest that a licence can be issued for a full year is when it is nine years old.

Vehicles specially adapted to carry passengers who are wheel chair bound may continue to be licensed up to twelve years of age, subject to full compliance with licence conditions.

In exceptional circumstances, there is scope for age limitations to be waived – provided a vehicle: -

- has a lower than average mileage;
- is aesthetically in immaculate condition;
- can be presented with a full service history; and
- is free of damp or other odours which may cause discomfort.

Applicants wishing to have their vehicle licensed beyond the age limit should request sight of the full guidelines used to determine whether a vehicle meets the “exception circumstances” requirement and prepare a written request for consideration by the PLO accordingly.

It should be noted that a decision will be made based on the condition of the vehicle as presented to Officers, and is down to the discretion of those involved with administering the application. No assumption should be made that a vehicle will be licensed beyond the age limits specified above.

Generally-speaking, whilst the Council acknowledges there is a cost-implication involved in doing so, in order to ensure that emissions remain manageable it encourages licensees to replace vehicles within the age limits specified above.

4. Normally have a minimum of 4 passenger doors, excluding any tailgate;
5. Have a minimum engine capacity of 1300cc;
6. Have a solid roof, which may include a solid sunroof.
7. Not have sideways facing seats and all will comply with the current seatbelt regulations;
8. Have three anchorage points for each seatbelt;
9. Have an interior release handle on all passenger exit doors;
10. Have an external mirror on each side of the vehicle which can be used as a functional driving mirror by the driver;
11. Have a suitable and accessible dry powder fire extinguisher of not less than 1kg in capacity;

12. Carry a first aid kit. This must be kept in such a position as to be readily available to passengers for immediate use in as required;
13. Not display or carry any signs (except optional 'No smoking' sign[s]), notices, advertisements, plates, numbers, letters, figures, symbols or emblems whatsoever, on, in or from the vehicle, except for the name and telephone number of an operator – which may be displayed securely on the side doors or bonnet of the vehicle on a plate or sign written, the characters of which must not be more than 4 inches (10cm) in height and such lettering shall not be illuminated. Any signs must not obscure the driver's vision in any direction.
14. Be right hand drive only, except for stretch limousines;
15. Only be altered or converted by an appropriately qualified installer or vehicle manufacturer (where applicable).

6.2 MOT and Vehicle Inspection Test (VIT)

Vehicles are required to pass a standard MOT test and the Council's VIT.

MOT Testing must be done annually for vehicles over the age of one year and six-monthly for vehicles over the age of five years.

VIT tests will be undertaken annually at the Council Offices.

Applicants must include an MOT certificate with their application form, which is the result of a test carried out in the 14 days prior to the date of application. Checks will be undertaken from time to time and penalty points will be awarded for failure to meet the timescales for MOTs to be conducted.

LEOs will consider MOT advisories and decide a course of action on a case by case basis. Where the MOT indicates that they may be defective, applicants would normally be required to replace tyres or repair to British Standard BS AU 159 (with evidence of this to be provided).

At the discretion of LEOs, advisories on MOTs will usually be required to be fixed within one month of the MOT - with evidence to this effect to be provided. Failure to comply with this requirement would usually result in the issue of penalty points to a driver's hackney carriage or private hire driver licence and in some cases in the suspension of the vehicle licence (see section 9.4).

Other issues, including those relating to aesthetics, will be taken on a case-by-case basis and LEOs may at their discretion request that applicants have faults remedied within a reasonable time frame in order to promote a certain standard of vehicle for consumption by the HC and PH using public.

6.3 Licence Plates

The Council shall determine the wording, size and manner of display of licence plates in accordance with the requirements of current legislation.

6.4 Seating Capacity of Vehicles

The Council will determine the number of persons a vehicle is licensed to carry in the following way:

- a) Where a vehicle provides separate seats for each person, the vehicle shall be licensed to carry one person for each separate seat provided – subject to them meeting the Council's minimum size requirements: -
 - i) 410 mm wide;
 - ii) The distance between the rear of the forward seat or dashboard and the front face of the passenger seat should measure a minimum of 660 mm per passenger.

Consideration will also be given to the amount of headroom available, ingress and egress from a practical point of view (as well in terms of safety), and also the materials from which the seat is made. Applicants should be mindful that it will not always be possible for the Council to issue a licence permitting use of every seat in a vehicle.

