



Kirklees Council Licensing Department
Local Government (Miscellaneous Provisions) Act 1976

Application for the Grant of Private Hire Operators Licence

Before completing this form applicants are advised to carefully read the attached guidance notes. Applications must be completed in full and supporting documents provided before attending the Licensing office. All applicants must attend the office in person

1. Current Planning Permission

This is required before an application will be accepted.

2. Fee

This can be found at www.kirklees.gov.uk/licensing

3. Disclosure and Barring Service Check and fee (if applicable)

For applicant(s) who are already licensed as a Private Hire/Hackney Carriage driver, no DBS check will be required. Applicants not already licensed with Kirklees Council will be required to carry out the DBS procedure. You will need to produce supporting documents for this. DBS have published a Code of Practice and Explanatory Guide, copies of which can be found at: www.gov.uk/crb-criminal-records-bureau-check.co.uk

Guidance notes

The Council has resolved that the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 shall have effect within the area of the Council. This means that Private Hire vehicles, their Operators and Drivers are controlled throughout the whole of the Kirklees area.

The Local Government (Miscellaneous Provisions) Act 1976

No persons shall, within the area of the Council, operate any vehicle as a Private Hire vehicle without having a current licence under Section 55 of the Act. No person licensed under Section 55 shall operate any vehicle as a Private Hire vehicle if there is not a current licence for the vehicle in force or if the driver does not have a current driver's licence. Any person knowingly contravening these provisions shall be guilty of an offence.

'Operate' means in the course of business to make provisions for the invitation or acceptance of bookings for a Private Hire vehicle. Every contract for the hire of a licensed Private Hire vehicle shall be deemed to be made with the Operator who accepted the booking for that vehicle whether or not he themselves provided the vehicle.

How to apply for an Operator's Licence

The Council shall not grant a licence to operate Private Hire vehicle to an applicant unless they are satisfied that the applicant is a fit and proper person to hold an Operator's licence. The Council can require an applicant for an Operator's licence to submit to them such information as they may reasonably consider necessary to enable them to determine the licence. The applicant for an Operator's licence may be a sole applicant or a partner in a firm or the Director or Secretary of a Company or a Company itself. In deciding whether to grant a licence the Council may take into account unspent convictions and you must therefore disclose such unspent convictions in the application form.

If the applicant of such a licence is not a Hackney Carriage/Private Hire Driver a Disclosure and Barring Service Check application will be required. DBS guidance can be found at www.gov.uk/crb-criminal-records-bureau-check.co.uk If you are a licensed driver with the Council then please produce your licensed badge.

The applicant must also satisfy the Council that he has obtained any necessary planning permission for the premises for which he intends to operate.

The Council may attach to the grant of a licence under Section 55 such conditions as they may consider reasonably necessary. A copy of the standard conditions approved by the Council can be found at www.kirklees.gov.uk/licensing The Council may also attach such additional conditions as they may consider necessary in any particular case.

An applicant aggrieved by the refusal of the Council to grant an Operator's licence or by any condition attached to the grant of such a licence may appeal to a Magistrates Court.

An Operator must keep certain records relating to the bookings of Private Hire vehicle invited or accepted by him and of the vehicles operated by him. The standard conditions set out the form of records which must be kept. These records must be produced on request to an authorised Officer of the Council or any Constable for inspection. If an Operator without reasonable excuse, contravenes these provisions, they shall be guilty of an offence.

The Council may suspend, revoke or refuse to renew an Operator's Licence on any of the following grounds:-

- (a) any offence under, or non-compliance with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976;
- (b) any conduct on the part of an Operator which appears to the Council to render him unfit to hold an Operator Licence;
- (c) any other reasonable cause.

Notice of the grounds on which the licence has been suspended, revoked or renewal has been refused must be given to the Operator. Any Operator aggrieved by the Council's decision may appeal to the Magistrates Court.

Fee

Payment can be made by cash, debit or credit card, or cheque. Cheques should be made payable to Kirklees Council. The licence shall be in force for one year unless the Council specify a lesser period or revoke or suspend the licence at any time. The fee sheet can be found at www.kirklees.gov.uk/licensing .

Application for the Grant of a Private Hire Operators Licence

Important: It is an offence under Section 57 (3) of the Local Government (Miscellaneous Provisions) Act 1976 for any person to knowingly or recklessly make a statement or omit any material particulars in giving the required information.

