



Planning, Regeneration and Regulatory Service

Name of Policy / Procedure / Protocol / Plan:
Procedure for the Grant of a Private Hire Vehicle Licence

Author / Custodian:	Nicky Jones
Date agreed and implemented:	
Agreed by:	
Frequency of Review:	Annual
Review date:	
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Member involvement (if any)	
Internal or Public Domain:	Internal
Head of Service Approval: (signature & date)	

VERSION CONTROL:			
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V01	Final / Draft	Head of Service	

1. Purpose

To ensure consistency of administering and enforcing the Hackney Carriage legislation and the safety of the travelling public throughout the County of Denbighshire. This procedure aims to provide practical guidelines for officers accepting and processing applications and ensure that legislation is adhered to.

2. Related Documents

Town Police Clauses Act 1847
Local Government (Miscellaneous Provisions) Act 1976
Blue Book (Conditions and Policy)

3. Officer Delegations

The Licensing Committee have delegated to the Head of Service who has subsequently authorised the following Officers to carry out the functions detailed below. The relevant section of the Council's Constitution can be found at Section

FUNCTION	OFFICER
Processing of application	Licensing Support Officer
Rejection of application	Senior Licensing Officer/Licensing Enforcement Officer
Referral of application to Licensing Committee	Senior Licensing Officer
Grant of application	Senior Licensing Officer
Refusal of application (as per policy)	Senior Licensing Officer

4. Pre-Inspections

- i. Licensing Enforcement Officer (LEO) to inspect all new vehicles to ensure compliance with the vehicle specification as detailed in the policy.
- ii. If LEO satisfied that vehicle meets specification a notice to that effect will be issued to the proprietor authorising the vehicle to undergo the Council's Compliance test
- iii. If LEO is not satisfied that the vehicle meets the specifications then the LEO must issue a rejection letter with details of reasons for rejection eg vehicle is a left hand drive/bodywork is in poor condition

5. Testing Requirements

Following the pre-inspection all suitable vehicles (as deemed by LEO) must undertake a Compliance Test at the County's Fleet Services Dept in Bodelwyddan.

6. Processing application:

Appendix 2a

- i. If application received at Fleet Services, Fleet to scan application form, insurance documents, V5 and Certificate of Compliance and MOT to Licensing ([email details here](#))
- ii. Senior Licensing Officer (SEO) to check all details on application form fully completed, signed and dated
- iii. Check to see if applicant has a current Operating Licence (see notes below)
- iv. Check Insurance document has appropriate cover for use and has a valid date in force (see note below)
- v. Check details on V5 match application details (see note below)
- vi. Check correct fee received (see table of fees attached)

If SLO satisfied that the above requirements are complete ONLY then move to step 10. If Not satisfied SLO to issue rejection letter (see section 5 below).

- vii. Licensing/Fleet to receipt fee (See separate fee receipt process) – Code to H290019428
- viii. Licensing to allocate licence number from VIP and Lalpac. You must select the next highest free number
- ix. Licensing to email fleet with licence number and authority to issue licence plates
- x. Fleet to enter insurance/certificate of compliance/V5 details onto Lalpac (follow Lalpac procedures)
- xi. Fleet to enter details of V5 onto VIP and issue Plate/Door Stickers
- xii. Fleet send all documents in internal post to Licensing on the day they are received.
- xiii. Once documents received at Licensing, application process opened on Lalpac (follow Lalpac renewal procedures)
- xiv. Licence to be signed by SLO (authorised officer) and one copy sent to Licence Holder/one copy to go on file.
- xv. Documents to be filed once received from Fleet Services

7. Insurance Documents

Inspection of the insurance document must be done before authorising application. Officer must be look for the following:

- a. Insurance document relates to the vehicle application or is included on a schedule for fleet vehicle cover
- b. Start and expiry date of cover. Application cannot be accepted if cover has expired or if the start date commences after grant of licence. The cover must start on the date the licence has been granted for.

- c. The cover must be for the carriage of passengers for hire and reward or for private hire/public hire

Full Certificate or cover notes may be accepted.

If in doubt of any certificate or cover note please see SLO.

8. Vehicle Registration Documents (V5)

Part of the application procedure is for the production of a V5 document . This cannot always be produced if the vehicle has just been purchased and the applicant has sent the V5 to the DVLA in Swansea for a change of owner details.

If the applicant cannot produce a V5 then proof of ownership should be sought until the applicant can produce the updated V5 eg receipt of purchase from garage.

9. Operator's Licence

If the application is for a PHV you must check the following information:

- a. Does the applicant have an Operator Licence? If not, does the application detail another Operator who the applicant is proposing to work under? If not, then the application must be rejected
- b. If an Operator Licence is in force, does it detail any restrictions on the number of vehicles that can operate from the premises? If it does restrict then you must check the applicant's vehicle records to see how many vehicles are currently licensed under the Operator Licence. If the applicant has already reached the maximum number of vehicles that can be operated from the premises then the application must be rejected.

10. Rejection of Application

Rejection of application would take place if:

- a. the vehicle does not meet the specifications as per policy
- b. if the applicant has not provided all appropriate supporting documents
- c. If the applicant does not have an Operating Licence or has conditions on his Operating Licence which would breach that condition.

Insert reasons for rejection in the body of letter.

The applicant can request his/her application be referred to the Licensing Committee for consideration if rejected on the grounds detailed in (a) above.

Rejection Letter must be signed by SLO

11. Refusal to grant

A Local Authority has very little reasons for refusal of a licence if the applicant complies with all the application requirements.

Section 48(7) - any person aggrieved by the refusal of a district council to grant a vehicle licence under this section or by any conditions specified in such a licence, may appeal to a magistrates' court.

12. Review of Procedure

Appendix 2a

This procedure will be reviewed by the Licensing Section and Section Manager on an annual basis or sooner if changes to legislation are made.

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