



## **Where can Operators and Drivers work ?**

### **Taxi Compliance Officer Information Sheet 24**

*Drivers working in our area who are licensed by other Councils cause concern for many of you (often called “Out of Towners”, or “cross border hiring”). When I started as your Taxi Cop, drivers from London and Wales were common, but now Wolverhampton vehicles often work in our area. The private hire industry is conflicted about whether it should happen, but this Information Sheet deals with the facts and law, and is not an opinion on whether it is a good or bad thing although most people agree the law needs to be updated to reflect 21<sup>st</sup> century circumstances.*

### **Are drivers allowed to work in other Council areas ?**

All private hire journeys must be done by a Driver (“PHD”), Vehicle (“PHV”) and Operator (“PHO”) who are licensed by the same Council. The journey can start or finish outside that Council area. The PHO can subcontract the booking to another PHO, but that second PHO must use a PHD and PHV licensed by the same Council as the second PHO and again the journey can start or end anywhere.

### **Who is a PHO ?**

As well as national and local companies, individuals can be PHO's too. They have to follow the same rules as the larger companies, and can also subcontract work to other PHO's. Sometimes, an PHO is also a PHD, and they can complete the work themselves immediately after the booking is taken - provided the booking complies with the law and the Council's PHO Policy & Conditions. However, these Operator-Drivers need to be very aware of the law regarding touting and standing (plying) for hire (see Information Sheet 13)

### **Can you give some examples of how this works ?**

The fictional PHO's for these examples are 4645BristolCars & 4645OxfordCars :

- Legal – 4645BristolCars takes a booking but they can only allocate it to a Bristol PHD & PHV (or any Hackney Carriage (“HC”) . They can also send (subcontract) the job to 4645OxfordCars to complete, but 4645OxfordCars can only use a PHD and PHV licensed by Oxford Council (or any HC).
- Illegal – 4645Bristol Cars takes a booking, and gives it to an Oxford PH driver.
- Legal – A HC driver is visiting family in Leeds. They can take work from a Leeds PHO while they are there if they want to work.
- Illegal – A PHD with no PHO licence takes a booking from a member of the public and then sends it to their PHO to record either at the time or later.

### **Are PHD's allowed to work in other Council areas ?**

Yes, provided the booking is lawfully taken as above and complies with relevant Licensing Policy & Conditions

## Can a PHO use Hackney Carriages ?

Yes – and the HC can be licensed by ANY Council. But please see Information Sheet 10 about HC's doing PH work for more details.

## Is it safe for drivers and vehicles to be working outside their area ?

This is one of the biggest arguments for not having cross border hiring as most Councils have no authority over other Council's driver and vehicles. However, the new Taxis and Private Hire Vehicles (Safety and Road Safety) Act 2022 goes some way to reduce the risk. And of course, I am able to deal with any driver or vehicle regardless of where they are licensed.

*Please note : references to "Council" in this Sheet mean a Licensing Authority. London, Plymouth and Scotland has its own taxi law and may differ from the rest of England and Wales.*

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*This is one of a series of information sheets produced for the benefit of Driver, Vehicle and Operator licence holders by Police Constable 4645 Patrick QUINTON, Taxi Compliance Officer, The Bridewell Police Station, Bristol, BS1 2AA*

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*To join the "Taxi Cop" WhatsApp group, and get information about PC Quinton's work, news updates and licensing/law updates, send a message to 07469 400832. Your details will not be visible to any other members of the group and your privacy is protected.*

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