Application for Licence to Drive a Private Hire Vehicle

Local Government (Miscellaneous Provisions) Act 1976

Culture And Environmental Protection,
Environmental Health & Licensing Council
Offices, Market Street, Newbury,
Berkshire RG14 5LD
Tel: (01635) 519184
Fax (01635) 519172

I hereby apply to West Berkshire District Council for the ***grant / renewal** of a licence to drive a Private Hire Vehicle within the District of West Berkshire.

*** You must delete as appropriate** ☐**Please refer to guidance notes**

SECTION A – Particulars of Applicant

1. ☐	Surname (IN BLOCK CAPITALS)…… Other Names:…… Home Address: …… …… Postcode…… Date of Birth…… National Insurance Number…… Present Occupation…… Home Telephone Number…… Mobile Number…… Email address ……
2.	Do you hold or have previously held a Private Hire / Hackney Carriage Licence granted by West Berkshire District Council or any other Council? ***YES / NO** If **YES** give details: ……
3. ☐	**FIRST TIME APPLICANTS ONLY** Please give the names and address of two referees to whom reference can be made as to your character and suitability for a licence. Referees must have known you for at least three years and should include your present or last employer but **not** a relative, future employer or member of the Hackney Carriage/ Private Hire Trade. Name: …… Address: …… …… Postcode …… Capacity known to you…… Name: …… Address: …… …… Postcode …… Capacity known to you ……

4. ☐	Have you ever been refused a licence to drive a Private Hire / Hackney Carriage vehicle by this or any other authority? ***YES / NO** If **YES** give details…… ……
5. ☐	State the trade name and the address of your prospective employer as a Private Hire Vehicle Driver (Private Hire Operator) …… ……
6. ☐	Please ask your future employer (Operator) to complete this section of the application. I certify that this applicant will be employed by me as a Private Hire driver in a * full time / part – time capacity. Signature: …… Date …… Name: (BLOCK CAPITALS) …… Address…… ……Postcode……
7. ☐	Have you ever suffered from epilepsy, or from sudden attacks or disabling giddiness or fainting, or from any disease, mental or physical disability likely to interfere with the efficient discharge or your duties as a driver, or to cause the driving of a Private Hire Vehicle to be a source of danger to the public? *** YES / NO** If **YES** give details…… …… Do you suffer from any illness or infirmity that might hinder your ability to afford reasonable assistance to passengers with their luggage? ***YES / NO** If **YES** give details …… …… Have you ever had a driving licence revoked or refused for medical reasons? ***YES / NO** If **YES** give details …… ……

SECTION B – Particulars of driving licence

1.	How long have you held a full licence? …… Current driving licence number: …… Place of issue …… Date of issue …… For what classes of vehicle do you hold a full licence? ……

SECTION C – Motoring Offences

1. Are you disqualified by a court from holding or obtaining a driving licence? *** YES / NO**

If **YES**, date and period of disqualification ……..……

……....

Court: ……..……

2. ☐ Have you been convicted for any motoring offence in the last 5 years (or any offence involving driving under the influence of drink and/or drugs, driving or attempting to drive with an undue proportion of alcohol in the blood: failure to provide a specimen of blood or urine for a laboratory test after, or attempting to drive a motor vehicle; aiding or abetting another in one of these offence during the last 11 years) *** YES / NO**

If **YES**, please give details. All current points on driving licence must be disclosed below.

Date.....	Conviction.....
Court ….....	Sentence/Fine .....,,,.....
.....	.....
Date.....	Conviction.....
Court ….....	Sentence/Fine .....,,,.....
.....	.....

(Continue on a separate sheet if necessary)

SECTION D – Particulars of Offences, other than Motoring Offences.

1. ☐ Have you ever been convicted, cautioned, reprimanded or warned for any criminal offences? *** YES / NO**

If **YES**, please give details below

Date	Court	Offence	Sentence /Fine

(Continue on a separate sheet if necessary)

SECTION E – Other factors

1. ☐	If there are any other factors you wish to have taken into account during the consideration of this application, state them below (continue on a separate sheet if necessary). …….....…… …….....…… …….....……

SECTION F – Declaration

1. ☐	I confirm that the information I have given is correct to the best of my knowledge and belief. I understand that I shall be liable to prosecution if I have knowingly or recklessly made a false statement or omitted any relevant information Signed……..…… Date …….....

