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| **BECOMING A PRIVATE HIRE OPERATOR IN TEST VALLEY**  **APPLICATION FORM AND GUIDANCE** | test valley logo |

**What is Private Hire?**

Private hire is the provision of a vehicle and driver to undertake a journey carrying passengers from one location to another for a fee. The journey may only be undertaken if booked in advance with a licensed private hire operator.

Three licences are required to undertake a private hire journey:

1. **Private Hire Operator Licence** Authorises a company or an individual to receive bookings and dispatch licensed vehicles and drivers to undertake bookings.

2. **Dual Hackney Carriage/Private Hire Driver Licence** Authorises a driver to drive licensed vehicles to carry the passengers.

3. **Private Hire Vehicle Licence** Authorises a specific vehicle to be used for carrying the passengers.

This guidance document outlines the procedure that must be followed to apply for a new **private hire operator’s licence**. Separate guidance documents are available on our website for **dual driver** and **vehicle licence** applications. All three licences must be in place and issued by the same authority for a legitimate private hire booking to be accepted.

**How long will my application take?**

We estimate an application process should take up to 10 working days. If an application is delayed due to relevant convictions, the process may take longer than stated above. You are reminded that it is an offence to make provision for the invitation or acceptance of bookings for a private hire vehicle until you are in possession of a current private hire operator’s licence issued by Test Valley Borough Council.

**What do I need to consider before I apply to become a Private Hire Operator?**

Applicants should apply for a licence from the local authority area where they plan to carry out their private hire work. However, this does not exclude them from taking bookings for journeys starting and finishing outside the borough boundaries.

Operators must have a base and facility to take phone calls and record bookings. This can range from a commercial office to the back bedroom of a domestic premise but **must be an address in Test Valley.** Applicants may need to provide proof of right to occupy the premises which are their operating address, particularly if it is not their normal residence. Operators are required to keep records of all their bookings in a format and level of detail determined by the council. This may include paper logs or computer records.

Private hire vehicles and drivers may only be dispatched by a licensed private hire operator. No private hire driver or vehicle may work without taking bookings directly from a licensed operator. They are not permitted by law to take bookings directly from a passenger.

Operators are only permitted to dispatch drivers and vehicles licensed by the same local authority as themselves. Operators may sub-contract a booking to another private hire operator anywhere within the UK (including those in Greater London licensed by Transport for London). Whichever operator fulfils the booking, the operator, vehicle and driver must all hold licences issued by the same authority. The initial operator remains responsible for that booking despite sub-contracting and must keep a record of each sub-contracted booking.

Applicants must meet specific criteria to be considered for a licence and the council must be satisfied that an applicant(s) is a ‘fit and proper’ person to hold a private hire operator’s licence. Before you make an application, you should consider whether you are able to fulfil the following criteria:

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| Applicants must complete and apply on the form provided and pay the current licence fee. | **Form attached** |
| Applicants for operator's licences are required to provide information about their history and any roles they may have held in previous companies such as a company secretary or director. | **See form** |
| In the case of new applications, if the applicant(s) is/are not a current dual hackney carriage/private hire licensed driver, they will be required to disclose any unspent criminal convictions by providing a basic criminal record certificate (less than six months old on application). | **See notes on form** |
| In the case of new applications, if the applicant(s) is/are not a current dual hackney carriage/private hire licensed driver, they will be required to undertake Safeguarding training. Please book the classroom course provided by the Blue Lamp Trust | **See notes on form** |
| All applicants are required to complete an immigration check, if not already carried out with this authority. | **See notes** |
| Applicants must comply with HMRC tax conditionality check rules. | **See form** |
| Applicants must produce evidence of public liability insurance for the operator base (only applicable where an office is open to the public) |  |
| Operator licences are issued subject to strict licence conditions. A copy of the current operator conditions is attached to these guidance notes.  We recommend applicants read the private hire operator’s licence conditions prior to making an application for a licence. | **Attached** |
| New applicants (or existing licence holders whose operating premises have changed) are reminded to ensure that they have the necessary planning permission if operating more than one vehicle at their premises or if open to the public by contacting planning@testvalley.gov.uk or calling 01264 368000 |  |
| Applicants may need to provide proof of right to occupy the premises which are their operating address, particularly if not their normal residence |  |
| Applicants are encouraged to have read the Council’s Hackney Carriage and Private Hire Licensing Guidelines (Policy) on the Council’s web site https://www.testvalley.gov.uk/business/licensingandregulation/licensing/taxi-licensing | **See TVBC web site** |

If applicants have reason to believe there may be doubt on criminal grounds as to whether the council will grant their request for a private hire operator’s licence, applicants are advised to contact the Licensing Team before applying for further advice.

