



# Private hire - operator licence



Last Modified August 19, 2020

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## Private Hire Operator Licenses

Anyone who acts as a private hire operator (that is, anyone who invites or accepts bookings for private hire vehicles, including 'booking agent' businesses which accept bookings and then sub-contract them) must be licensed. Private hire vehicles cannot lawfully carry out any journey which has not been pre-booked through an operator, and may invalidate their insurance if they were to do so.

For licensing purposes, it does not make any difference how a booking is made - companies providing booking offices, telephone booking lines, websites or app bookings must all be licensed. It also does not make a difference whether the booking is for a one-off journey to be paid in cash, or a regular booking under a contract. Vehicles provided as part of a commercial package (for example, courtesy car pick-up from a hotel) may also need to be licensed, as will the hire of 'novelty' vehicles, such as stretch limos and party buses, or chauffeur-driven cars (although wedding and funeral car services are exempt from licensing).

Operators are responsible for arranging and fulfilling bookings, employing and vetting licensed drivers and vehicles, responding to customer complaints, and maintaining records of every booking they receive. As they are responsible for the care of their customers, some of whom may be vulnerable, it is vital that we can be satisfied that operators are 'fit and proper persons'.

### Sub-contracting bookings

If a prospective operator intends to receive and accept bookings at premises in the borough of Hertsmer, they must apply for and be granted a licence by us. That operator can then only issue jobs to private hire vehicles and drivers who have also been licensed by Hertsmer Borough Council, or sub-contract bookings to other licensed operators, either in Hertsmer or elsewhere. It is against the law for an operator to pass bookings directly to a private hire vehicle or driver who is not licensed by the same council as that operator.

Operators with offices or bases in multiple council areas (for which they will need licenses from each council concerned) can pass bookings between their offices/bases, but cannot give jobs directly to drivers licensed by the other council(s). The operator will also need to maintain separate records for each council area, which also show every job which has been sub-contracted to or from another office.

Private hire operators may also sub-contract jobs to hackney carriage proprietors, although this must remain a minority part of the overall work undertaken by that hackney carriage vehicle.

Where jobs are sub-contracted to another operator, we strongly advise that the customer is made aware of this to avoid any confusion arising.

### Revoked, Suspended and Refused Taxi Drivers

#### National Register (NR3)

Hertsmer Borough Council has signed up to the national register of revoked, suspended and refused hackney carriage and private hire drivers (known as NR3). As such, any driver who has had their driver licence revoked, suspended, or had their application refused, will have their details recorded on this register.


This is being done to protect the public by ensuring that licensing authorities are aware of drivers who have been refused, suspended or

revoked when determining whether a new or renewed licence application should be granted.

If you have had or have your driver licence revoked, suspended, or a driver's application refused, your details will be submitted to the NR3 register.

## Applying for an operator licence

To apply for a private hire operator's licence, please download and complete the application form below:


 [Private Hire Operator Application Guidance](#)

 [Private Hire Operators Application Form](#) PDF

 [Private Hire Operators Application Form Word Document](#)

Completed applications should be sent to the Licensing department at Hertsmere Borough Council.

Applications must be accompanied by:

- A recent  [Basic Disclosure certificate](#) for every individual applicant, or every director of a company applicant, who is not currently licensed by us as a taxi or private hire driver (or who is not currently applying for a driver's licence)
- Details of all of the vehicles and drivers the operator intends to operate, if a licence is granted
- Copies of any supporting documents you intend to rely upon during your application
- Payment for the application fee.

If you are setting up a new business where you will be the only driver, we will normally ask you to apply for a private hire driver's licence at the same time, so that we can consider both applications together. Driver's licence applications require a DBS enhanced disclosure, which is more comprehensive than a basic disclosure.

We will review all valid applications and carry out further checks and a licence will be granted providing we are satisfied that the applicant(s) is a fit and proper person. Licenses will be granted for five years, subject to a number of conditions, as set out in our policy.

We have adopted a policy which sets out details of how we will exercise our powers to licence private hire operators, as well as details of what we expect operators to do. The policy also contains details of the standard conditions we will attach to licenses granted to operators, including the business records which must be kept by every licensed operator.

 [Hackney Carriage Private Hire Licensing Policy](#)

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