



## **Guidance Notes**

# **Licensing of Private Hire Vehicles**

## DESCRIPTION

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A private hire vehicle is a motor vehicle constructed or adapted to seat fewer than nine passengers, (other than hackney carriage or public service vehicle), which is provided for hire, with the services of a driver for the purpose of carrying passengers. Such a vehicle may not ply for hire from a stand or in a street, but may be pre-booked.

## LICENCE FEES

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These include elements for administrative and enforcement costs, and private hire vehicle plates. A list of fees can be obtained from the Licensing Section.

## PERIOD OF LICENCE

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A private hire vehicle licence remains in force for one year from the date on which the licence is granted.

## PRE-LICENSING STANDARDS

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The vehicle must have no less than four doors and be right hand drive.

The vehicle must use diesel, unleaded fuel or LP Gas whenever possible.

Leicester City Council has approved the use of LP Gas. All conversions must be carried out in accordance with "Code of Practice 11, Autogas Installations" by an installer approved by the LP Gas Association. A list of approved installers is available from the Licensing Unit.

The vehicle must be suitable to seat at least four passengers. Any continuous rear seat must be a minimum length of 122 centimetres (48 inches).

The engine capacity must not be less than 1290cc.

The vehicle must have adequate capacity for luggage.

The vehicle must be provided with a Dry Powder type fire extinguisher, minimum capacity 1 kilo (1 litre), meeting current British Standards. The extinguisher must be fixed in the vehicle in such a position so as to be readily accessible for immediate use.

No advertisements are permitted in any window of the vehicle unless specifically approved by the Licensing Unit.

Vehicles licensed for the first time from 1 February 2008, **cannot** be wholly or substantially **black** in colour.

From 1<sup>st</sup> July 2013, the new policy for Private Hire Vehicles is as follows:

- At the time a vehicle is first licensed, it must be no more than five years old, based on the date it was first registered
- At the time a vehicle's licence fails to be renewed, it must be no more than eleven years of age, based on the date it was first registered
- There will be no exceptions to the policy to allow the licensing of older vehicles
- Vehicles which fail spot checks will no longer have their licence revoked and will be able to be repaired and then return to service.

The vehicle must undergo and pass a test in a garage appointed by the Council for that purpose and must satisfy the Licensing Authority (through its agent) as to safety, comfort and cleanliness and be in all respects suitable for the conveyance of the public.

During the vehicle examination, the following standards will be applied by the vehicle examiners:

The vehicle must be clean inside and out, including seats, floor covering, roof lining, dashboard, windowsill, etc (that is, all parts visible to the passenger).

The vehicle should perform normally in road test (ie. normal acceleration, comfortable and smooth with no undue noise or other faults which could adversely affect the comfort of the passenger).

The operation of doors and windows must be smooth and without hindrance or inconvenience. All components must fit and operate normally in accordance with manufacturer's specifications.

The vehicle structure should (obviously) be in such condition that no failure or serious corrosion is likely during the period for which the vehicle is to be licensed (ie one year), particularly given its use as a private hire vehicle.

Body and paintwork are difficult areas to specify and common sense and judgement has to apply to some extent. Clearly, any defect which may be prejudicial to safety is unacceptable. **But also**, any defect or number of defects together should not be such as to detrimentally affect the **appearance** of the vehicle. In particular, the examiner will need to be satisfied that the vehicle will, given normal maintenance, remain in a suitable condition for at least one year. Visible significant rusting, bubbling, flaking or peeling or paintwork is **not** acceptable unless of a very minor nature and not visible to the public. Such defects may be rectified, of course, but you must take particular note of the requirements in relation to vehicles over five years of age.

## **SUITABILITY OF APPLICANT**

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An application for the grant of a Private Hire Vehicle Licence must be made by the owner or one of the owners of the vehicle.

If the owner or any part owner of the vehicle has any convictions, or has been charged or reported for any offence which is outstanding, advice from the Licensing Unit should be sought before any action is taken or expenditure incurred.

## **THE LICENSING PROCESS**

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In order to have your vehicle licensed as a Private Hire Vehicle, the following process must be followed:

### **Examination of the Vehicle**

You must make an appointment for your vehicle to be examined at the approved testing station:

LCC Testing Station  
17 Lower Willow Street  
Leicester  
LE1 2HP

0116 229 2565

A fee will be charged for the examination and is payable direct to the testing station.

You must attend the testing station at the appointed time or cancel your appointment by giving at least 24 hours notice. If you fail to attend your appointment or fail to cancel, giving the required notice, you will be required to pay the examination fee before a further examination is carried out.

If the vehicle fails to meet the required standard and a re-inspection is necessary, a further fee will generally be charged.

After the examination of the vehicle, you will be given a copy of the examination report form which will state whether the vehicle meets the required standard. The vehicle examination will normally be relied upon to determine whether the vehicle is in a suitable condition. However, if your vehicle is found to be unsatisfactory, a licence is not formally refused until the application has been completed and a formal notice of refusal issued by the Licensing Unit. The ground(s) for refusal and information regarding the Rights of Appeal will be stated on the notice. If a vehicle fails its inspection, it is obviously better to rectify any defects and present the vehicle for re-examination at the Testing Station (subject to age limit requirements).

