

Application for a hackney carriage &/or a private hire vehicle driver licence

Environmental Services
Licensing Unit

Phone: (01386) 565016

Web: www.wychavon.gov.uk

Email: licensing@wychavon.gov.uk



Please read the GUIDANCE NOTES then fill in all sections using capital letters

Full Name

	Mr / Mrs / Miss / Ms

Address

	Post Code

Date of Birth

Age next birthday

Day time phone number

How long have you held a full DVLA driving licence?

	Years
--	-------

Have you any current endorsements to your DVLA licence?
If YES – give details below

Yes

No

Have you ever been convicted of any offence? (*see note overleaf on Rehabilitation of Offenders Act 1974*). If YES give details below.

Yes

No

N.B. All previous convictions/cautions must be declared

Have you recently been involved in any incident likely to result in court proceedings against you? If YES give details below

Yes

No

Details of incident(s) and date(s):

Have you ever applied for or held a private hire/hackney carriage drivers licence with another authority? If YES give details

Yes

No

Name(s) of Authority(ies)

Type of Licence(s) held with dates

Please turn over

I apply for a licence to drive: * tick as appropriate

Hackney Carriages & Private Hire Vehicles *

Private Hire Vehicles only*

Name of Company you intend to drive for

I confirm that I have entitlement to live and work in the UK and can produce any requested or relevant documentation to support this declaration.

I declare that the statements made by me on this form are true.

Usual signature:

Date:

WARNING. You can be prosecuted for making a false statement in order to obtain or renew a licence

Data Protection Act 1998 – fair processing statement

Your data is being collected by Wychavon District Council for the purposes described on this form and will not be used for any other purpose, or passed on to any other body, except as required by law, without your consent.

FOR OFFICE USE

Documents

DVLA driving licence Disclosure form 2 ID Photographs DVLA Mandate Medical certificate Proof of identity

Date received Date interviewed

Date Disclosure sent Date Disclosure returned

Decision

Granted Refer to Committee Date referred

Committee Decision Grant Refuse Date licence issued

Wychavon District Council,
Civic Centre, Queen Elizabeth Drive, Pershore, Worcs., WR10 1PT

TEL: (01386) 565016

Guidance Notes - hackney carriage &/or a private hire vehicle driver licences

Environmental Services
Licensing Unit
Phone: (01386) 565016
Web: www.wychavon.gov.uk
Email: licensing@wychavon.gov.uk



Which licence do I need?

There are two types of licensed vehicle.

- **Taxis (which the law calls hackney carriages)** can stand on a rank, and can be hired by people on the street. Fares are usually controlled by taxi-meters. We issue a combined hackney carriage and private hire drivers' licence, enabling the driver to work in both types of vehicle. If you apply for a combined licence, you must pass a geographical knowledge of the district.
- **Private hire vehicles** have to be booked in advance through a licensed operator, and can't be hired by people on the street. We issue private hire driver licences for people wanting just to work in this way.

How do I apply for a licence?

Our policy below describes who can apply for a licence. If you can meet our requirements, then you can:

- a. Ask us to send you an application form (or download one from our website).
- b. Contact DVLA on 01792 310075 from 9.00 to 12.00 hours Mon – Friday and ask for a print out of your full DVLA record. You are required to make a payment of £5 by debit/credit card.
- c. Make an appointment with your Doctor for a medical examination* and
- d. Make an appointment with the Licensing Officer on **01386 565016** for your licence interview: you can also arrange to take a knowledge test at a later time, if you want to be a hackney carriage driver.

**Applicants with insulin treated diabetes or epilepsy may NOT obtain a new licence.*

What do I bring to my interview?

- A completed driver licence application form, dated and signed.
- Details of every address that you've had in the last five years, and when you lived there.
- Your DVLA driving licence showing your current home address. If photo-card type we need to see the paper section with the photo-card.
- Your DVLA record from (b) above (if received in time) – must be no more than three months old.
- Two passport type and quality photos. Your photographs must be:
 - ✓ Colour passport style and size (size of image 45mm x 35mm)
 - ✓ A recent and true likeness, showing the full face, with no hat, helmet or sunglasses, although you can wear everyday glasses.
 - ✓ Taken against a plain, evenly lit and light background.
- Your medical certificate (if available), and
- proof of your identity for completion of an Enhanced Disclosure application – two recent utility bills (no more than 3 months old) i.e. electricity, gas, telephone or Council Tax showing your name and home address, AND as many of the following original documents as possible (NOT photocopies):
 - ✓ Valid passport (any nationality)
 - ✓ Original UK Birth Certificate (issued within 12 months of date of birth)
 - ✓ Valid photo identity card (EU countries only)
 - ✓ Marriage Certificate
 - ✓ P45 or P60 showing your national insurance number.

What happens at my interview?

We will check your driving licence and DVLA record and, after confirming your identity and right to work in the UK, complete a CRB Disclosure application form with you. We will ask you to pay the CRB's fee for the enhanced disclosure (currently £36). Taxi and Private Hire drivers are an excepted occupation under the Rehabilitation of Offenders Act 1974 and so you must declare if you have any convictions.

If you want a licence to drive hackney carriages, you also need to arrange for us to test your geographical knowledge of the district (each attempt costs £20).

All applicants must have conversational English. If the interviewing Officer feels that you do not have conversational English, your application is unlikely to succeed.

When will I get my licence?

We will decide whether to grant your licence once we receive your record from the Criminal Records Bureau. Time taken by the CRB to check your record is out of our control, but if you meet the conditions below and meet the Group Two Medical standard, we will normally issue your licence shortly afterwards. Contact us when you receive your copy of the disclosure.

What if I have criminal convictions or driving licence endorsements?

