

**HACKNEY CARRIAGE/PRIVATE HIRE LICENSING**

**GUIDANCE NOTES FOR NEW APPLICANTS**

Last Updated: 15/04/2024

**Licensing Section, North East Lincolnshire Council, Works Depot, Doughty Road**

**Grimsby, DN32 0LL**

1. **Introduction**

The following guidance notes are provided to give a person the information they will require in order to become a licensed Private Hire or Hackney Carriage driver within North East Lincolnshire. It is advisable that all applicants read the notes, and if you require any further information, please contact the Hackney Carriage Office on the following telephone numbers: -

Telephone numbers: (01472) 326299

e -mail address: licensing@nelincs.gov.uk

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided 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.

For further information, visit [www.nelincs.gov.uk/council-and-democracy/council-budgets-and-spending/national-fraud-initiative/](http://www.nelincs.gov.uk/council-and-democracy/council-budgets-and-spending/national-fraud-initiative/)

Your right to work in the UK will be checked as part of your licensing application, this could include the licensing authority 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. The document(s) will be copied and the copy retained by the licensing authority.

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.

**National Register of Taxi Licence Revocations and Refusals**

The licensing authority provides information to the National Register of Taxi Licence, Refusals, Revocations and Suspensions (NR3), a mechanism for licensing authorities to share details of individuals who have had a hackney carriage or Private Hire Vehicle (PHV) licence revoked, suspended, or an application for one refused. This is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the licensing authority – that is, assessing whether an individual is a fit and proper person to hold a hackney carriage or PHV licence.

Therefore:

 Where a hackney carriage/ PHV licence is suspended, revoked, or an application for one refused, the authority will automatically record this decision on NR3.

 All applications for a new licence or licence renewal will automatically be checked on NR3. If a search of NR3 indicates a match with an applicant, the authority will seek further information about the entry on the register from the authority which recorded it. Any information received as a result of an NR3 search will only be used in respect of the specific licence application and will not be retained beyond the determination of that application. Information will be retained on NR3 for a period of 25 years.

This is a mandatory part of applying for a hackney carriage / PHV driver licence. The authority has a published policy on the approach it will take to requests by other authorities for further information about entries on NR3, and about the use it will make of any further information provided to it. You can read that policy at https://www.nelincs.gov.uk/licensing/

Information will be processed in accordance with the Data Protection Act (DPA) and General Data Protection Regulation (GDPR). Any searches, provision, or receipt of information of or under NR3 are necessary to the authority’s statutory licensing functions of ensuring that all drivers are fit and proper to hold the applicable licence. It is not intended that any NR3 data will be transferred out of the United Kingdom.

If you wish to raise any issue related to the data protection legislation, including by relying on any of the rights afforded to data subjects under the GDPR, you can do so to the authority’s Data Protection Officer at Municipal Offices, Town Hall Square, Grimsby, North East Lincolnshire, DN31 1HU. This includes submitting a subject access request.

You always have the right to make a complaint to the Information Commissioner’s Office (ICO). Advice on how to raise a concern about handling of data can be found on the ICO’s website: <https://ico.org.uk/make-a-complaint/>

 **Criteria**

Before the Council can issue a Hackney Carriage or Private Hire Drivers Licence, we must be satisfied that applicants are “fit and proper” persons to convey members of the public. The Council will not be responsible for any costs incurred if an application is refused for any reason and the application fee is non-refundable. An applicant must have correct immigration status and be able to work as self-employed in the UK. All applicants are required to undertake or produce the following;

* + NVQ Level 2 Award in Introduction to the role of the professional Taxi and Private Hire Driver
	+ Application Fee (including licence for 3 years) - £322.00
	+ DBS Disclosure via UCheck - £45.20
	+ Immigration Check
	+ Medical
	+ Full Driving Licence issued by the GB DVLA, EEA or Northern Ireland (held for at least 12 months) This will be checked on line each year - £4.50
	+ Application Form
	+ 1 Passport Photograph
	+ 2 References
	+ Knowledge Test
	+ Attend a 2-hour CSE Briefing (further information available from licensing department)
	+ Certificate of Good Conduct may be required
	+ Declaration of Tax Obligations
1. **Application Procedure**

STEP 1

All applications are received on an appointment only basis and will be dealt with at the Doughty Road Office. The Hackney Carriage Office **does not** take cash; payments are made by Credit/Debit card (Chip & PIN), Cheque or Postal Order only.

* + - You must have: NVQ Level 2 Award in Transporting Passengers by Taxi and Private Hire and held your driving licence for 12 months the Council can not accept your application if you have not.
		- Declare on the application form all Convictions, offences (including road traffic offences, cautions, reprimands, warnings by the Police, for further information refer to Section 4 ‘Spent and Unspent Convictions’.
		- Provide the names of two referees; one must be a current or previous employer. The second a previous employer or person of a professional standing, such as a member of Parliament, Justice of the Peace, Minister of Religion, a professionally qualified person for example, a doctor, lawyer, engineer, a local councillor, a bank officer, an established civil servant, a police officer, or a person of similar standing who has known the applicant for at least two years.

