



Licensing Team

REQUIREMENTS TO BE MET TO OPERATE A PRIVATE HIRE BUSINESS

To operate a private hire business you are required to ensure you have a Private Hire Operator's licence. A private hire vehicle must be controlled by a Private Hire Operator who holds a licence under the Local Government (Miscellaneous Provisions) Act 1976, s55.

Any premises that provide access to members of the public should be covered by Public Liability insurance. The Operator should also check on any requirement to have Employers Liability indemnity. As a rule of thumb, if the Operator supplies the tools of the trade ie the supply of a vehicle for his driver, or in the case of office based personnel, the radio equipment, he has a liability. On grant of the licence a copy of these will be required.

If it is your intention to drive the private hire vehicle as well as operate the service you are also required to hold a private hire driver's licence. **Please note that all three licences:**

- driver,
- operator and
- vehicle;

must be held in the same district and therefore issued by the same authority. Do not apply for your vehicle licence until you have obtained your driver and operator licence.

Note:

If you do not hold any of the above licences and you intend to operate and drive the vehicle yourself our advice would be to apply for your private hire driver's licence first as this process can take at least 4 weeks to complete. The council must ensure that those who are granted a licence to drive are "fit and proper" persons. This involves a thorough vetting procedure and will include some or all of the following:

- ❖ *Checks by Disclosure & Barring Service (DBS), Driver and Vehicle Licensing Agency (DVLA), Driving Standards Agency (DSA).*
- ❖ *A knowledge test*
- ❖ *A medical*
- ❖ *Completing online CSE and Safeguarding courses*

Therefore, should there be a valid reason for refusing the licence, time and money will not have been wasted on applying for a vehicle and operator's licence.

If you do not hold a hackney carriage or private hire driver's licence with this authority but you still intend to apply for an Operator's Licence you will need to provide a basic, criminal records check and also complete the CSE and Safeguarding online courses before you apply for your operators licence. All evidence will need to be supplied with your application.

PLEASE NOTE WE CONSULT THE PLANNING DEPARTMENT ON ALL PRIVATE HIRE OPERATOR APPLICATIONS.

IMMIGRATION STATUS

Your right to work in the UK will be checked as part of your licence application. This could include the Authority checking your immigration status with the Home Office or otherwise share data. You must therefore provide a document or document combination that is stipulated as being suitable for this check. The list of documents is attached to this guidance. You must bring the original document(s) such as a passport or biometric residence permit so that the check can take place. The document(s) will be copied and the copy retained by the licensing Authority. The original document(s) will be returned to you.

If there are restrictions on the length of time you may work in the UK, your licence will not be issued for any longer than this period. In such circumstances, the check will be repeated each time you apply to renew or extend your licence. If, during this period, you are disqualified from holding a licence because you have not complied with the UK's laws, your licence will lapse and you must return it to the licensing, failure to do so is a criminal offence.

To ensure we do not discriminate against anyone, all licence applicants will be treated in the same way during the licence applications process. Following the correct checks, applicants who have a permanent right to remain in the UK and produce a document(s) from List A, will not require further checks when they subsequently apply to renew or extend their licence.

Failure to provide the documents will result in the refusal of your application.

DATA PROTECTION ACT 1998 CONFIDENTIALITY STATEMENT

The District Council collects information for the purposes of licensing, housing, benefits, NNDR revenue collection, electoral registration, council tax, planning and public health functions. The information we collect about you will depend on the nature of your business with us but may be used for any of the Council's purposes. We may check information provided by you, or information about you provided by a third party, with other information held by us.

We may also get information about you from certain third parties, or give information to them, to check the accuracy of information, to prevent or detect crime, or to protect public funds in some ways as permitted by law. These third parties include other local authorities, government departments and the police.

We will not disclose information about you to anyone outside the District Council unless the law permits us to.

The District Council is the Data Controller for the purposes of the Data Protection Act. If you want to know more about what information we have about you, or the way we use your information, you can ask at our main offices or telephone 01476 406080.

List of acceptable documents for right to a licence check

The lists of documents are based on those prescribed to show evidence of a right to work.

List A: No immigration restrictions on right to a licence in the UK. Once we have undertaken the necessary check once, we will not have to repeat the check when you subsequently apply to renew or extend your licence.

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

List B: Immigration restrictions on the right to a licence in the UK. We may issue the licence (subject to statutory limitations) up to the expiry date of the permission to work in the UK. We will need to check immigration status each time you apply to renew or extend your licence.

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