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Your personal data will be used in line with the EU General Data Protection Regulation (GDPR) to process your application or the service you require by The Public Protection Partnership. The retention period is set in legislation or as required for the service that is being provided. Your data will not be kept for longer than is necessary. If you are not satisfied with the way that your data is being processed the Information Commissioner can be contacted
https://ico.org.uk/concerns/handling/

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

FIRST TIME APPLICATIONS OR RENEWAL APPLICATIONS, WHICH INCLUDE A DISCLOSURE & BARRING SERVICE FORM, MUST BE SUBMITTED IN PERSON, TO THE COUNCIL OFFICES DURING A PRE-BOOKED APPOINTMENT.

TO BOOK AN APPOINTMENT PLEASE CALL 01635 519 184

This Form should be returned to:
Licensing, Public Protection Partnership
Council Offices, Market Street, Newbury, Berkshire RG14 5LD
with the items listed below:

PLEASE NOTE WITHOUT ANY OF THE ITEMS LISTED BELOW THE APPLICATION CANNOT BE ACCEPTED.

Passport sized photograph (1)	
Current DVLA Photocard or Paper Driving Licence	
DVLA Driving Licence Information Printout or Check Code (See Note 1)	
Completed Disclosure & Barring Service (DBS) Form with Identity Documents (See Note 2)	
Group II Medical Examination Form completed by your GP, or another GP within the same practice or by Occupational Health	
Practical Driving Test Certificate (first time applicants only)	
Documentation confirming right to work in the UK (See Note 3)	
Appropriate Fee (Cheque or Card Payment – No cash payments are acceptable)	

1. The DVLA no longer issues or updates paper licence counterparts, so in order for us to check your licence validity, all holders of DVLA driving licences must either provide a printout of their licence information online at www.gov.uk/view-driving-licence or a check code, which can be generated on the website. Please only generate the code when you are ready to submit this form, as they are only valid for a limited time. Please be careful when writing down your code as it is case sensitive and any errors are likely to delay your application. Please be aware that your application will not be considered valid until a printout or useable DVLA check code has been provided.
   If you hold a non-UK licence, you will need to speak to the DVLA on 0300 790 6801, giving us permission to check if you have received any endorsements since you have been in the UK. Once you have given confirmation to the DVLA that we can carry out this check, please enter your licence number below and the date and time the confirmation was provided to the DVLA.

2. A list of appropriate DBS identity documents may be found at: https://www.gov.uk/disclosure-barring-service-check/documents-the-applicant-must-provide-

3. Your right to work in the UK will be checked as part of your licensing application. This could include us checking your immigration status with the Home Office. You must therefore provide a document or document combination that is stipulated as being suitable for this check.
   Examples of acceptable documentation include a British passport, EEA passport, a UK birth certificate together with an official document giving the NI number such as a P45 or P60, or a biometric immigration document indicating a right to stay indefinitely in the UK. You must bring the original document(s) so that the check can take place. You will need to bring in the document in person – you cannot ask another person to do this on your behalf. The document(s) will be copied and we will retain a copy. The original document will be returned to you.
   If there are restrictions on the length of time you may work in the UK, your licence will not be issued for any longer than this period. In such circumstances, the check will be repeated each time you apply to renew or extend your licence. If, during this period, you are disqualified from holding a licence because you have not complied with the UK's immigration laws, your licence will lapse and you must return it to the Council. Failure to do so is a criminal offence.

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Notes for Applicants

SECTION A – Particular of Applicant

1.	Applicants must be at least 21 and must have held a full driving licence for at least 12 months prior to application.
3.	Referees must have known you for at least 3 years and should include your present or last employer, but NOT be a relative, future employer or a member of the Hackney Carriage/ Private Hire trade. Where your present or past employer is in the trade and you have been employed in the trade for more than 3 years you may provide a reference from a second independent person.
4.	If 'yes', it is important that this section is completed in detail.
5.	State name and address of your private hire operator.
6.	This section MUST be completed by your private hire operator.
7.	You will be required to attend a medical examination with your own General Practitioner (GP) or another GP within the same practice, or with the occupational health consultant appointed by the council. This medical is carried out to group II standards and is a standard which MUST be met by all applicants. However there are legal exemptions for those persons who are diabetic-insulin dependent. Further details are available from any team member. You should be reasonably fit and active and be able to assist passengers with their luggage and if necessary a wheelchair. If you suffer from any condition, which would not enable you to carry out these functions, you should declare this on the application form. Failure to disclose may jeopardise the issue of a licence.