A decision as to whether a seat will be licensed is at the discretion of the LEO inspecting the vehicle. The primary consideration will be the safety and comfort of the travelling public;

- b) Where the vehicle is fitted with continuous seats, the vehicle shall be licensed to carry one person for each complete length of 410 mm measured in a straight line lengthwise across the front of such a seat, to a maximum not exceeding the number of seatbelts fitted. The distance between the rear of the forward seat or dashboard and the front face of the passenger seat must measure a minimum of 660 mm per passenger;
- c) Where the vehicle is fitted with continuous seats and with arms to separate the seating spaces, the arms shall be ignored in measuring the seat, if the arms can be folded back or otherwise put out of use, to a maximum not exceeding the number of seatbelts fitted.

The Council reserves the right to reconsider the number of passengers for which a vehicle is licensed, if on reflection LEOs believe that a vehicle is unsuitable to carry the number of passengers specified on a previously issued licence. Some MPVs may have historically been issued for a certain number of passengers when in actuality they are designed for and more suitable of carrying young children. A seat licensed for use to carry passengers for hire and reward should be suitable to carry an average sized adult. This means that someone older and / or less able should be able to easily access the seat, be provided with a large enough seat (as detailed above) and also have both adequate leg and headroom for an average sized adult.

6.5 Tinted Windows

The Road Vehicles (Construction & Use) Regulations 1986 as amended specifies the minimum levels of light that must pass through the windscreen and front side

windows. For vehicles first used on or after 1 April 1985, the light transmitted through the windscreen must be 75% and 70% through the front side windows.

The licensing authority recognises that many manufacturers fit tinted windows as standard original fittings, as either 'dark tint' or 'light tint'.

There is a distinct difference between standard tinted windows which meet the legal requirements and the 'dark tint' - commonly known as 'privacy glass', which is much darker and lets a minimum of light through, making it very difficult to see into the vehicle.

To address public safety concerns around the use of 'privacy' glass and to allow as wide a range of vehicles as possible to be used by the Hackney Carriage and Private Hire trades, the following conditions regarding tinting apply to licensed vehicle windows:-

- (a) All rear windows must allow at least 70% of light to be transmitted through them.
- (b) No vehicle shall be fitted with any form of additional film to darken or tint the windows, on any part of the vehicle.
- (c) Front side windows and the front windscreen must meet the requirements of the Road Vehicles (Construction & Use) Regulations 1986, as detailed above.
- (e) Privacy glass shall only be acceptable: -
 - i) where fitted to plate exempt vehicles, as applied for in accordance with section 6.8 of this policy.
 - ii) where good reason is given for its use (for example, in the case of disabled-access school-run vehicles, where contracted clients may be liable to light-triggered seizures). What is considered "good reason" will be at the discretion of LEOs in conjunction with the PLO.
- (f) Any glass which has been replaced must be safety glass and must comply with The Road Vehicles (Construction and Use) Regulations 1986.

Grandfather rights for vehicles licensed before 21 November 2019

In order to avoid unnecessary expense being caused to the trade through this policy, any vehicles licensed before 21 November 2019 which currently have **factory fitted privacy glass** will be allowed to continue to be licensed on a yearly basis until such time as the vehicle is replaced or changes ownership (by change of ownership this includes the regular use of the vehicle by another driver).

Conversely however, for the avoidance of confusion - licensees will not be permitted to install tinted glass (or adhesive tinting) in these vehicles.

It is assumed that this grace period will allow time for drivers to make other arrangements to accommodate existing customers who prefer or require use of vehicles with privacy glass.

The holder of a private hire or hackney carriage vehicle licence, for any vehicle already licensed by the Council on 21 November which has **adhesive window tinting**, will need to remove said-adhesive tinting by 21 May 2020. This can be done at home at no cost, or referred to a professional at the applicant's expense. Failure to remove adhesive window tinting by 21 May 2020 as required may result in the suspension of a private hire or hackney carriage vehicle licence.

6.6 CCTV (where fitted)

Where CCTV is fitted to a licensed vehicle, and in use, it must:

- a) comply with the Information Commissioner's data protection requirements and Codes of Practice;
- b) be capable of recording date, time and vehicle identification, such features to be activated at all times when in use;
- c) be capable of having recorded material downloaded to another storage device for reviewing;
- d) be kept in good working order at all times;
- e) enable recordings to be made available to LEOs or the Police on request.

6.7 Cycle carriers and roof racks (where fitted)

Any cycle carriers or roof racks must be fitted and used in accordance with the manufacturer's instructions (including maximum load weight).