**What do I need when I submit my application?**

Your application MUST be complete (see above).

Postal applications should be sent to The Licensing Team, Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover SP10 3AJ.

Applications can also be submitted in person to the Council’s offices at Beech Hurst in Andover or the Former Magistrates Court in Romsey.

**What happens next?**

Once the required documentation is complete the licensing team will consider the application and decide whether to grant or refuse your private hire operator’s licence within the given timescale.

Where a decision is made to **grant** the private hire operator licence, the operator’s licence can be posted to the applicant directly. Alternatively, the applicant will be notified when their licence is ready for collection from the council offices.

Where a decision is made to **refuse** the private hire operator licence the applicant will be notified in writing and provided the opportunity to appeal the decision to the Magistrates Court within 21 days.

Following issue of a new private hire operator’s the licensing team may contact the licence holder to arrange an inspection of the operator base and ensure compliance with the standard operator licence conditions.

**DBS and Basic disclosure requirements for licensed private hire operators**

An operator who is not a licensed private hire/hackney carriage driver with Test Valley Borough Council is required to provide as a minimum a basic criminal records disclosure. A basic disclosure lists all current convictions within the meaning of the Rehabilitation of Offenders Act 1974.

A basic disclosure certificate can only be applied for, and is only issued to, the applicant direct. To obtain your certificate you can apply online at https://www.gov.uk/request-copy-criminal-record. The certificate must not be more than six months old when submitted with the application. Once you have received the Disclosure Certificate, please bring the original to the council offices.

Failure to provide a basic criminal record certificate will result in the immediate suspension of the private hire operator’s licence application until one is provided.

**How do I renew my operator’s licence?**

Operators will be licensed for either one or five years. A renewal reminder is sent by the Licensing Team 4 to 8 weeks before the licence is due for renewal, however it is the responsibility of the licence holder to ensure their operator licence is valid.

Renewal applications must be submitted at least 10 working days before the current licence expires. Failure to do so could mean the licence is not renewed before your current licence expires, and therefore you will be unable to make provision for or accept private hire bookings.

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| **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976** | TVBC logo (RGB) | **OFFICE USE ONLY:** PHV OPERATOR LICENCE FORM (SALMON) UPDATED xx/xx/2022 |

PPLICATION FOR A LICACKNEY CARRIAGE OR PRIVATE HIRE VEHICLEHI

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| APPLICATION FOR A LICENCE TO OPERATE PRIVATE HIRE VEHICLE(S) |

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| **Operator’s name** |  |
| **Operator premises address including post code** |  |
| **Operator telephone number (for bookings)** |  |
| **Email address** |  |
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| **APPLICANT DETAILS (Complete section A or B)** | |
| **Section A –** Complete this section ONLY if the application is made by an individual, a partnership or other unincorporated organisation (give the name and home address of each partner or member). Use the continuation page for additional applicants. | |
| **Full name and address of each applicant** | |
| **1. Applicant’s full name (forenames and surname)** |  |
| **Present home address including post code** |  |
| **Email address** |  |
| **Home or mobile telephone number** |  |
| **2. Applicant’s full name (forenames and surname)** |  |
| **Present home address including post code** |  |
| **Email address** |  |
| **Home or mobile telephone number** |  |
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| **Section B –** Complete this section ONLY if the application is from a limited company | |
| **Name of company** |  |
| **Address of company registered office** |  |
| **Company registration number** |  |
| **Full name and address of each director or secretary of the company.** Use the continuation page for additional persons. | |
| **1. Applicant’s full name (forenames and surname)** |  |
| **Present home address including post code** |  |
| **Position in company** |  |
| **Email address** |  |
| **Home or mobile telephone number** |  |
| **2. Applicant’s full name (forenames and surname)** |  |
| **Present home address including post code** |  |
| **Position in company** |  |
| **Email address** |  |
| **Home or mobile telephone number** |  |
| **ALL APPLICANTS MUST ANSWER THE FOLLOWING QUESTIONS:** | |
| **Has any person named in section A or B been a director or secretary of another company?** Please answer YES or NO and if YES, please give details |  |
| **Has any person named in section A or B received any convictions against a company of which they have previously been a director or secretary?** Please answer YES or NO and if YES, please give details |  |
| **Has any person named in section A or B ever held an operator’s licence with another authority?** Please answer YES or NO and if YES, please give details |  |
| **Has any person named in section A or B ever had an operator’s licence refused, revoked, or suspended by another authority?** Please answer YES or NO and if YES, please give details |  |
| **Has any person named in section A or B ever been convicted of an offence in connection with a hackney carriage and/or private hire vehicle or as an operator?** Please answer YES or NO and if YES, please give details |  |
| **Have any of the applicants (or the secretary or directors of the company) named in section A or B ever been found guilty by a court or cautioned or warned by the police for any criminal or motoring offence or are there any prosecutions pending against them?** Please answer YES or NO and if YES, please give details including name, offence, date, court and sentence |  |
| **Do your passengers have access to the operator address?** Please tick YES or NO | **Yes** □ You must provide the original document of public liability for the operator address  **No** □ No public liability insurance is required for the address |
| **How many vehicles will be operated from the operator base?** |  |
| **If the application covers more than one operating base please provide the address(es)** |  |
| **How will you keep operator booking records?** Please tick | Paper records □  Computer system □ |
| **Operator’s Licence number (renewals only)** |  |
| **Have you consulted the Planning Service to determine if planning permission is needed for your operating address?** Please answer YES or NO and if YES, please give date of when contacted |  |
| **Are you applying for a 1 or 5 year licence?** Please tick\* | One year □  Five year □ |