SECTION C – Motoring Offences

1.	Checks will be carried out to confirm the information declared in this section.

SECTION D – Particulars of Offences, other than Motoring Offences.

1.	All criminal offences whether spent or current must be declared on application. This is particularly important as you will be asked to complete a criminal records declaration, which when returned will show all past and current convictions. Failure to declare may result in the refusal of a licence. Do not rely on not declaring convictions which you believe are spent as the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 permits a council to consider all convictions regardless of when the offences were committed.

SECTION E – Other factors

1.	This section should include any information such as previous experience which you feel will help your application.

SECTION F – Declaration

1.	When signing the declaration, you are confirming that all information given is correct to the best of your knowledge and that you have read and understood the appropriate licence conditions. Falsifying information, omitting any relevant information or not reading the conditions may jeopardise the issue of a licence or if issued, may result in the revocation of a licence.

Private Hire Vehicle Drivers Licence Conditions

Local Government (Miscellaneous Provisions) Act 1976

A. Standard of Service

1. The driver shall provide a prompt, efficient and reliable service to members of the public at all reasonable times.
2. Without prejudice to the generality of the previous conditions the driver shall in particular: -

(a) ensure that when he/ she becomes aware that the private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place;
(b) afford all reasonable assistance with hirers and other passenger's luggage;
(c) at all times be clean and respectable in his/ her dress and person, and behave in a civil and orderly manner;
(d) take all reasonable steps to ensure the safety of passengers in entering or alighting from the vehicle driven by him/ her;
(e) not, without prior consent of the hirer, drink or eat in the vehicle;
(f) not, without prior consent of the hirer play any radio or sound producing instrument or equipment in the vehicle, other than for the purpose of sending or receiving messages in connection with the operation of the vehicle and shall not allow any such instrument or equipment (when permitted) to be or become a source of nuisance or annoyance to any person inside or outside the vehicle;
(g) Provide the hirer of the vehicle with a written receipt for the fare paid, if requested to do so by the hirer.

B. Eligibility to Live and Work in the UK

(a) To comply with the Immigration Act 2016, the Council is required to check eligibility to live and work in the UK for all applicants for driver and operator licences. Applicants will be required to provide evidence of this on request. Examples of acceptable documentation include a British passport, EC passport with the right to stay and work in the UK, permanent residence permit, work permit with a passport with correct authorisations, a UK birth certificate together with an official document giving the NI number such as a P45 or P60, or a biometric immigration document indicating a right to stay indefinitely in the UK or a right to do the work in question.
(b) For applicants with a limited time to remain in the UK, the licence will only be granted for the period of permission to remain, and may only be granted for a shorter period. The licence may be extended should the applicant's right to remain in the UK be made permanent.
(c) If an applicant has extended leave to remain (pending a decision) the licence cannot be granted for more than six months, and again may only be granted for a shorter period. The licence may be extended should the applicant's right to remain in the UK be made permanent.
(d) If a licence holder loses the right to remain in the UK during the currency of a licence, the licence ceases to have effect and the licence (and badge for drivers) must be returned within 7 days.

C. Passengers

1. The driver shall not convey or permit to be conveyed in the private hire vehicle a greater number of persons exclusive of the driver than the number of persons specified in the licence, provided that for the purpose of this condition a child under 10 shall be regarded as one person.
2. The driver shall not without the consent of the hirer of a vehicle, convey or permit to be conveyed any other person in that vehicle.

D. Animals

1. The driver shall not convey in a private hire vehicle any animal belonging to, or in the custody of himself, or the proprietor or operator of the vehicle or any other person other than the hirer.
2. Subject to paragraph C, 3 below, any animal belonging to or in the custody of the hirer or other passenger may at the driver's discretion be conveyed in the private hire vehicle, but only in the rear of the vehicle.
3. A hirer's or other passenger's guide dog shall be conveyed in the rear of the vehicle at no extra charge. Disability Discrimination Act 1995 s 37 applies.

E. Complaints

1. The driver shall on receipt of any complaint immediately notify the complainant of his right to forward the complaint to the Council.
2. The driver shall on the same day of receiving a complaint, inform the operator (where appropriate) of the following particulars on the complaint: -
   (a) the date and time the complaint was received;
   (b) the name and address of the complainant;
   (c) how the complaint was made;
   (d) the nature of the complaint;
   (e) remarks (if any);

F. Lost Property

1. The driver shall immediately after the termination of any hiring of a private hire vehicle, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.
2. If any property accidentally left in a private hire vehicle by any person who may have been conveyed in the vehicle is found by or handed to the driver, unless it is claimed by and on behalf of it's owner, it shall be taken within twenty-four hours to the nearest Police Station and left in the custody of the officer in charge.

