

WHO NEEDS PRIVATE HIRE OPERATOR LICENCE?

- Anyone who makes provision for booking a private hire vehicle.
- A private hire vehicle is: “a motor vehicle constructed or adapted to seat fewer than nine passengers, other than a hackney carriage or public service vehicle or a London cab or tramcar, which is provided for hire with the services of a driver for the purpose of carrying passengers”.
- All licences must be issued by the same authority i.e. the Private Hire Operator, Private Hire Vehicle and Private Hire Driver licences
- The operating base i.e. the address from where the bookings are usually taken, must be in Powys. If this is an office which is open to the public then public liability insurance is required.
- The journeys for which a private hire vehicle is booked can be undertaken anywhere in England and Wales.

APPLICANTS

- Must be determined to be ‘fit and proper’ persons. The authority can only determine if an applicant is fit and proper on receipt of a standard DBS (disclosure and barring service) check or Disclosure Scotland Basic Disclosure, these can take two weeks or more to process. Where convictions are revealed the authority’s policy on convictions is considered and may require that officers refer the application to a Licensing Review Panel for determination. The panel will comprise of 3 elected members from the Licensing Committee and will be convened as soon as their availability allows. The authority will endeavour to hold the hearing with the minimum of delay. The applicant will receive written notification of a hearing and is invited to attend to make representations and present references in support of their application.
- Must be entitled to work in the UK

DOCUMENTATION

The following documentation will be required:

- Completed and signed application form (Annex B) not omitting any convictions, cautions or pending cases.
- Either a Disclosure Scotland Basic Disclosure Certificate available through <http://www.disclosurescotland.co.uk/> (no more than 1 month old) or present the necessary identification documents to enable the authority to conduct a standard disclosure via the DBS. i.e.
 - ✓ driving licence (with current address),
 - ✓ P45 or P60 less than 12 months old,
 - ✓ current passport (if you have one),
 - ✓ proof of address i.e. bank statement or utility bill (less than 3 months old).
- If the operator is working from an office which is open to the public then public liability insurance is required

- The application fee.
- Document(s) to prove right to remain and work in the UK. For UK citizens simply present your UK passport or Birth Certificate. Non UK citizens refer to Annex A

*If the applicant is also applying to be a licensed driver with the authority a further DBS disclosure is not required.

PAYMENT

Payment can be made at the council offices or over the telephone by credit/debit card. **Please note that the fee is for the application, refunds are not available when an applicant is refused a licence**

PROCESSING

- Please **make an appointment with an officer** to submit your application and ensure you bring sufficient identification documents to enable the DBS application to be commenced **(Not presenting sufficient ID documents will only delay the processing of the application)** alternatively you may present a Disclosure Scotland Certificate already issued to you in the last month.
- On receipt of an application and fee the licensing authority will check the details on all of the submitted documents.
- The authority will consider any offences revealed on the disclosure and will either grant the licence without delay or refer the licence to a Licensing Review Panel after considering the authority's convictions policy.
- When a licence is issued the applicant will receive a paper licence valid for 5 years from the date of grant along with a copy of the Council's current private hire vehicle operator conditions.
- Operator record sheets are available on request, these may be used to assist the operator in complying with the requirement to keep a register of all bookings. **This register of bookings must be made available for inspection, on request by the authority's Licensing Officers.**

RENEWAL

- The licence will be due for renewal 5 years from the date of grant. The authority will endeavour to send out renewal forms in advance of the licence expiry date; however licence holders should not rely on receiving forms automatically and contact an officer for renewal forms in advance of their licence expiring should they not receive them in good time
- DBS checks are conducted every 5 years
- Please note that renewed licences are not issued until all the DBS checks are completed, provided there are no new offences to consider. **Applicants should therefore aim to submit renewal applications 28 days in advance of their licence expiring to allow for the checks to be completed and avoid being unlicensed after the current licence expires Operating a PHV whilst unlicensed is an offence.**

- A renewal application received late will be treated as new application and the applicant will not be licensed to operate any Private Hire Vehicle until any checks come back and are considered for a new licence.
- A Licence Review Panel will not need to reconsider the same convictions provided that there are no new offences.

OFFENCES

Includes motoring offences, anything pending or charges made against a licensed operator

- You must notify the authority of any offences committed, charges brought against you etc. since your licence was granted.
- If necessary the licence will be considered by a Licensing Review Panel who can suspend or revoke a licence if they consider the licence holder to be no longer a fit and proper person.
- In exceptional circumstances, where considered in the public interest, an officer of the authority can suspend an operator licence with immediate effect without first referring the application to a Licensing Review Panel.

FURTHER INFORMATION

Council Offices	Council Offices	Council Offices
Neuadd Brycheiniog	Y Gwalia	Neuadd Maldwyn
Cambrian Way	Ithon Road	Severn Road
Brecon	Llandrindod Wells	Welshpool
Powys	Powys	Powys
LD3 7HR	LD1 6AA	SY21 7AS
licensingbandr@powys.gov.uk		licensingmont@powys.gov.uk
Contact: 0845 602 7037 and ask to speak to an Officer		

Lists of acceptable documents for right to a licence checks

List A: No restrictions on right to work in the UK.	
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: Restrictions on right to work in the UK..

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| 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. | <p>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.</p> <p>This guidance [link to page 16] provides further information on checking a non-European Economic Area national family member's right to a licence.</p> |
| 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. |
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| 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. |

