

**GREATER LONDON AUTHORITY ACT 1999**  
**PRIVATE HIRE VEHICLES (LONDON) ACT 1998**

The Private Hire Vehicles (London) (Operators' Licences) (Amendment)  
(No.2) Regulations 2017

*Made* 2 October 2017

*Coming into force* 3 October 2017

Transport for London, in exercise of the powers conferred on it by sections 3(4), 20(1) and 32 of the Private Hire Vehicles (London) Act 1998<sup>1</sup> and all other powers enabling it in that behalf, hereby makes the following Regulations:-

**1. Citation and commencement**

These Regulations which may be cited as The Private Hire Vehicles (London) (Operators' Licences) (Amendment) (No.2) Regulations 2017 come into force on 3 October 2017.

**2. Preliminary**

The Private Hire Vehicles (London) (Operators' Licences) Regulations 2000<sup>2</sup> are amended in accordance with the following provisions of these Regulations.

**3. Fees**

(1) For regulation 4(a) substitute:

- “(a) (i) £400 in the case of an application for the grant of a licence where no more than 10 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all premises proposed for use as an operating centre;
- (ii) £1,200 in the case of an application for the grant of a licence where 11 to 20 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all premises proposed for use as an operating centre;
- (iii) £3,800 in the case of an application for the grant of a licence where 21 to 50 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all premises proposed for use as an operating centre;
- (iv) £6,000 in the case of an application for the grant of a licence where 51 to 100 private hire vehicles will be available to

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<sup>1</sup> 1998 c. 34; the Private Hire Vehicles (London) Act 1998 was extensively amended by Schedule 21 to the Greater London Authority Act 1999 (c. 29).

<sup>2</sup> SI 2000/3146.

the applicant for carrying out bookings accepted by him at all premises proposed for use as an operating centre;

(v) £30,000 in the case of an application for the grant of a licence where 101 to 500 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all premises proposed for use as an operating centre;

(vi) £70,000 in the case of an application for the grant of a licence where 501 to 1,000 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all premises proposed for use as an operating centre;

(vii) £140,000 in the case of an application for the grant of a licence where 1,001 to 10,000 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all premises proposed for use as an operating centre; and

(viii) £580,000 in the case of an application for the grant of a licence where more than 10,000 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all premises proposed for use as an operating centre.”

(2) For regulation 6(1) substitute:-

“(1) Where the decision has been made to approve an application in accordance with regulation 5(1) or 5(2)(a) or (b) the licensing authority shall, provided that the fee payable is received within the period of 28 days commencing on the date specified in paragraph (2), grant or vary the licence, as the case may be, and send the licence or any replacement licence to the applicant.”

(3) For regulation 6(3) substitute:-

“(3) If the fee payable is not received by the licensing authority in accordance with paragraph (1) the approval will lapse, the application will be deemed to have been withdrawn and the licensing authority shall be entitled to retain the fee accompanying it.”

(4) After regulation 6(3) insert:-

“(4) In this regulation, “the fee payable” means:

(a) the appropriate fee prescribed by regulation 7 in full; or

(b) where the appropriate fee for the grant of a licence is prescribed by paragraphs (c) to (h) of regulation 7(1) (whether or not in combination with regulations 7(2) and (3)), the grant of a licence is for a period of more than one year, and the applicant states to the licensing authority that it wishes to pay in annual instalments, the “annual fee”, being one-fifth of the appropriate fee prescribed by regulation 7 (or, for the grant of a licence for a period of less than five years, one-fifth of the amount which would be so prescribed if the licence were granted for a period of

five years).”

(5) For regulation 7 substitute:-

“(1) Subject to paragraph (2), the appropriate fee for the purpose of regulation 6 is:

(a) £1,600 for the grant of a licence where no more than 10 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all the operating centres which will be specified in his licence;

(b) £4,800 for the grant of a licence where 11 to 20 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all the operating centres which will be specified in his licence;

(c) £15,200 for the grant of a licence where 21 to 50 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all the operating centres which will be specified in his licence;

(d) £24,000 for the grant of a licence where 51 to 100 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all the operating centres which will be specified in his licence;

(e) £120,000 for the grant of a licence where 101 to 500 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all the operating centres which will be specified in his licence;

(f) £280,000 for the grant of a licence where 501 to 1,000 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all the operating centres which will be specified in his licence;

(g) £560,000 for the grant of a licence where 1,001 to 10,000 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all the operating centres which will be specified in his licence; and

(h) £2,320,000 for the grant of a licence where more than 10,000 private hire vehicles will be available to the applicant for carrying out bookings accepted by him at all the operating centres which will be specified in his licence.