1. Applicant

Title: Mr/Mrs/Ms/Other:.....

Forenames: Surname:

Address.....

.....

Home Tel No: Mobile No:

Email address: Date of Birth:

If the applicant proposes to operate the vehicle(s) in partnership with any other persons, please state the name and address of each partner

Applicant 2

Title: Mr/Mrs/Ms/Other:.....

Forenames: Surname:

Address.....

.....

Home Tel No: Mobile No:

Email address: Date of Birth:

Applicant 3

Title: Mr/Mrs/Ms/Other.....

Forenames: Surname:

Address

.....

Home Tel No: Mobile No:

Email address: Date of Birth:

2. Business Name & address from which Private Hire Vehicles will be operated:

.....
.....
.....

Telephone Number:

3. Have you obtained planning permission to operate Private Hire Vehicles from that address? Yes / No

If yes, please state the planning application number:

Date issued: Date expires:

If the answer is No to this question then you cannot continue until you have this in place.

How many Private Hire Vehicles do you intend to operate from that address?.....

How many Private Hire Vehicles do you have permission to operate?.....

4. Do you or any of your business partners have any previous/pending court convictions? Yes / No

If yes, please complete the box below.

Date	Court	Offence	Decision of the Court

5. County Court Judgements (if any)

Please state below details of any County/High Court Judgments against you for discrimination on the grounds or religion/race/sex/disability/age/gender/sexual orientation discrimination whilst providing services/goods or facilities to the public

Date of Judgment	Claim	Court	Order & Amount of Damages

6. Have you or any of your business partners previously applied for an Operator licence with Kirklees Council or any other Licensing Authority? Yes / No

If yes, was the Licence later suspended, refused or revoked please give details:

.....
.....
.....

7. If the applicant(s) is/are a Company please state the name of each Director

.....
.....
.....

8. If the applicant is a Company please state the name of the Secretary

.....
.....

9. Are there any convictions recorded against a Director or the Secretary of the Company, if so give details?

Name	Date of Conviction	Court	Offence	Decision of Court	Position in Company when offence committed

10. Please state below trade or business activities any such Director or Secretary has carried out past and present.

Name	Description of Trade or Business Activities	Period carried on		Position in Trade or Business
		From	To	

11. Was any previous application made by such Director or Secretary for an operators licence with Kirklees Council or any other Licensing Authority? Yes/No

If yes please give details

.....

.....

12. Has there been any revocation or suspension of an operators licence previously held by such person(s)? Yes/No

If yes please give details
.....
.....

Date of suspension or revocation:

13. State the trade or business activities carried on by each applicant/partner:

1.
.....

2.
.....

3.
.....

I/We hereby apply for a licence to operate Private Hire Vehicles and I/We HEREBY DECLARE that all particulars entered on this form are true and correct to the best of my/our knowledge and belief and that I/We have read the conditions attached to the grant of an Operator's Licence.

Signed Date:

Name

Signed Date:

Name

Signed Date:

Name

For Official Use only

Date:

Fee Paid: Cash/Chq/Card

Receipt No:

Licence From: Licence To:

Application No:

To be completed by all applicants for an operators licence

1. Are private hire vehicles required to be fitted with an electronic fare meter of a type approved by the Council? Yes / No

2. Can a private hire vehicle pick up 'flag downs' only during very bad weather?
Yes/No

3. Can a private hire vehicle stand on a hackney carriage rank only when there is a queue of passengers and no hackney carriages are on the rank? Yes / No

4. Can private hire operators charge any fare they wish if no fare has been agreed between the passenger and the operator? Yes / No

5. Should a private hire operator keep proper records of all bookings and fares and produce these records to any authorised officer of the Council or Police Officer on request? Yes / No

6. Should the private hire operator record the name of the passenger making the booking? Yes / No

7. Can private hire operators install 'free phones' in supermarkets, hospitals, clubs etc? Yes / No

8. Is a private hire operator responsible for ensuring that all drivers and vehicles working from their premises are correctly licensed and insured? Yes / No

9. Can the Council revoke an operator's licence for any reasonable cause?
Yes / No

10. In the event of a dispute with Kirklees Council regarding the licensing of vehicles or drivers can an operator make an appeal to a Magistrates Court? Yes / No

11. Should a private hire operator ensure all private hire vehicles are displaying company door signs on the vehicle's two front doors at all times? Yes / No

Signed: Date:

Signed: Date:

Signed: Date: