Combined Hackney Carriage/Private Hire Driver Licence Application Guidance Notes

Bassetlaw District Council ("the Council") will only issue licences to those applicants that it considers to be ‘fit and proper’ to hold a licence.

There is no statutory definition of what constitutes a ‘fit and proper’ person, however the Council will take a number of factors into account, and set specific criteria for applicants, when considering a licence application. These factors and criteria are detailed below:

1. Applications will only be accepted from Applicants that have held a full driving licence for at least one year and are at least 18 years of age. The driving licence must have been issued in the UK, the European Community (EC) or one of the other countries in the European Economic Area (EEA). Applicants that hold full EC or EEA licences for at least one year will have the length of time that they have held such licences taken into consideration, however holders of these licences will only be issued with a licence for 12 months – the licence will not be renewed unless the EC or EEA licence is exchanged for a full UK licence (as required by national legislation).

2. Applicants will be required to obtain an Enhanced Disclosure Certificate from the Disclosure and Barring Service. The contents of this certificate will be assessed in accordance with the council’s policy on convictions in determining the fit and properness of the applicant.

3. Licences will not be granted unless the applicant is able to provide at least five years UK address history except in the following cases:
   a. The applicant is able to provide a document from an EU member state, which is the equivalent of a UK issued Enhanced DBS Certificate
   b. If this cannot be provided then an official document provided by the embassy of a non-EU member state will be acceptable, provided that the document can be verified and is comparable to a UK issued Enhanced DBS Certificate
   In either of the cases above, the onus is on the applicant to obtain such a document, and the applicant remains liable for all associated costs.

4. Before an application will be accepted the Applicant must attend and pass the Councils knowledge test. A fee will be payable by the applicant prior to taking the test. If the applicant fails, the test they must wait 1 calendar month before retaking the test. The Applicant can sit the Knowledge test a maximum of 3 times. If the Applicant fails the Knowledge Test 3 times they have to wait 12 calendar month (from the date they sat their last attempt at passing the Knowledge Test) before they can re-apply for a Drivers Licence.

5. Applicants are required to satisfactorily complete a taxi driver driving test with the Council’s specified tester. Details of the test will be provided to the applicant by the Council. Applicants who can provide a valid Driver Certificate of Professional Competence Card with their application are to be exempt from providing proof that they have completed and passed the take a practical Taxi Driving Test.
6. All applicants must agree to the Council verifying their DVLA driving licence, and will require the applicant to give their consent to such a check being carried out. These checks will be carried out on an annual basis. The cost of these checks will be paid by the applicant.

7. Details of two referees
One of which should be the applicant’s current or last employer and one from the list of acceptable professional persons below and should not be related/family friend to the applicant:

- Bank or Building Society Official
- Police Officer
- Civil Servant
- Minister of a recognised religion
- Teacher/Lecturer
- Accountant
- Solicitor
- Barrister
- Engineer (with professional qualifications)
- Chairman/Director of a Limited Company
- Chemist
- Commissioner for Oaths
- Councillor - Local or County
- Dentist
- Director/Manager of a VAT registered Charity
- Director/Manager/Personnel Officer of a VAT registered Company
- Approved Driving Instructor
- Fire Service official
- Funeral Director
- Journalist
- Justice of the Peace
- Nurse (RN, SEN or holder of a BA in nursing)
- Optician
- Paralegal (Certified or Qualified Paralegals and Associate Members of the Institute of Paralegals)
- Person with honours (e.g. OBE, MBE etc)
- President/Secretary of a recognised organisation
- Surveyor
- Valuers and Auctioneers (Fellow and Associate members of the incorporated society)
- Social worker
- Chiropodist
- Member of Parliament

8. Applicants are required to undergo a medical which meets “Group 2” standards with the current medical provider as designated by the Council. The Council must be satisfied that the applicant meets the “Group 2” standards. A medical to Group 2 standards will be require on first application and then every five years from the age of 45. On reaching the age of 65 a medical will be required annually. The Council may also request a medical at any other time it feels may be necessary to ascertain a
persons’ fitness to drive a licensed vehicle. The specified medical provider for the Council is

Medigold Health Consultancy Ltd
Church House,
Bestwood Park Church Beckhampton Road,
Bestwood Park, Nottingham, NG5 5NG
Tel: 0115 9209901

The applicant is required to make an appointment for their medical examination. This is to ensure that the appointment time is convenient to you.

Cancellations at short notice will incur a charge to the Applicant. If the Applicant needs to cancel or rearrange an appointment they are required to contact Medigold via telephone on 0115 9209901. Cancellations made less than 24 hours before the appointment time, or "no shows" to a previously arranged appointment will incur a fee and this will be applied to the Applicants next appointment in addition to the fee for the examination itself.

The applicant should contact the Council to obtain the forms which they may be required to complete before the appointment and which they need to have completed by the doctor at the appointment.

9. Applicants will be required to participate in the Nottinghamshire Authorities Safeguarding Vulnerable Person Training before a licence is granted. The training will take place at the Councils’ offices or at the Officers of neighbouring approved Nottinghamshire Authority who provide the same training course. At the end of the training the applicant will be required to pass a test. Failure to pass the test will result in the applicant having to re-participate in the training and re-sit the test. Applicants are required to pay participation in the training. Failing the test on three occasions will result in the application being refused. Each subsequent training session attended will require payment of an addition fee. All current drivers are required to attend the training and pass the assessment at the expiry date of their licence and failure to attend training and pass the assessment may result the Council refusing to grant licence.

10. Before submitting the application Applicants should have passed the knowledge test.

11. Applications should be made on the appropriate form(s), and should include the following:

   a. Two colour passport standard photograph, which is a good likeness of the applicant
   b. DVLA driving licence & photo-card
   c. Enhanced DBS certificate
   d. Proof that the applicant is legally permitted to work in the UK - a licence will not be issued for a period longer than that period the applicant is permitted to work.
   e. The correct fees (non-refundable)
   g. Medical Certificate (from Medigold Health Nottingham)
   h. A certificate of good conduct and statutory declaration (if required)
   i. any other documents which an Officer of the Council has requested to progress the application.
   j. 2 satisfactory references
12. The Council will only consider an application when it has received all relevant documentation.

13. In certain cases, applications may need to be referred to the Licensing committee. In these cases, the Licensing committee will make a decision on the application.

14. It is the responsibility of the applicant to ensure a renewal applicant is made prior to the expiry of an existing licence. If a holder of a Licence fails to make and complete the renewal process before the expiry date of the current licence a new licence will not be issued by the Department in the interim. A new/renewal Drivers Licence will only be issued once all checks have been completed to ascertain that the Licence holder is a Fit and Proper Person to hold a Drivers Licence (this includes any referrals which may need to be made to the Licensing Committee). If an Applicant fails to renew their licence within **1 month** from the date of expiry (of the old licence) they will be treated as a new driver and will be required to submit an application on this basis before a licence will be issued.

**Disclosure and Barring Service and DVLA Driver Record Procedure**

Bassetlaw District Council (“the Council”) uses a third party, named Personnel Checks, to carry out the enhanced Disclosure and Baring Service check.

Checks for Drivers will be of Enhanced level

Checks for Private Hire Operators who are **NOT** licenced drivers they will be a basic check.

New applicants for Drivers Licence should visit:

[https://www.personnelchecks.co.uk/taxis/bassetlaw-district-council/](https://www.personnelchecks.co.uk/taxis/bassetlaw-district-council/) for further information on how to apply for the enhanced disclosure from the Disclosure and Baring Service.

Current licence holders who need to apply for enhanced disclosure to support an applicant will be contacted by Personnel Checks with a web link to enable them to apply for the disclosure from the Disclosure and Baring Service.

Payment for the enhanced disclosure will be made directly to Personnel Checks

Drivers/applicants will be required to attend at a Crown Post Officer to have their identification verified.

Once the verification process is complete Personnel Checks will carry out the checks with the Disclosure and Baring Service check, which includes checks with the Police. Once these are complete Personnel Checks notify the Council and the applicant/driver will be sent a printed disclosure certificate. The applicant/driver will be required to produce this certificate to the Council in support of their application. No licence will be issued without the Council having sight of the certificate.

Once a DBS certificate is received the applicant has period of 14 days to subscribe to the DBS update service. This costs considerably less that a new DBS check and allows the Council to carry out the check immediately provide the applicant has authorised the Council to do so as part of the application process.

If an applicant has failed/refused to sign up to the Disclosure and Baring Service update service, the Council will require them to undergo a Disclosure and Baring Service enhanced
disclosure annually on the anniversary of the grant of the licence. If the driver fails to do this their licence may be suspended or revoked by the Council.

When an enhanced disclosure is carried out the information provided will be used to conduct a check of the applicants/drives DVLA records to enable the Council to verify the details and status of the drivers/applicants driving licence, plus any endorsement history. This information will be used when the Council considers if applicants/driver is a fit and proper person to hold a licence.

The initial check of the DVLA record will be done simultaneously with the enhanced DBS check. Further checks of the drivers DVLA record need to be completed by the anniversary date of the licence, each year. The licence holder will be responsible for providing the Council with the relevant code to access their DVLA records.

