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|  | If calling please ask for: | Customer ServicesTel: 01243 534601E-mail contact@chichester.gov.uk |
| Our ref: | TX31 |
| Your ref: |  |
|  |  |

Dear Sir/Madam

**Town Police Clauses Act 1847/Local Government (Miscellaneous Provisions) Act 1976**

###### Enquiry - Private Hire Operator’s Licence

Thank you for the recent enquiry regarding submitting an application for a Private Hire Operator’s Licence (the ‘licence’).

Under the Local Government (Miscellaneous Provisions) Act (the ‘Act’), any booking for a Private Hire Vehicle **MUST** be made through a Private Hire Operator (the ‘Operator’). A Private Hire Driver is **NOT** permitted to take bookings directly from a passenger. Essentially, the passenger is entering into a contract with the Operator, who in turn makes a record of the booking and dispatches a driver and vehicle to satisfy that booking. **The Operator is responsible for the booking once made.**

**Operator’s Base and Planning Permission -** The applicant will need to apply to the Authority where the base is to be situated and the majority of work will occur. The operator's base must be where bookings are taken and records can be inspected. This can range from a commercial office to the back bedroom of a domestic premises.

Please ensure that the appropriate planning consent is in place before submitting the application as any breach of planning legislation may result in the Planning Department taking enforcement action. If the proposed base is rented, residential accommodation then please provide written confirmation from the landlord or letting agent, consenting to the use of the property for such a purpose.

Items which must be provided as part of an application are shown overleaf at **Annex 1**. **Please note that ALL documents MUST be submitted at the same time, either via post or to a member of the Customer Services or Licensing Team**. Upon receipt, the documentation will be considered so as to ensure that a valid application has been submitted. If any issues or discrepancies are found with the application, then it will be invalidated and you will be contacted and given advice.

If you require any further advice or wish to make an appointment in order to submit the application, please contact a member of the Customer Services Team.

Yours sincerely

**Licensing Team**

**Growth & Place**

**ANNEX 1**

1. **Application form - Form T9 – Before submitting the application, please view the links which provide further advice and guidance regarding the legislation, conditions and policy that govern Operators.**

 **Application for Private Hire Operator -** <http://www.chichester.gov.uk/hackneyprivatehireapplications>

 **Legislation, Conditions & Policy -** <http://www.chichester.gov.uk/article/25500/Taxi-and-private-hire-licensing---legislation-conditions-and-policy>

 **Please ensure that the application is made in the name of the correct person or organisation. There are essentially 3 options:**

**(a) If you are the sole owner of the private hire operation you should apply for a licence as an individual. Please note that adopting a trading name does not in itself qualify the business as a company.**

1. **If you are a company, then you will be registered with Companies House and will have been issued with a company number. A company is normally established to guard against any personal liability if the business should hit financial difficulties. The company will consist of at least one individual nominated to act as a director. Under these circumstances it is extremely likely that the operator is the company, as any income and expenditure associated with the business is likely to flow through the company account(s) and the company is essentially the controlling mind. Therefore, the application should be made in the name of the registered company.**

**(c) If you are not a registered company, but are trading in partnership with other people then you should apply for a licence in the name of your unregistered firm or partnership. This could simply be the trading name.**

 **The form requires information to be provided regarding a number of matters, in order, for this Authority to be satisfied that the applicant(s) is 'fit and proper' to be operating a private hire business. This includes providing details regarding employment, financial and criminal convictions history. This Authority also reserves the right to request a criminal records check to be undertaken of any person(s) making such an application, if it is felt necessary to do so.**

1. **Fee - The Deregulation Act 2015 has amended the Local Government (Miscellaneous Provisions) Act 1976 and now requires Local Authorities to offer 5 year operator licences. It is still permissible for Local Authorities to issue operator licences for 1 year, but only when it is ‘appropriate to the circumstances of the case’. Please give careful consideration to whether you wish to apply for a 1 year or 5 year licence. There are NO REFUNDS available in relation to a 5 year licence.**

 **The application fee for a new Private Hire Operator Licence is £182.00 for a 1 year licence or £696.00 for a 5 year licence. The Council’s preferred method of payment is by debit card or credit card. If submitting the application by post then payment can be made by telephoning Customer Services on 01243 534740.**

1. **‘Right to Work’ Check- The Immigration Act 2016 has made amendments to the licensing regime. The Council is now required to undertake a face-to-face immigration check in relation to ALL applicants to ensure the person has the right to work in the UK. Without evidence of this the council cannot validate your application or issue a Hackney Carriage/ Private Hire Driver Licence. Therefore, when you submit the application at the Council Offices, please can you bring with you a valid Passport or Biometric Residence Permit. If these are not available then a list of alternative documents that are acceptable as proof can be viewed via the following link** <http://www.chichester.gov.uk/taxihackneyapplication#Right>