

Guidance notes



Private hire operator licences

Updated November 2015

What is a private hire operator?

A private hire operator dispatches a private hire vehicle (see section below for further information) to a customer as a result of a pre-arranged booking.

One person can be licensed and employ/sub-contract an unlimited number of licensed vehicles. However, a licensed private hire driver can not accept any bookings unless they either hold or work for a licensed private hire operator.

Private hire vehicles

These vehicles must be booked in advance from an office and can not pick passengers up from taxi ranks or be hailed from the street. They can be recognised by a yellow plate on the rear of the vehicle with the Council's logo and a three-figure number with a 'PV' prefix. Private Hire fares are usually charged by a set amount per mile or a negotiated price. North Devon Council has no authority over these charges.

Example North Devon Council private hire plate:



Do I need to be licensed?

A private hire operator licence is required to enable a person to accept or invite bookings for private hire vehicles.

Bases outside the North Devon Council area

The Council will not grant an operator's licence for an operator with an operating base that is outside the Council's area. This is to ensure that proper regulation and enforcement measures may be taken by the Council and is no way intended to be a

restraint of trade. All three licences for the operator, vehicle (s) and driver (s) must be issued by North Devon Council.

The application process

A completed application form (see forms section below) needs to be submitted to the Licensing Team and accompanied by the correct fee.

Licence period

Private hire operators will be issued a licence for a period of five years, unless applicants indicate they would wish to gain a one year licence, based upon personal circumstances.

Determination

Following correct receipt of the paperwork and fee, the licensing authority will decide whether the applicant is a 'fit and proper' person to hold an operator's licence, and if so, grant a licence for a period of one year.

Grant

Upon grant of an operator's licence, the licensing authority will specify the address from which the operator may operate. The operator shall notify the licensing authority in writing of any change of their address, (whether this is a home address or the address from which they operate) during the period of the licence, within seven days of such change taking place.

Appeals

Unsuccessful applicants shall be informed of their right to appeal against the decision to the Magistrates' Court within 21 days of receipt of the formal notice of refusal of the application.

Conditions

Please go to our website to find out more information about conditions. Licence holders should ensure they have read and understood these, as failure to comply with certain conditions may result in enforcement action being taken.

Records

The records which must be kept by operators under the Local Government (Miscellaneous Provisions) Act 1976 shall be kept in a suitable log or book, the pages of which are numbered consecutively.

Prior to each journey, the operator shall enter the following particulars of each private hire booking:

- the date of the booking
- the name and address of the hirer
- the time of pick-up
- the point of pick-up
- the destination
- the time at which a driver was allocated to the booking
- the plate number (or other identification) of the vehicle allocated

The operator shall also keep records of the particulars of all private hire vehicles operated by them, such details to include the owner's, plate numbers and registration numbers of the vehicles, along with details as to the drivers of the vehicles and their call signs.

All records maintained by the operator shall be kept for at least twelve months after entry.

Public liability insurance

Operators who operate from premises open to the public are required to provide proof of public liability insurance for the premises up to £2million.

Transfers

Private hire operator licences are not transferable. A change of operator for the same premises will require a new application.

Register

There is no public register for private hire operator licences.

Complaints

If you want to make a complaint about a licensed private hire operator, please contact us.

If you feel we have failed to provide you with good service or are concerned about the progress of your application, please telephone the Customer Service Centre. The Licensing team will endeavour to resolve any concerns you may have.

The council also has a formal complaints procedure.

Website links:

- [Unite Union](#)