\*Under the terms of the Deregulation Act 2015 the Council will only ordinarily issue a five-year licence. You can apply for an annual licence but may need to provide justification as to why you do not wish to apply for a five-year licence.

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| **TAX CONDITIONALITY CHECK – THIS SECTION MUST BE COMPLETED EITHER BY PROVIDING A CODE (RENEWALS) OR TICKING THE BOX (NEW APPLICANTS)**  **If you currently hold, or have held in the last 12 months** before this application, the same type of licence with one or more licensing authorities (including Test Valley Borough Council) **please provide your 9-character HMRC check code**   |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |   You can obtain a tax check code online via the following web site <https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence> If you need help obtaining a code please phone the HMRC customer helpline on 0300 200 3300 (individuals) or 0300 200 3140 (companies).  If you are a company, please also give  your company registration number:  **If you have never held a licence before or it has been longer than 12 months,** you do not need to complete a tax check but please confirm you are aware of the following GOV.UK website addresses for HMRC guidance about tax registration obligations:   * PAYE information: [www.gov.uk/income-tax/how-you-pay-income-tax](https://www.gov.uk/income-tax/how-you-pay-income-tax) * Registering for Self Assessment: [www.gov.uk/register-for-self-assessment](https://www.gov.uk/register-for-self-assessment) * Corporation Tax information: [www.gov.uk/corporation-tax](https://www.gov.uk/corporation-tax)   I confirm that I am aware of the content of HMRC guidance relating to my tax registration obligations. |

**Please read the notes below before signing and returning this form.**

I hereby declare that to the best of my knowledge and belief the answers given above are true. I hereby apply for a Licence to operate Private Hire Vehicle(s) within the Borough of Test Valley subject to the above Act and the Conditions with respect to Private Hire Vehicles applying within the Borough.

This Authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided for the prevention and detection of fraud.  We may also share this information with other bodies responsible for auditing and administering public funds for these purposes.  Without identifying you, we may also use this information to help us plan and improve our services.  For further information please visit our website www.testvalley.gov.uk/data-sharing

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| **DECLARATION – applicants must sign here** | | |
| I/we hereby declare that the information and particulars provided on this form are correct and complete. | | |
| **Signature:**  (Applicant 1) | **Name (please print):** | **Date:** |
| **Signature:**  (Applicant 2) | **Name (please print):** | **Date:** |

A Licence, if granted, will remain in force for the period requested, not exceeding five years, unless otherwise suspended or revoked.

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| **Check list for documentation required:** 🗹 | |
| **1. Application form fully completed, signed and dated**  **2. Evidence of public liability insurance for operator base (where applicable)**  **3. Documentation to provide right to work in the United Kingdom (if required)**  **4. Licence fee (see below)**  **Where the applicant(s) is NOT a currently licensed TVBC dual hackney carriage/private hire driver:**  **5. Basic criminal records disclosure certificate** | 🞏  🞏  🞏  🞏  🞏 |

**Fees:**

When completed this application together with the fee of **£83 for the annual licence or £212 for five year licence** should be sent to the Council. Payment can be made by cheque or debit card. ***Cheques should be made payable to Test Valley Borough Council.***

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| Continuation: please provide details below of any further information in relation to your application which you were unable to complete above: |
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| Where necessary please attach supplementary information to your application. |

