

Licensing Committee

12th March 2019

Appendix 2

Proposed procedures for grant of an
Operator licence

PRIVATE HIRE OPERATOR LICENSING

Procedure for the grant of a Private Hire Operator licence

General Information

A private hire vehicle may only be despatched to a customer by a private hire Operator. An 'Operator' is a person who holds an operator's licence granted under section 55 of the Local Government (Miscellaneous Provisions) Act 1976.

A Private Hire Operator's licence is valid for a maximum period of 60 months.

Persons applying for grant of a private hire operator's licence are advised to check their premises have the necessary planning consent.

Making an Application

An application for an operator's licence must;

- Be made in writing, signed by the applicant
- Be accompanied by a scale drawing of the premises
- Be supported by a basic DBS disclosure (dated not more than 28 days prior to the date when the licence application is made)
- Be supported with any necessary further documentation to establish the applicant's right to work in the UK, see <https://www.gov.uk/government/publications/licensing-authority-guide-to-right-to-work-checks>
- Be supported with any necessary further information to establish that the applicant is a 'fit and proper person' to be granted a licence.

Completed applications must be sent to Harlow Council, Licensing Team, Civic Centre, The Water Gardens, Harlow. Essex. CM20 1WG accompanied by the correct fee. A visit may be made to the premises by a member of the licensing team.

The Licensing Team will notify Development Control (Planning Office) that an application for an Operator licence had been received. A copy of the application will be provided to Development Control.

Determining the Application

The Licensing Team shall determine non-contentious applications.

The Licensing Subcommittee or Environment and Licensing Manager under delegated authority shall determine contentious applications.

The reasons why an application may be deemed contentious may include:

- a) DBS disclosure information or any further relevant information has given concern that the applicant may not be a 'fit and proper' person to be granted a licence.
- b) The applicant is barred from holding a licence by means of his immigration status.

Conditions

An Operator licence is granted subject to Harlow Council's 'Standard Conditions' as well as any specific conditions relevant to the licence holder.

Further Information

This advice note has been designed to answer the usual enquiries received regarding the granting of a Private Hire Operators licence. It is not intended to cover all the legal requirements and further information and advice may be obtained from the Licensing Team, Civic Centre, The Water Gardens, Harlow, Essex CM20 1WG. Telephone (01279) 446009/446005

Right of Appeal

An applicant may appeal to the Magistrates Court against the refusal of the local authority to issue a licence or to the imposition of conditions on the licence under the provisions of the Local Government (Miscellaneous Provisions) Act 1976 S55(4) .