



Vehicle Transfer Policy

Taxi and Private Hire Licensing

Background information

In England (outside London), Hackney carriage and private hire vehicle licences are issued by district Councils to control the safe operation of Hackney carriage and private hire vehicles being used for hire or reward on public roads.

In Leeds, licensing and enforcement matters are dealt with by the Taxi and Private Hire Licensing Section.

Section 49 of the Local Government (Miscellaneous Provisions) Act 1976 specifies how a vehicle licence transfer can be undertaken.

Each licence has a set of Conditions, which the licence holder must comply with. Copies of these Conditions are attached to every licence issued and are readily available upon request at the Taxi and Private Hire Licensing counter.

If as a proprietor of a licensed vehicle you wish to transfer your interest, or part interest, in the vehicle to any other person, you are required by law to notify the Council in writing within fourteen days of such a transfer, providing the name and address of the person to whom such interest has been transferred. Proprietors who fail to notify the Council may be prosecuted.

So, I am a Hackney carriage proprietor - how do I apply for to transfer my vehicle licence?

Upon receipt of written notification, the Taxi and Private Hire Licensing Section will issue an acknowledgment letter asking you to contact the Licensing Office to make an appointment for an interview with the Licensing Manager, or their nominee. The interview requires the attendance of both the current licensed proprietor (s) and the proposed proprietor (s).

All parties must have attained ESOL level 3 English comprehension.

I am a private hire vehicle proprietor - how do I apply for to transfer my vehicle licence?

You must specify the name and address of the person to whom such interest has been transferred using the 'Notice of Transfer' form. This form is available upon request or can be downloaded from our website www.leeds.gov.uk/taxis

What if the proposed proprietor isn't licensed by Leeds City Council?

If the vehicle is to be transferred to any interested party or person unlicensed within the Leeds district, that party/ person must undertake a DBS check and an English comprehension test as applied to drivers, at their own cost, with a satisfactory outcome in line with the Council's criteria before any transfer can take place

I am an interested party – what should I do now?

Interested parties are advised to take independent legal advice about their status.

There is an accepted expression of 'interested party' attached to the Hackney carriage proprietor licence; this may be a person who has a financial interest in supporting the existing or proposed proprietor but is not a proprietor. Such a person has no legal rights within the relevant licensing legislation other than having their interest recorded on the vehicles licensing file.

We deal with interested parties by inviting them to the transfer process and unless we have any strong evidence will not continue a transfer in their absence.

What happens if I require an interpreter?

Where any party or an Authorised Officer considers it appropriate, an interpreter will attend at the time of transfer. This will be at the expense of the party needing the translation service.

Due to potential legal challenges it is appropriate that the translation service is provided by the Council's preferred service.

Why do I have to attend an interview to transfer my Hackney carriage vehicle licence?

The interview process ensures that the transfer is undertaken with the full knowledge of all interested parties and that the new proprietor is fully aware of their responsibilities and the Council's enforcement sanctions may take place.

It is essential that everyone involved in a transfer has a clear understanding of all the issues involved.

A proper record is kept of each transaction to ensure that public funds are protected and the information provided during the vehicle transfer process may be used to prevent and detect fraud.

From time to time, as prescribed by law and the Council, we may share this information with other agencies for the same purposes.

What happens at the interview?

On the day of interview, and upon receipt of the appropriate fee, a HPI will be undertaken to ensure that the vehicle has not been involved in an accident that we were not aware of and that the vehicle has not been declared a total loss.

A prepared questionnaire is completed during the transfer interview and this is signed as a true and accurate record of the transfer information by all interested parties.

The Council must be satisfied that the existing named proprietor had set out in writing their intention to transfer the proprietorship of the licence to the person seeking to become the new proprietor and the Council are entitled to make reasonable enquiries to satisfy themselves of the validity of a claim to the proprietorship of a licence

Who does my Hackney carriage licence transfer to in the event of my death?

Where there is a sole proprietor of a Hackney carriage vehicle who dies, we try to balance our licensing responsibilities with compassionate understanding. We want to ensure that the family has sufficient time to properly consider their options and take appropriate advice before making an informed decision.

To accommodate these circumstances, we allow a period of three months to enable the surviving spouse to take advice and consider their options. The period to satisfy the DBS is also extended for the same period. We allow a period of six months to undertake the language requirement to attain ESOL level 3.

It is strongly advised that the surviving spouse takes independent legal advice before reaching any decision.

The time extension to meet these requirements is a safeguard for the family and in the majority of cases would satisfy the Council. We do however, in exceptional cases, reserve the right to dispense with such a timescale and respond appropriately to any such circumstances of public safety or concerns or concerns of impropriety involving the licence.

A joint proprietor who is a spouse or civil partner should attain ESOL level 3 within 6 months unless circumstances as above arise, in which case the process is held in abeyance for 3 months.

On notification of the death of a licensed proprietor, the Licensing Office will contact the proprietor's Association, where known, and also the family to arrange a meeting to explain the process.

Are there any checks I should carry out before transferring a vehicle licence?

The Taxi and Private Hire Licensing Section strongly advise applicants to undertake a Hire Purchase Investigation (HPI) before purchasing a vehicle, to ensure that the vehicle has not been involved in an accident and subsequently been declared a total loss.

It is also recommended that, prior to purchase, the vehicle undertakes an examination here at the Taxi and Private Hire Licensing Section to ensure it complies with Leeds City Council's licensing conditions.

What about the age criteria condition?

The Council has an age criteria policy which revolves around vehicles being maintained in a good condition; this applies to the mechanics of the vehicle, external bodywork and internal furnishings.

It is strongly recommended that prior to purchasing a vehicle, the full service history (not just receipts for parts) is examined thoroughly. These documents may be required as supporting evidence should an application be submitted for an extension to the age criteria. It could prove to be a false economy not to check the original documents thoroughly.

What documents must I produce in order to transfer my vehicle licence?

A bill of sale, valid insurance in the new owner's name, V5 registration document and appropriate transfer fee must all be produced either at the time of interview (Hackney carriage) or upon submitting a completed Notice of Transfer form (private hire).

The vehicle will also be booked in for an examination within 14 days of the transfer being granted. The transferring of a vehicle licence is not an acceptance on the part of the Council that the vehicle is of an acceptable condition.

My vehicle has failed the HPI check...what happens next?

If your vehicle fails the HPI for insurance categories A, B, C or D, the vehicle licence will be suspended whilst further investigations are carried out.

You will be made aware of the outcome of this investigation by the Licensing Office. If the vehicle fails the examination or fails to comply with Leeds City Council's licensing conditions, the vehicle will be suspended until the necessary repairs have been undertaken or the licence may be revoked.

Please note: a vehicle whose licence has expired cannot be transferred.

Taxi and Private Hire Licensing

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Email: taxiprivatehire.licensing@leeds.gov.uk

www.leeds.gov.uk/taxis

Section Opening Hours

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| Monday - Thursday | 08.00 - 15.30 |
| Friday | 08.00 - 15.00 |
| Staff Training | 2nd Tuesday in every month 08.00 - 10.00 |



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