6.8 Executive PH Vehicles

Applications to register PH vehicles as Executive PH (EPH) vehicles will be considered if:

- A minimum of 90% of work is undertaken for **businesses** (not schools or other authorities) with an account with the operator, demonstrable by reference to a minimum of three month's work records or, in the case of new applicants, a letter from an employer;
- The vehicle befits executive status – typically being larger in size than a large family car, in excellent condition, usually providing luxurious features beyond what might be considered by most as necessity.

An EPH vehicle will be exempt from the tinted window requirements of this policy (section 6.5 above).

Applications for Executive Status shall be determined at the Council's discretion.

Instead of being issued a PH vehicle licence plate, drivers of EPH vehicles will instead be issued a plate display exemption certificate, which they will be required to carry with them at all times. For this reason, it is not anticipated that EPH status will

be given to Private Hire drivers carrying out work which falls outside the usual remit of an individual typically referred to as a “Chauffeur”. In the case of Private Hire vehicles being used to carry out school runs, it is imperative that children, their parents and schools are able to easily identify a vehicle as being licensed.

6.9 Stretch Limousines

Vehicles which have been adapted to carry more passengers than originally intended are referred to as stretch limousines. Where there are eight or fewer passenger seats, or their equivalent where bench seats are provided, then the vehicle must be licensed.

6.10 Period of Licences

HC and PH driver licences can be issued for one or three years. The Government anticipates that most will be issued for three years. In some cases it may be necessary to issue a driver's licence for a shorter period, for example to give the driver an opportunity to have a medical examination or provide other outstanding documentation. In such cases the licence will be extended on production of the outstanding documentation to one or three years as appropriate. This would not normally incur an additional charge but may if the fault lies with the driver and the matter is within the driver's control.

PH operator licences can be issued for one or five years. The Government anticipates that most will be issued for five years.

HC and PH vehicle licences can be issued for a maximum of one year.

7 HC Vehicles and PH Vehicles – Standard Licence Conditions

7.1 The following conditions will normally apply to all licensed vehicles:

1. The vehicle shall at all times be maintained in sound, roadworthy, mechanically sound condition and serviced according to the manufacturer's recommendations.
2. No alteration to the manufacturer's specification for the vehicle shall be carried out except with the written approval of the Council.
3. Interior lighting shall be provided and maintained in working order such that it illuminates the passenger area.
4. The seats are properly cushioned or covered.
5. The floor is provided with proper carpet, mat or other suitable covering.
6. The exterior of the vehicle shall be kept clean at all times. The interior of the vehicle (including luggage spaces) shall be kept clean and free from rubbish at all times.
7. The vehicle must at all times comply with one of the following:
 - a) Carry a spare wheel, capable of immediate use, together with adequate tools to effect changing a wheel; or

- b) Carry a space saver spare wheel, capable of immediate use, together with adequate tools to effect changing a wheel. When space saver spare wheels are used, a licensee may complete their journey but must not undertake any further hiring until the punctured wheel has been repaired and refitted or else replaced; or
 - c) Carry and maintain in good working order, the manufacturer's standard issue repair and inflation equipment for that vehicle. Where a repair and inflation facility is used, a licensee may complete their journey but must not undertake any further hiring until the punctured wheel has been repaired and refitted or else replaced, and the manufacturer's repair and inflation facility has been replaced; or
 - d) Have runflat tyres fitted. Where a runflat tyre becomes punctured, as soon as this comes to the attention of the licensee, they may complete their journey but must not undertake any further hiring until the punctured wheel has been repaired and refitted or else replaced.
8. Newly licensed vehicles must conform to the requirements of section 6.5 – Tinted Windows. However, vehicles licensed before 14 July 2017 are exempt from this condition for as long as they remain continuously licensed by the Council.
 9. All fuel carried by the vehicle shall be contained within permanently secured fuel tanks. Spare fuel containers must not be carried at any time whether or not they are empty.
 10. The driver of a licensed vehicle shall notify the Council in writing as soon as possible, and in any event, within 14 days of any change of name or address.
 11. Where CCTV is fitted to a licensed vehicle then the requirements set out at section 6.6 shall apply.