G. Touting and Soliciting

1. The driver shall not cause the private hire vehicle to stand in any road or public place in such a manner as to suggest that the vehicle is plying for hire or that it is a hackney carriage or taxi.
2. The driver shall not whilst driving or in charge of a private hire vehicle, tout or solicit any person to hire or be carried for hire in the private hire vehicle or cause or procure any other person to tout to solicit any person to hire or be carried for hire in the private hire vehicle.

H. Taximeters

1. If the private hire vehicle is fitted with a taximeter the driver shall ensure that a person authorised by the council has sealed the taximeter.
2. Where a private hire vehicle is fitted with a taximeter the driver shall ensure: -
   (a) that the taximeter is only brought into action at the commencement of the hirer's journey;
   (b) that the fare or charge is calculated from the point in the District from which the hirer commences his/her journey and shall not exceed that displayed on the taximeter at the completion of his/ her journey, except for any additional charges as specified in the scale of fares approved by the council;

(c) that the fare or charge recorded shall not be cancelled or concealed until the hirer has had the opportunity of examining it and has paid the fare or charge;

(d) hat the taximeter is sufficiently illuminated so that when in use it is visible to the hirer and all his/ her passengers.

3. The driver of a private hire vehicle shall not tamper with or permit any person to tamper with any taximeter with which the vehicle is provided, or tamper with the seal.
4. A private hire vehicle fitted with a taximeter shall not operate unless the meter is in working condition and has been checked and sealed by a person authorised by the Council.
5. The driver shall notify the proprietor immediately if for any reason the meter fails to operate or ceases to be in working condition.

I. Fares

1. The driver shall not demand from any hirer of a private hire vehicle, a fare in excess of any previously agreed for the booking/hiring between the hirer and the operator.
2. The driver of a private hire vehicle shall ensure that journeys shall be by the shortest or most direct route unless requested by the hirer to proceed by a different route.

J. Identification Plate and Driver's Badges

1. The driver of a private hire vehicle shall ensure that the identification plate issued by the Council in respect of that vehicle is clearly visible on the rear of the vehicle, (unless an exemption has been issued by the Council) so as to be visible at all times.
2. The driver shall not wilfully or negligently conceal from public view the identification plate.
3. The driver's badge, issued by the Council, shall be worn by the driver in a position where it can be seen at all times. (Lanyards or clips are provided for this purpose).
4. The driver shall from the expiry (without immediate renewal), revocation or suspension of his/ her driver's licence forthwith return the driver's badge to the Council unless an appeal has been lodged with the Magistrates' Court under an appropriate section of the Act.

K. Convictions

The driver shall disclose to the Council in writing within seven days details of any convictions imposed upon him/ her during the period of the licence.

L. Change of Address or Change of Proprietor

The driver shall notify the Council in writing of any change of his/ her address within 7 days of any such change.

M. Vehicle Damage

The driver shall immediately notify the Council and the proprietor of his vehicle of any damage to the vehicle howsoever occurring as soon as he/ she become aware of such damage.

N. Driver's Illness or Injury

The driver shall notify the Council in writing as soon as possible or in any event within seven days, of any illness or injury affecting in any way his/ her fitness to drive a private hire vehicle.

O. Copy of Conditions

The driver of a private hire vehicle shall at all times when driving carry with him/ her a copy of these conditions and shall make them available for inspection by the hirer or any other passenger on request.

P. Causing or Permitting

The driver shall not knowingly cause, permit or allow any other person to commit an offence under, or in non-compliance with the 1976 Act, or contravene any of the above conditions.

Q. Statutory Requirements

The driver shall ensure that when he/ she drives a private hire vehicle he/ she does so in accordance with all statutory requirements, including those relating to tax and insurance.

R. Rights of Refusal

The driver shall have the right to refuse to carry a passenger or passengers for any reasonable cause, (except the potential fare for the journey).

S. Operator's Licence

The driver shall check that his/her operator has a current operator's Licence.

Any person aggrieved by any conditions attached to their licence may appeal to a Magistrates Court within 21 days of a licence being issued.