When the vehicle has been found to be satisfactory, you should submit your application **by appointment** to:

Licensing Section  
York House  
91 Granby Street  
Leicester  
LE1 6FB  
**0116 454 3030**

Between the following hours:

Monday to Thursday	9.30 am - 4.00 pm
Friday	9.30 am - 3.30 pm

At that time you will be required to produce:

1. A fully and properly completed application form.
2. Current proof of private hire insurance (originals only – copies are not acceptable).
3. Documentary proof of ownership (see note on proof of ownership).
4. The vehicle examination report form.
5. The required licence fee.

### **1. The Application Form**

All questions on the application form must be fully and properly completed. Dashes, etc **will not be accepted**.

### **2. Current Proof of Insurance**

You may produce a current certificate of insurance or a current cover note. The period of cover must include the date on which the vehicle licence is to come into effect. If any details on the document are incorrect, the document **WILL NOT be accepted**. The class of cover must allow the vehicle to be used for **PRIVATE HIRE**.

### **3. Proof of Ownership**

To prove ownership of the vehicle, you may produce:

- a. the vehicle registration document (log book) in **your name**; or
- b. the vehicle registration document in the name of the previous owner of the vehicle **together with** a bill of sale/receipt/finance agreement from that person/company; or
- c. a bill of sale/receipt/finance agreement from the previous owner of the vehicle **together with** a statement made by you confirming that the vehicle registration document has been sent to DVLA for change of keeper and will be produced upon return.

#### 4. The Vehicle Examination Report Form

The vehicle examination report form may be produced for the licensing of a vehicle within **14 days** of the date on which the vehicle satisfactorily passed the vehicle examination. If the document is produced after 14 days it **WILL NOT be accepted** and the vehicle will have to be re-examined at a further expense to you.

#### 5. Proof of Employment with a Private Hire Operator

All Private Hire Vehicles must be operated from an official licensed Private Hire Office. When licensing a vehicle for the first time, we require written proof from the Operator that you will be employed to work for them.

#### 6. The Licence Fee

Fee information can be obtained from the Licensing Section.

Please note that if you wish to take benefit from the discount for vehicles that are Euro 5 compliant you **MUST** bring evidence with you to your appointment. This must identify your vehicle make and model and clearly state the emissions standard. Ideally this would be in the form of the log book, but we will also accept information provided by your manufacturer.

If you are unable to produce **all** the required documentation, your application **CANNOT** be dealt with. It is therefore essential that you ensure you have all of the documentation and that the details are correct.

When visiting the office, you must allow a reasonable period of time to process your application – particularly if there are any difficulties. Enquiries may need to be made and it may not, therefore, be possible to make a decision on your application immediately.

Whilst you may wish to make reasonable enquiries of the Licensing Authority's staff and agents (and they will endeavour to be helpful in clarifying areas of doubt), you should take care not to act unreasonably towards them. Aggressive, abusive and intimidatory behaviour, persistent shouting and unreasonable argumentativeness are in no-one's interest and will not be tolerated beyond acceptable bounds. Failure to heed this advice may result in a report being submitted to the Regeneration & Culture (Licensing) Sub-Committee which could result in a licence being refused on the grounds of the unsuitability of the applicant.

#### **POST-LICENSING REQUIREMENTS**

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Once issued with a private hire vehicle licence, the proprietor and driver of the vehicle are expected to ensure compliance with Licence Conditions and legislative requirements.

Bookings for a private hire vehicle can only be accepted by a licensed private hire vehicle **"Operator"**.

Vehicles licensed for the first time from 1 August 2007, must display Private Hire door signs on the front doors. These are provided by the Licensing Unit.

The vehicle must be maintained in a clean, comfortable and safe condition.

An interim test needs to be carried out by the approved Testing Station 6 months after the vehicle is licensed and will be identical to the present annual test. The fee charged by the testing station will be the same as for the annual test. Vehicles which fail to attend for the interim test will be suspended.

The vehicle must continue to be properly insured throughout the period of the licence and documentary proof of this must be produced to the Licensing Unit.

"On-street" enforcement is regularly carried out by Licensing Enforcement Officers to ensure compliance with all requirements.

The Council may suspend, revoke or refuse to renew a vehicle licence for any of the following reasons:

- a. the vehicle is unfit;
- b. an offence has been committed by the proprietor or driver;
- c. for any other reasonable cause.

Appeal against suspension, revocation or refusal to renew a vehicle licence can be made to a Magistrates' Court.

If the vehicle licence expires, is revoked or suspended, the Council may, by Notice, require the return of the vehicle licence plate within seven days.

If a licensed vehicle is sold, there is a legal requirement for the proprietor to give notice in writing to the Council within fourteen days specifying the name and address of the new owner.

If, after carefully reading these guidance notes, you are unsure of any matter or require further assistance or advice, please contact the Licensing Unit by telephone on **0116 454 3030** or address correspondence to:

Licensing Section  
Leicester City Council  
York House  
91 Granby Street  
Leicester  
LE1 6FB