Declaration

When submitting an application for the grant or renewal of a combined Hackney Carriage/Private Hire Vehicle Licence, applicants are required to declare any convictions they may have.

For the purpose of these guidelines, simple and conditional cautions, reprimands, warnings, endorsable fixed penalties, and any other offences should be declared and shall be treated as convictions.

For convictions or fixed penalties for offences concerning the driving or keeping of a motor vehicle, relevant details are required for the five-year period preceding the date of the application.

For criminal offences, details are required in respect of **ALL** offences no matter how old.

Applicants should be aware that as a consequence of the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002, applicants for a licence are excluded from the provisions of the Rehabilitation of Offenders Act 1974 in relation to spent convictions.

The Council will, in all cases, verify an applicant’s identity and require a criminal record check (DBS) to be undertaken. Where the check reveals that the applicant has a record of convictions or cautions and warnings the Licensing Authority will consider:

- The nature and seriousness of offence
- When the offence was committed
- The age of the applicant when the offence was committed
- Any other factors which might be relevant

The Licensing Authority will seek intelligence and corroborate information provided within the applications forms from all ‘approved sources’ such as the Police, Statutory and non-Statutory Agencies, Social Services Alcohol and Drug Rehabilitation Units, Child Protection Agency, G. P’s. etc.

All convictions will be considered in line with the Council’s Policies and Guidelines for a Combined Hackney Carriage / Private Hire Vehicle Drivers Licences.

The applicant is required to inform the Licensing Authority of any charges, warnings, convictions etc. during the period the licence is held (within 7 days in writing). Failure to do so could result in the licence being reviewed.
Any Applicant refused a driver’s licence on the ground of previous criminal convictions will be informed in writing and given the opportunity to have that decision referred to a Licensing Panel for it to be re-considered.

If the applicant is refused a licence by the Licensing Committee on the grounds that he/she is not a fit and proper person to hold such licence he/she will be informed in writing and advised of his/her right of appeal to a Magistrates’ Court. Any appeal must be made within 21 days of being notified of the Council’s decision.

Guidance for Applicants with Periods of Residency Outside the UK

Details of how to obtain check from the relevant authorities abroad are available online at:


The ACRO Criminal Records Office (ACRO) issues Police Certificates to people who want to emigrate or have been required to produce a Police Certificate (sometimes known as a “Certificate of Good Conduct”) by an Embassy, High Commission or Consulate. The certificate details whether or not the applicant has a criminal record in the United Kingdom.

Telephone: 0845 60 13 999 (International Callers: 0044 1962 871 111)
Email: customer.services@acro.pnn.police.uk

Further details can be found at https://www.acro.police.uk/police_certificates.aspx

Proof of Entitlement to Work in the UK as a Licenced Driver

The UK Border Agency has produced a list of documents that will be accepted as evidence, see below

List A - Documents which establish ongoing entitlement to work in the UK

This list of documents is based on those prescribed to show evidence of a right to work

**LIST A – No restrictions on right to work in the UK**

a) A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having a right of abode in the UK
b) A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland
c) A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland
d) A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland
e) A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK or has no time limit to stay in the UK
f) A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK
g) A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **together with** an official document giving the person’s permanent National Insurance Number and their name issued by a government agency or a previous employer.

h) A **full** birth or adoption certificate issued in the UK with includes the name(s) of at least one of the holder’s parents or adoptive parents or adoptive parents, **together with** an official document giving the person’s permanent National Insurance Number and their name issued by a government agency or previous employer.

i) A birth or adoption certificate issued by the Channel Islands, the Isle of Man or Ireland, **together with** an official document giving the persons permanent National Insurance Number and their name issued by a government agency or previous employer.

j) A certificate of registration or naturalisation as a British Citizen, **together with** an official document giving the person’s permanent National Insurance Number and their name issued by a government agency or previous employer.

**List B - Documents which indicate restricted entitlement to work in the UK**

This list of documents is based on those prescribed to show evidence with restrictions of a right to work. A licence may be issued (subject to statutory limitations) up to the expiry date of the permission to work.

a) A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.

b) A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.

c) A **current** Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.

d) A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK and is allowed to do the type of work in question, **together with** an official document giving the person’s permanent National Insurance Number and their name issued by a government agency or previous employer.

a) A Certificate of Application issued by the Home Office under regulation 17(3) or 18A(2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is **less than 6 months** old, **together with** verification from the Home Office Evidence and Enquiry Unit. The licence may be issued for 6 months from the date of the Certificate of Application.

A **Verification** issued by the Home Office Evidence and Enquiry Unit to the applicant for the licence may stay in the UK because they have an in time application, appeal or administrative review and which is outstanding. The licence may be issued for 6 months from the date of the licence decision.