7.2 Additional Standard Conditions – Hackney Carriage Vehicles

1. A licensee shall ensure that any other person permitted to drive the licensed vehicle holds a HC Driver licence issued by the Council.
2. The taximeter fitted to the vehicle shall be adjusted to record fares in accordance with the Council's tariff of fares and must be tested at intervals not exceeding 3 years.
3. Meters must comply with Directive 2004/22/EC of the European Parliament on measuring instruments as implemented into UK law by The Measuring Instruments (Taximeters) Regulations 2006, be programmed to calendar control and be sealed by lead or plastic signs to meet the required minimum standard.
4. The vehicle shall have an internally illuminated roof sign bearing the word "TAXI" on the front in letters which are not less than 50 mm height. This sign shall be kept illuminated when the vehicle is plying for hire.

5. The vehicle shall display an internally illuminated sign saying “For Hire” which shall be located at the front of the vehicle where it can be seen from the outside front of the vehicle. This sign shall remain illuminated at all time whilst the vehicle is available for hire.

6. Vehicle Licence Plates

Licence plates are supplied by the Council and must be securely fixed to the vehicle in the following locations:

- 1 large plate – rear exterior;
- 1 plate – internal, facing inwards displayed so that passengers can easily read it.

Licence plates must be kept clean and clearly displayed on the licensed vehicle at all times, whether or not it is being used as such. Once affixed, a licence plate must not obscure the registration plate.

Licence plates remain the property of the Council and must be returned when the vehicle is no longer licensed or when the vehicle licence has been suspended.

7. Licensees are responsible for ensuring that only holders of the appropriate private hire or hackney carriage driver licence issued by the Council are allowed to drive their licensed vehicle(s) and that the person is insured for public or private hire as appropriate.

7.3 Bespoke Conditions

Notwithstanding the standard conditions above, the Council reserves the right to impose further conditions on any vehicle licence where it considers this appropriate.

7.4 Appeals

Any person aggrieved by any conditions attached to the grant of a vehicle licence may appeal to a magistrates’ court.

8 Transfer of Entitlement to a Vehicle Licence

A licence issued in respect of a vehicle can be temporarily or permanently transferred to another vehicle in the event of an accident, mechanical failure or theft.

The Council will issue a new vehicle licence to the licensee on the following terms:

1. Payment of the relevant fee;
2. Submission of a fully completed application form;
3. Surrender of the original HC / PH vehicle licence and (where possible) identification plates to the Council;
4. The new vehicle must comply with all relevant requirements of this Policy;

5. The new HC / PH licence will expire on the same date as the cancelled vehicle licence.
6. If the original vehicle is to be used again, following repair, then a further transfer application needs to be made as it will no longer be licensed.

9 Enforcement

Failure to comply with legislative requirements is an offence. In determining what enforcement action to pursue in respect of offences, regard will be had to the individual circumstances, as well as the Council's enforcement policies and other guidance, such as the Crown Prosecutor's Code of Practice. Enforcement may include prosecution of offenders where appropriate and/ or imposition of penalty points under the Council's Penalty Points Scheme. As part of our enforcement of the legislation, the Council will, when appropriate, carry out test purchases of journeys. We will also make use of public CCTV monitoring in order to detect offences under the legislation.

Under section 101 of the Local Government Act 1972, a local authority can make arrangements for other local authorities to discharge its functions. Having done so, the Council may continue to discharge and control those functions. If the Council arranges for other authorities within a flexible warranting scheme to carry out its Licensing functions, it may continue to exercise most of those functions itself. What this means is that:

- Spelthorne-licensed HC and PH drivers should be aware that they may be liable to enforcement action by Officers from other Surrey local authorities when working in a capacity outside of Spelthorne Borough Council's geographical area; and
- HC and PH drivers licensed by other authorities in Surrey may also be subject to enforcement work carried out by Spelthorne Borough Council's authorised Licensing Enforcement Officers.

9.1 Inspections

The Council reserves the right to carry out the following inspections with or without warning to ensure compliance with licence conditions and relevant legislation (including Byelaws).

- Private Hire Operators – records/ premises;
- Hackney Carriage Drivers – HC vehicles;
- Private Hire Drivers – PH vehicles.

Routine inspections will be carried out primarily in accordance with a risk-based system and wherever possible, vehicles and documentation will be inspected at the same time.

9.2 DVLA Penalties and driving standards

Licensees who accumulate nine or more points on their driving licence must notify the Council immediately, after which they will be required to pass the Blue Lamp

Trust (or equivalent) test within three months of notification and report the result to the Council within one month of the test date. Failure to do so will result in consideration of further sanctions.

A second accumulation of nine points will normally trigger the referral of a report to a licensing sub-committee, in order for them to consider further sanctions - including possible suspension or revocation.