References are **not** accepted from friends or family members.

*If you have difficulty obtaining a reference, please contact the Licensing Section for further advice.*

STEP 2

Once you have completed and signed your Application Form, take it to the Operator/Proprietor who you intend working for, and ask them to counter-sign as appropriate. Included with the Application Form is a Medical Certificate; you will need to book a Medical with your GP, taking the certificate with you. Once the Medical and Application Form has been completed contact the Hackney Carriage office to make an appointment to bring in the relevant documents.

STEP 3

We will complete the DBS Disclosure application form on your behalf via our UCheck system. You will be required to input your own details online and pay the fee of £45.20. You will be required to produce **original** documentation to verify your identity. If no documents can be provided from Group 1 (see below) you will need to have your ID Verified, further information on this is available from the Hackney Carriage Office. Once the DBS has been completed a copy will be sent to you as the applicant; this is the only copy that is sent out, therefore you must keep your copy to show the Licensing Section when required.

If officers are able to determine you are a “fit and proper” person in accordance with delegated powers, and the policies adopted by the council, then an appointment will be made for the issuing of your licence and I.D badge, at this stage we also check your DVLA Drivers licence again. However, if there are any unspent convictions or spent convictions which, the council take into consideration or any relevant endorsements or information provided by the Police, then your application will be considered by the licensing sub-committee.

You will need to present some of the following original documents, and information for the DBS:

|  |
| --- |
| DBS (Police Check) Accepted Documents List |
| Group 1Valid Passport Current Driving Licence Photo card (full or provisional) UK, Isle of Man, Channel Islands and EEAOriginal UK Birth Certificate (UK, Isle of Man & Channel Islands) Biometric Residence Permit (UK)Adoption Certificate (UK and Channel Islands)**Group 2**Marriage Certificate/Civil Partnership CertificateCurrent Driving Licence – old style paper version (UK, Isle of Man & Channel Islands). Non-Original Birth Certificate (issued after 12 months of Date of Birth)P45/P60 Statement \*\*Bank or Building Society Statement \*Utility Bill (Gas, Water, Electricity, Telephone (not inc mobile phone contract/bill) \*Credit Card Statement (UK) \*Mortgage Statement \*\*Immigration Document, Visa or Work PermitA document for central/local government/government agency e.g. from department for work & pensions, employment service, revenue & customs, job centre, social security\* Financial Statement (e.g. pension, endowment, ISA) \*\*Benefit Statement (e.g. child allowance / pension)\*\*Work permit/visa \*\*UK Council Tax Statement\*\*DBS Disclosure Certificate\*\*EU National ID Card.HM Forces ID Card (UK)Fire Arms Licence (UK, Isle of Man & Channel Islands)**\* Documentation should be less than three months old****\*\* issued within the past 12 months** |

**Further information required to complete the DBS form:**

National Insurance Number (documented proof required).

Full Postal Addresses of homes where you have lived in the past 5 years.

A preferred Contact telephone number.

**Please Note: All documents produced must be in your current name and one document should show your current address and at least one document should show your date of birth. Photocopies are not acceptable.**

This information has been prepared from the Guidance Notes provided by the Criminal Records Bureau *-* A copy of the Guidance Notes provided by the Criminal Records Bureau is available from the Hackney Carriage Office on request.

STEP 5

Your referees will be written to asking them to complete our reference form.

STEP 6

You will be booked in for a Knowledge Test. The knowledge test is based on questions on North East Lincolnshire and the Highway Code. In order to pass the knowledge test, you will be required to get 75% of the questions correct. Tests will not be marked at the time of the test; an officer will contact you in the subsequent days.

1. **Spent and Unspent Convictions**

Applicants should declare all valid endorsements which appear on their DVLA driving Licence. In addition, an applicant who has any spent or unspent conviction(s), cautions, reprimands, warnings by the Police must declare these on the application form or write the word ‘NONE’.

Following the Issue of a Statutory Instrument 2002 No. 441, Hackney Carriage or Private Hire Vehicle (Taxi) Drivers Licence holders/applicants are included in Schedule 1, Part III of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. This details *“Regulated occupations”*. All proceedings relating to the issue of a vehicle driver’s licence are included in Schedule 3 of the said Order of 1975. As a result, vehicle driver’s licence holders are excepted from the provisions of Sections 4(1), 4(2) & 4(3)(b) of the Rehabilitation of Offenders Act 1974.

As a result of this Statutory Instrument, vehicle driver’s licence holders/applicants are required to declare all convictions, even where they would normally be spent. The council may also take into consideration any conviction, caution, reprimand or warning imposed up on a Driver/Applicant. Furthermore, any failure to declare may prejudice an application for a vehicle driver’s licence.

