



Leicester
City Council

Guidance Notes

Licensing of Private Hire Operators

GENERAL INFORMATION

The Town Police Clauses Act 1847 and Part 2 of the Local Government (Miscellaneous Provisions) Act 1976 provides the statutory basis from which the Council's powers and duties are derived for licensing of hackney carriages, private hire vehicles, operators and hackney carriage/private hire drivers.

These guidance notes provide information regarding the licensing of private hire operators.

DESCRIPTION

A private hire operator is a person(s) who have satisfied the licensing authority that he or she is a "fit and proper" person to trade as a private hire operator and who has been issued a licence under the Town Police Clauses Act 1847 / the Local Government (Miscellaneous Provisions) Act 1976.

LICENCE FEES

A list of fees is detailed on our website: <https://www.leicester.gov.uk/business/licences-and-permits/>

The fee is payable at the time of making the application. If you do not proceed with your application or if your application is refused, a proportion of the fee paid will be deducted to cover administrative costs incurred and the remainder of the fee will be refunded to you.

PERIOD OF LICENCE

An applicant may either apply for a one year operator's licence or five year operator's licence.

The licence is not transferable at any time to another person, nor does it authorise the licensee to operate from any address, other than that specified on the licence.

PRE-LICENSING STANDARDS

The Licensing Authority has a duty to ensure that licences for private hire operators are only granted to "**fit and proper**" persons.

Prior to consideration of any application, the Licensing Authority will require the applicant to undergo a criminal records check, obtainable through the Disclosure and Barrings Service (DBS)

If the applicant is already a licensed hackney carriage and private hire vehicle driver with Leicester City Council, a criminal record check will have already been carried out and therefore will not be required.

APPLICATION

The applicant must fully complete the application form and give a full list of drivers and vehicle details, including their name, address, hackney carriage & private hire badge number and details of vehicles including licence plate number and vehicle registration.

PLANNING PERMISSION

Running two or more vehicles from any premises, the applicant must obtain planning permission from the Local Authority.

In particular, your attention is drawn to the following matters:

- Planning permission will not normally be granted in the respect of premises in residential areas
- Favourable consideration is likely to be given in respect of the use of petrol filling stations, forecourts and local shopping centres, provided off-street parking is readily available.
- Within the Central Area, favourable consideration will be given for booking offices with unrestricted parking available adjacent to the premises or where there is sufficient off-street parking to give a ratio of one space for every five vehicles.
- Planning permission is required for radio masts which project more than one metre above the ridge of the roof of the premises.

STANDARD CONDITIONS

The operator shall enter in a record, before the commencement of each journey, the name of the hirer, the time and date of booking, the time, date and place of pick-up, the destination, the name of the driver and plate number of the vehicle to whom the journey is allocated. The pages of the record book must be numbered and maintained in chronological order.

The operator shall notify the Licensing Authority in writing at least 7 days prior to any change of name or address of the business which he/she operates or any change in the name or address of the premises from which he/she carries on business.

The operator shall not operate any vehicle as a private hire vehicle unless:

- (a) a current vehicle licence issued by the Leicester City Council is in force; and
- (b) the driver holds a current driver's licence issued by the Leicester City Council.

The operator shall keep an up-to-date list of all drivers and produce such list at the request of an Authorised Officer of the Leicester City Council or any Constable.

The operator shall keep an up-to-date list of vehicles being operated by him/her. The vehicle(s) to be identified by registration number and by number of private hire vehicle licence. The operator shall provide a copy of such list on request to any Authorised Officer of the Leicester City Council or any Police Officer.

A private hire operator or all radio and telephone operators and book staff employed by that operator, shall not refuse to accept a booking from a disabled person or other person calling on the disabled persons behalf because the disabled person is or will be accompanied by an assistance dog or is a wheelchair user. In the case of a booking from or on behalf of a wheel-chair user, this condition shall apply only where a wheelchair accessible vehicle is available for use.

The operator shall not dispose of any record of hiring's, as required by Condition 1, within twelve months of the latest hiring contained therein. The records are to remain on the premises and be immediately available for inspection by an Authorised Officer of the City Council or a Police Officer.

POST-LICENSING REQUIREMENTS

Once issued, a private hire operator is subject to conditions of the licence, legislative requirements and byelaws.

It should be noted that the **onus is on the licence holder** to comply with the law at all times and any advice or information given by the Council in this regard is advisory only without prejudice as an interpretation of the law is a function of the courts.

Enforcement is regularly carried out by Licensing Enforcement Officers to ensure compliance with all requirements. Licensees are expected to co-operate fully with Licensing Enforcement Officers and with other enforcement agencies.

PLEASE NOTE

Whilst you may wish to make reasonable enquiries of the Licensing Authority's staff and agents (and they will be endeavour to be helpful in clarifying areas of doubt), you should take care not to act unreasonably towards them. Aggressive, abusive and intimidating behaviour, persistent shouting and unreasonable argumentiveness 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 Licensing Authority, which could result in a licence being refused on the grounds of the unsuitability of the applicant.

If, after carefully reading these guidance notes, you are unsure of any matter or require further assistance or advice, please contact the Licensing Unit on 0116 454 3030. Alternatively, you may make enquiries in person to:

The Customer Service Centre
Leicester City Council
York House
91 Granby Street
Leicester
LE1 6FB

Opening times:

Monday – Thursday 8.30am – 5.00pm
Friday 8.30am – 4.30pm