The CRB's enhanced "disclosure" details any criminal records including convictions, cautions, reprimands, and warnings held against you on the Police National Computer. As hackney carriage and private hire drivers are in contact with children and young or vulnerable persons, the Vetting & Barring Agency's lists will be checked: we use this information to help us to decide if you are a fit and proper person to work as a hackney carriage or private hire driver.

If you have a "record" of convictions, we will decide if they are relevant to your application and refer to our "guidelines on the relevance of convictions" document (you can have a copy on request). Our Licensing Committee would have to decide whether to grant you a licence, or not - you will be able to explain to Committee why your convictions or endorsements shouldn't stop you having a licence. You can appeal in the Magistrates Court against any decision that we make.

What if I have lived overseas?

The CRB does not generally have access to overseas criminal records, but the CRB can advise you on how to obtain equivalent information from the overseas authorities, where available.

However we have a duty to decide if a person is suitable to licence as a hackney carriage or private hire driver, so you still must apply for a Disclosure.

If you are a foreign national, and you have also lived in the UK for a substantial period of time, you must apply for a Disclosure and we may ask for additional overseas information. Further details can be obtained from us.

What are unspent criminal convictions?

If you have been convicted of a criminal offence and you are not convicted again during a specified period then the conviction is considered "***spent***." This is called the "rehabilitation period" and the more severe the sentence, the longer the rehabilitation period. But taxi driving is an exempted occupation and you have to tell us about all convictions, even if they are spent. We may take these convictions into account, if we decide that they are "relevant."

If the rehabilitation period has not expired, or if your sentence was longer than two and a half years in prison, then the conviction is "***unspent***" (see the section on the Rehabilitation of Offenders Act 1974 and the rehabilitation periods for different types of sentences).

What endorsements or penalty points are counted?

We only count current penalty points on your licence. In most cases this means up to 3 years from the date of offence. We regard disqualification under the Court's totting up procedure as 12 points.

Data Protection- fair processing statement

Your data is being collected by Wychavon District Council for the purposes described on the application form and will not be used for any other purpose, or passed on to any other body, except as required by law, without your consent.

The CRB has to comply with the Data Protection Act and any personal information you give them will be protected. You can phone the CRB information line on **0870 9090811** for a copy of their data protection leaflet. We must comply with the CRB Code of Practice (available at <http://www.crb.gov.uk/>), which says sensitive personal information must be handled and stored appropriately and must be kept for only as long as it is necessary.

When & how will I get my Disclosure?

You will receive your Disclosure in the post. A copy of your Disclosure is also sent to the Licensing Officer who countersigned your form – this can take up to six weeks.

What if I think my Disclosure is incorrect?

If you think that any information contained on your Disclosure is incorrect, please contact the Disclosure dispute line on **0870 90 90 778** immediately and ask about the dispute procedures.

Local Government (Miscellaneous Provisions) Act 1976
Policy for the grant of licences to drive Hackney Carriages and Private Hire Vehicles (approved by Approved by Licensing Committee 4th November 2009)

The Council will licence any fit and proper person to act as a driver of a hackney carriage or private hire vehicle. The licence will be granted for a period not exceeding twelve months. Our assessment of "Fit and proper" includes consideration of the matters listed below.

The applicant must be a legal resident of the United Kingdom and have a right to work in the United Kingdom.

The applicant must have reached the age of twenty-one years and have held for not less than twelve months:

- a licence granted under Part III of the Road Traffic Act 1988 to drive a motor car [not being a provisional licence] or;
- a licence to drive a motor car issued by a member country of the European Community or the European Economic Area [not being a provisional licence].

For the initial grant of a licence the applicant must be certified by a registered medical practitioner as meeting Group 2 medical standards for fitness to drive.

Drivers applying to renew their licences will not be required to provide a medical certificate except,

- for applicants aged 45 years old or older, a medical certificate will be required every five years for licence renewal, except,
- for applicants aged 65 years old or older a medical certificate is required annually on licence renewal.

The applicant must disclose convictions for criminal or motoring offences, any pending prosecutions for criminal or motoring offences, any cautions, and disclose all driving licence endorsements.

The applicant will be interviewed before the first time grant of a licence and at licence renewal if it should be deemed necessary.

Applicants for a hackney carriage driver's licence must demonstrate a sound geographical knowledge of the District.

The Head of Environmental Services and Commercial Services Manager will authorise appropriate officers (in accordance with the Council's constitution) to grant licences to drive hackney carriages and/or private hire vehicles to an applicant who fully meets the Council's licence conditions and

- has no unspent convictions for criminal offences,
- has no unspent convictions for traffic offences that involved a prison sentence or disqualification of licence
- has no pending prosecutions for criminal or motoring offences,
- has not accumulated more than nine penalty points in the previous three years on their driving licence.

The Head of Environmental Services and Commercial Services Manager will authorise appropriate officers (in accordance with the Council's constitution) to renew licences to drive hackney carriages and/or private hire vehicles where the licence holder in the preceding 12 months has,

- not been convicted of criminal offences
- not been convicted for traffic offences that involved a prison sentence or disqualification of licence
- has no pending prosecutions for criminal or motoring offences
- has accumulated not more than nine penalty points on their driving licence

Where the applicant does not meet the above criteria (or in other circumstances as the Authorised Officer deems relevant), the application will be considered on its merits by the Licensing Sub-Committee.

The applicant has the right to a fair hearing and the applicant or his agent can make written or oral representations to the Licensing Sub-Committee in support of his application for a licence.

The Licensing Sub-Committee will, when considering the application, take into consideration all oral or written representation together with any relevant documentary evidence and the Council's guidelines relating to the relevance of convictions.