**Please read the following notes before making your application**

1. You may only operate a private hire vehicle licensed by Test Valley Borough Council if you have been granted a Private Hire Operator licence by the Council. Your operating address must be within Test Valley. If the address is not your usual place of residence e.g., commercial premises, we may ask you to provide proof of your right to use these premises.
2. Unless you are already licensed with the Council as a driver or can provide a current criminal records disclosure (less than six months old) you will be required to provide a basic level criminal records disclosure from the Disclosure & Barring Service (DBS). A disclosure must be provided upon initial application and then at the time of renewal. If you are subscribed to the DBS Update Service, please provide the details to allow a check to be made. If you do not have a current disclosure, details on how to obtain one are available here <https://www.gov.uk/request-copy-criminal-record>
3. All new applicants (and existing operators who must renew their status check) will be required to provide documentation or a share code showing that you have the right to work in the United Kingdom in accordance with the Immigration Act 2016. Please see this web page for details of acceptable documents or to obtain a share code <https://www.gov.uk/prove-right-to-work>.
4. A fee is payable when your application is submitted. Payments can be made by cheque or debit card. Cheques must be made payable to Test Valley Borough Council. Debit card payments can be made by telephoning 01264 368000 and speaking with a Customer Services Advisor; credit cards cannot be accepted. Current fees are shown above. Under the terms of the Deregulation Act 2015 the Council will only ordinarily issue a five-year licence. You can apply for an annual licence but may need to provide justification as to why you do not wish to apply for a five-year licence.
5. All new drivers and operators must undergo safeguarding training before being licensed. Existing drivers and operators that have not already done so by the time of their renewal will have their licences suspended, not renewed, or revoked until such time as training has taken place. You must undertake the classroom course provided by the Blue Lamp Trust which can be booked here https://www.bluelamptrust.org.uk/safeguarding-classroom/ Once you have completed the training, please email the training certificate to licensing@testvalley.gov.uk

**FOR OFFICE (CSU) USE ONLY**

**NB If you are unsure what documents should be provided, for renewals ask to the see the operator’s renewal letter which will list what must be submitted.**

All applicants to provide:

* this application form signed and dated

 the application fee (see above for rates)

* + DBS basic criminal records disclosure (less than six months old) but ONLY if NOT already licensed as a driver with TVBC

 HMRC tax check code (have they entered it in the form)

Applicants may also provide the following, if so please copy/scan

 evidence of attending Safeguarding training

 proof of Right to Work in UK, either an ID document or share code (see separate form)

If the applicant says any of the above documents are to follow, please indicate this.

Tick this box if you have scanned this application to Licensing 

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| **CSU Advisor initials** |  | Date | d | d | m | m | y | y |

Private Hire Operator's Licence Conditions

42. The Licensed Operator shall maintain at the premises for which they are licensed either a bound record book with consecutively numbered pages or an auditable computer record of a type approved by the Borough Council. Before the commencement of each journey the following shall be completed:

Date of booking;

How booking received;

Name of hirer;

Date and time of pick-up;

Place of pick-up;

Destination of passenger;

The fare quoted for the journey.

Where a booking is legally capable of being subcontracted to or from another licensed operator, in addition to the above details, the record shall show the name of the other operator. All of the above records shall be kept for a minimum of two years.

The operator of a licensed vehicle who has accepted a booking or has been hired to provide a vehicle at an appointed time and place shall, unless the driver is delayed or prevented by some sufficient cause, ensure that the driver punctually attends with the vehicle at the appointed time and place.

43. All signs or advertisements in whatever form and wherever so displayed shall not include the words "Taxi" or "Cab" (or any corruption thereof), whether in the singular or plural and whether alone or as part of another word unless the vehicles offered for hire are licensed Hackney Carriages.

44. The Operator licence is personal to the licensee and shall not be transferred to any other person. The Operation may only be run from the address that is specified on the Licence

45. The Licence holder, while carrying on the business of an Operator, shall not permit licensed Private Hire Vehicles to obstruct entrances to adjoining premises, Hackney Carriage Ranks or bus stops.

46. The Licence holder shall not permit annoyance or interference to be caused to residents of adjoining premises by the use of radio communications operators.

47. The Operator shall notify the Borough Council, in writing, of any change of his address (including any address from which he operates or otherwise conducts his business) as an Operator.

49. The Operator shall, within 7 days, disclose to the Borough Council in writing details of any convictions imposed upon him.

50. The Operator shall notify the Borough Council in writing, within 7 days, when a licensed driver or vehicle starts or finishes working for him.

51. Upon the issue or renewal of the Operators Licence, the Operator shall provide the

Borough Council with a list of all drivers and vehicles working under the benefit of his/her Licence.