(2) Subject to paragraph (3), for the purpose of regulation 6 the appropriate fee for the grant of the licence for a period of less than five years is an amount equal to that proportion of the fee that applies to the grant of the licence under paragraph (1) which the proposed period of the licence bears in relation to the period of five years.

(3) Where the calculation of any fee in accordance with paragraph (2)

would have the result that the amount payable would include a fraction of a pound then the amount payable shall be adjusted downwards to the nearest pound.”

(6) For regulation 8(1) substitute:-

“(1) Subject to paragraph (5), where the licensing authority is satisfied that —

(a) an operator has ceased to operate from every operating centre specified in his licence, other than by reason of the suspension or revocation of that licence;

(b) that operator has transferred some or all of his undertaking as an operator to another person; and

(c) before the date of the transfer the transferee has been granted a new licence in relation to any operating centre specified in the transferor’s licence,

the licensing authority shall, upon receipt of a written request for a refund accompanied by the transferor’s licence, refund a proportion of the fee paid for the grant of that licence, to the extent it has already been paid, being an amount calculated in accordance with paragraph (3).”

(7) For regulation 8(2) substitute:-

“(2) Subject to paragraph (5), where a licence has been granted and before its expiry the operator has been granted a new licence in circumstances where he did not meet, or would not have continued to meet, the requirement in regulation 9(9) in relation to the first mentioned licence, the licensing authority shall, upon receipt of a written request for a refund accompanied by the first mentioned licence, refund the proportion of the fee paid for the grant of that licence, to the extent it has already been paid, being an amount calculated in accordance with paragraph (3).”

(8) After regulation 8(2) insert:-

“(2A) Subject to paragraph (5), where a licence has been granted and before its expiry the operator has been granted a new licence for which the appropriate fee calculated under regulation 7(1) (whether or not in combination with regulations 7(2) and (3)), would, if both licences had been granted for a duration of five years, be lower than the fee for the first-mentioned licence, the licensing authority shall, upon receipt of a written request for a refund accompanied by the first mentioned licence, refund the proportion of the fee for the grant of that licence, to the extent it has already been paid, being an amount calculated in accordance with paragraph (3).”

(9) For regulation 8(3) substitute:-

“(3) Subject to paragraph (4), the amount referred to in paragraphs (1),

(2) and (2A) shall be:

(a) where the fee for an operator's licence has been paid in full under regulation 6(4)(a), that proportion of the fee which the number of full months remaining on the licence bears to the period for which the licence was granted, the number of full months being calculated from the date of receipt by the licensing authority of both the request for a refund and the licence; or

(b) where regulation 6(4)(b) applied such that the fee payable was the annual fee (within the meaning of that provision), that proportion of the total amount that the operator has paid in accordance with regulations 6(4)(b) and 9(9A) which the number of full months remaining on the licence and in respect of which payment has been made, calculated from the date of receipt by the licensing authority of both the request for a refund and the licence, bears to the number of months for which the licence was granted and in respect of which payment has been made."

(10) For regulation 8(5) substitute:-

"(5) Where a proportion of the fee paid for the grant of a licence is refunded in accordance with paragraphs (1), (2) or (2A), that licence shall cease to have effect."

(11) For regulation 9(9) substitute:-

"(9) In the case of a licence for which the appropriate fee is prescribed by paragraphs (a) to (g) of regulation 7(1) (whether or not in combination with regulations 7(2) and (3)), the operator must, at all times during the currency of his licence, not have more than the maximum number of private hire vehicles in the paragraph of regulation 7(1) by which the appropriate fee was prescribed available to him to carry out bookings accepted by him at all the operating centres specified in his licence."

(12) After regulation 9(9) insert:-

"(9A) In the case of a licence where regulation 6(4)(b) applied such that the fee payable was the annual fee (within the meaning of that provision), the operator must for the duration of the licence, no later than 14 days before the end of each one-year period commencing on the day on which the licence is granted (an "annual licence period"), pay to the licensing authority an amount equal to:

(a) where the remaining duration of the licence at the end of an annual licence period is one year or more, the annual fee (within the meaning of regulation 6(4)(b)); or

(b) where the remaining duration of the licence at the end of an annual licence period is less than one year, that proportion of the annual fee (within the meaning of regulation 6(4)(b)) which the remaining duration bears in relation to a period of 12

months.”

4. **Transitional provision**

- (1) The amendments made by regulation 3(1) apply in respect of applications received by the licensing authority on or after 3 October 2017.
- (2) The amendments made by regulation 3(2)–(12) apply in respect of licences granted or varied by the licensing authority on or after 3 October 2017 (whether or not the application for the grant or variation of the licence was received by the licensing authority, or the licensing authority had decided to approve the application, before that date).

Signed by authority of Transport for London



2 October 2017

Mike Brown MVO

Commissioner