9.3 Suspension / Revocation of driver licences

9.3.1 Person not being fit and proper to hold a licence (including medical grounds)

Where a LEO has a reasonable belief that any HC or PH driver or PH operator is not a “fit and proper” person to hold a licence and/or in the interests of public safety, the Council may revoke that licence.

Before a decision to revoke a licence is taken, the Council will usually contact the licensee to invite them to attend a hearing with a Licensing Sub-Committee. The Council will provide the licensee with a full agenda and report in advance of the meeting, so that they are able to respond on the day. However, representations concerning the effect of revocation on a licensee’s personal circumstances e.g. unemployment, loss of income, hardship etc will not be taken into account.

The Council reserves the right to determine cases in the absence of licensees who cannot be contacted or who do not attend their hearing.

When the hearing is complete, the Licensing Sub-Committee will review the evidence and determine the appropriate sanction. The licensee will then be notified in writing and full reasons given. Revocation can be immediate and a licence must be surrendered on demand.

Suspensions cannot lawfully be issued as a punitive measure and will typically be issued for medical reasons, until the Council is in receipt of appropriate documentation as requested by the Council’s independent medical advisor, or in some cases for a specified fixed period in accordance with medical guidance (for example, in accordance with current group 2 guidance: one year following a Stroke or TIA).

In certain circumstances (i.e. where there is an imminent danger in allowing a driver to continue to work), a licence may be immediately suspended or revoked. This will usually be the case for suspensions issued on medical grounds. Such decisions will be made by the Senior Environmental Health Manager, in conjunction with the Chairman of the Licensing Committee.

9.3.2 Resulting from an accumulation of penalty points

See the Council’s Penalty Points Policy.

9.3.3 Re-applying for a licence after suspension / revocation

Licensees can apply for the return of their licence when a suspension period has elapsed. Expired time during the suspension period will not be re-credited.

In terms of revocations, consideration will need to be given to the reasons for and the period which has elapsed since revocation. Where a revocation is the result of convictions, cautions, reprimands, warnings, charges which do not necessarily lead to conviction or any other information which may call into question the character of an applicant, the Surrey-wide Policy regarding the relevance of convictions and other related information (attached as Appendix 2) will be referenced.

Where an existing licensee has their DVLA driving licence suspended or revoked, their Hackney Carriage or Private Hire Driver licence shall normally also be revoked with immediate effect. Where a licence is revoked there will be no refund of any fee. Licensees whose licences are revoked in this manner will not normally be permitted to re-apply until 12 months has elapsed from the date of revocation.

9.4 Suspension or revocation of vehicle licences

The following may result in a licence suspension and/ or revocation:

- where a LEO is not satisfied that any HC or PH vehicle is fit for use as such;
- where the licensee or operator has committed an offence under Part II of the Local Government (Miscellaneous Provisions) Act 1976 or has not complied with the Act;
- any other reasonable cause as determined by the Council.

9.5 Appeals

Any licensee aggrieved by the suspension or revocation of their licence may appeal to the Magistrates' Court.

10. Acronyms

PH – Private Hire

HC – Hackney Carriage

DBS – Disclosure and Barring Service

OCH – Overseas Criminal History

DVLA – Driver and Vehicle Licensing Agency

PNC – Police National Computer

VOSA – Vehicle and Operator Services Agency

PNC – Police National Computer

VSA – Vehicle and Operator Services Agency

LTI – London Taxi

TFL – Transport for London

VIT – Vehicle Inspection Test

EPH – Executive Private Hire (exempt from displaying a plate) vehicles

NAFN – National Anti Fraud Network

NR3 – National Register of Refusals and Revocations

SEHM – Senior Environmental Health Manager

PLO – Principal Licensing Officer

LEO – Licensing Enforcement Officer



**SPELTHORNE BOROUGH COUNCIL
PRIVATE HIRE OPERATORS LICENCE
CONDITIONS OF LICENCE
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

1.0 Definitions

In these conditions the following terms have the definitions assigned to them

“Council”	means Spelthorne Borough Council
“Driver”	means the person holding and acting in accordance with a private hire driver’s licence issued to them by the Council
“Operator”	means the person holding and acting in accordance with a private hire operator’s licence issued to them by the Council
“Vehicle”	means a private hire vehicle licensed by the Council

2.0 Hiring details

The operator shall keep (in a permanent and easily legible form) a record of the following particulars of every hiring, invited or accepted by them before any hiring is commenced:

- a) the date and time of the booking;
- b) the date and time of the journey;
- c) the name of the hirer;
- d) the place at which the hire commences and the destination;
- e) the name and licence number of the driver; and
- f) the licence number of the vehicle.

3.0 Vehicle details

The operator shall keep (in a permanent and easily legible form) a record of the following particulars of every private hire vehicle operated by them:

- a) the make and model;
- b) the registration number;
- c) the private hire vehicle licence number;
- d) the age;
- e) the expiry date of the private hire vehicle licence;
- f) the name of the licensing authority;

- g) the name and address of the proprietor; and
- h) a brief description of all works of modification and major works of maintenance or repair carried out to the vehicle.

4.0 Driver details

The record required to be kept by the operator of each of his/her drivers, under Section 55(3) of the above Act, shall contain the following details:

- (a) name of driver;
- (b) date of birth;
- (c) address (or normal place of residence);
- (d) date the driver became available to the operator;
- (e) national insurance number;
- (f) driving licence number and category of vehicle for which eligible to drive;
- (g) photograph of driver;
- (h) date the driver ceased to be available to the operator.
- (i) date of commencement and expiry of the private hire driver licence of each driver employed by the company;

Records of a private hire driver must be kept for a period of twelve months from the date the driver ceased to be available to the operator.

Operators must provide details to the Council within fourteen days of any licensed driver whose services are dispensed with by the operator, where the circumstances of the driver's dismissal related to the driver's unsatisfactory conduct.

5.0 Change of details

The operator shall notify the Council, in writing and within fourteen days of any material change in the circumstances on the basis of which the licence was granted during the period of the licence. In particular the operator must inform the Council of:

- a) any change of postal or e-mail address or phone number;
- b) any change in the nature of the business carried out by them;
- c) any convictions recorded against them or if the operator is a company or partnership, against any other director or partner; and
- d) any other change in the information given by the operator to the Council at the time of granting the current licence.

6.0 Prohibition on the use of words "Taxi" and "Cab"

The operator shall not include the words "Taxi" or "Cab" whether in the singular or plural and whether they form part of another word or not, in their business name or any advertising material, letter headings or other stationary.

7.0 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 in particular:

- a) ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed place and time;
- b) keep clean, adequately heated, ventilated and lit any premises which the operator provided and to which the public have access, whether for the purpose of booking or waiting;
- c) ensure that any waiting area provided by the operator has adequate seating facilities and is easily accessible for the disabled; and
- d) ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.

8.0 Compliance with licence conditions

The operator shall ensure that the licence conditions in respect of any vehicle used by them and drivers employed or contracted to them are complied with at all times. **IT IS AN OFFENCE FOR ANY SPELTHORNE LICENSED PRIVATE HIRE OPERATOR TO SUPPLY PRIVATE HIRE WORK TO ANY PERSON NOT LICENSED BY THIS BOROUGH OR WHOSE LICENCE HAS EXPIRED.**

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

46Vehicle, drivers' and operators' licences.

(1)Except as authorised by this Part of this Act—

(a)no person being the proprietor of any vehicle, not being a hackney carriage **[F99**or London cab**]** in respect of which a vehicle licence is in force, shall use or permit the same to be used in a controlled district as a private hire vehicle without having for such a vehicle a current licence under section 48 of this Act;

(b)no person shall in a controlled district act as driver of any private hire vehicle without having a current licence under section 51 of this Act;

(c)no person being the proprietor of a private hire vehicle licensed under this Part of this Act shall employ as the driver thereof for the purpose of any hiring any person who does not have a current licence under the said section 51;

(d)no person shall in a controlled district operate any vehicle as a private hire vehicle without having a current licence under section 55 of this Act;

(e)no person licensed under the said section 55 shall in a controlled district operate any vehicle as a private hire vehicle—

(i)if for the vehicle a current licence under the said section 48 is not in force; or

(ii)if the driver does not have a current licence under the said section 51.

(2)If any person knowingly contravenes the provisions of this section, he shall be guilty of an offence.

Textual Amendments

F99Words inserted by [Transport Act 1985 \(c. 67, SIF 126\), s. 139\(2\), Sch. 7 para. 17\(1\)](#)

Modifications etc. (not altering text)

C94S. 46 modified (27.11.2009) by [The Local Services \(Operation by Licensed Hire Cars\) Regulations 2009 \(S.I. 2009/2863\)](#), [regs. 1, 4](#) Table (with [reg. 3](#))

This page is intentionally left blank