The council’s policy on spent and un-spent convictions is to determine them as follows:

|  |  |  |
| --- | --- | --- |
| *Sentence/Disposal* | *Buffer period for adults (18 and over at the time of conviction or the time the disposal administered).**This includes from the end date of the sentence (including the licence period)* | Buffer period for young people (under 18 at the time of conviction or the time the disposal is administered). This applies from the end date of the sentence (including the licence period).  |
| A custodial sentence\* of over 4 years, or a public protection sentence  | Never Spent | Never Spent |
| Custodial sentence of over 30 months (2 ½ years) and up to and including 48 months (4 years)  | 7 years  | 3 ½  |
| Custodial sentence of over 6 months and up to and including 30 months 2 ½ years  | 4 years | 2 years |
| Custodial sentence of 6 months or less | 2 years | 18 months |
| Community order or youth rehabilitation order\*\* | 1 year | 6 months |
| **Sentence/disposal** | **Rehabilitation period for adults (18 and over at the time of conviction or the time the disposal is administered)** | **Rehabilitation period for young people (under 18 at the time of conviction or the time the disposal is administered)** |
|  |  |  |
| Fine  | 1 year | 6 months |
| Conditional discharge  | Period of the order | Period of the order |
| Absolute discharge | None  | None |
| Conditional caution and youth conditional caution | 3 months or when the caution ceases to have effect if earlier | 3 months |
| Simple caution, youth caution | Spent immediately  | Spent immediately  |
| Compensation order\* | On the discharge of the order (i.e. when it is paid in full) | On the discharge of the order (i.e. when it is paid in full) |
| Binding over order | Period of the order | Period of the order |
| Attendance centre order | Period of the order | Period of the order |
| Hospital order (with or without a restriction order) | Period of the order | Period of the order |
| Referral order | Not available for adults | Period of the order |
| Reparation order | Not available for adults  | None |

\*Custodial sentence includes a sentence of imprisonment (both an immediate custodial and a suspended sentence), a sentence of detention in a young offender institution, a sentence of detention under section 91 of the powers of criminal courts (sentencing) Act 2000, a detention and training order, a sentence of youth custody, a sentence of corrective training and a sentence of Borstal training.

\*\* in relation to any community or youth rehabilitation order which has no specified end date, the rehabilitation period is 2 years from the date of conviction.

**You must declare all convictions, even if you consider them to be spent. When completing the application form, continue on an additional information sheet if necessary.**

If you have been convicted of an offence during the rehabilitation period of a prior offence, then if the offence is indictable or triable either way then the rehabilitation period is extended to the greater period of the two sentences.

When determining an application, all convictions falling into the periods outlined in the table above will taken into consideration, as will all convictions for either violence or indecency, or any relevant additional information provided by the Police. Applicants with such convictions will be required to appear before the licensing panel. The members of the panel will make the decision as to whether the applicant is a “fit and proper” person to hold a licence bearing the convictions in mind.

Applicants should be aware that the Council has adopted the following policy:

Previous convictions for violence and for a sexual/indecency nature will be considered even if spent. All other spent convictions not declared, may be referred to the panel.

Guidance Notes relating to relevant convictions are available from the Hackney Carriage Office and may be referred to.

Guidance Notes provide members of the Council with basic guidelines when deciding whether an applicant is a “fit and proper” person. For more serious offences the guidance notes require 3 to 5 years free of conviction, however each case is decided on its own merits, and does not automatically disqualify a person from holding a licence.

**5. Hackney Carriage and Private Hire Drivers Licences**

From the 1st January 2010 all new applicants for both Hackney Carriage and Private Hire would need to have undertaken and passed the NVQ Level 2 Award in Introduction to the role of the professional Taxi and Private Hire Driver, before an application would be accepted. Further information and contact details for training providers are enclosed in this information pack.

Once the Council is satisfied that an applicant is a “fit and proper” person, a Licence will be issued together with the I.D badge, at this time the DVLA Driving Licence would need to be checked again, to make sure there are no changes. The issue of a licence is subject to the Conditions attached to the licence by the Council.

**Private Hire - Vehicle Licence**

The Council cannot legally control the number of Private Hire Vehicle Licences issued, before a licence is issued the vehicle is required to have:-

* An MOT at any station
* Vehicle inspection at the Councils Doughty Road Depot (by appointment only) made within 7 days of the MOT being issued, or within 100 miles of the recorded mileage on the MOT Certificate.
* At least 14 days working notice must be given for vehicle inspection appointments.

At the time of licensing:-

* Valid insurance for Private Hire
* MOT certificate
* Vehicle registration document V5 form
* The vehicle must be suitable for Private Hire and conform to Private Hire Vehicle Licence Conditions; Vehicle testing guidance notes are available on request.

**Hackney Carriage - Vehicle Licence**

Following an Unmet Demand Survey North East Lincolnshire Council currently limit numbers on Hackney Carriage Vehicles.

Before a licence is issued, the requirements for the vehicle are the same as for Private Hire vehicles as above, with additional documents:-

* Valid insurance for Public Hire.
* For wheelchair accessible vehicles an additional insurance for non-motor personal liability is required.
* V.C.A or Certificate of Conformity issued by the manufacturers before the vehicle was registered.
* A bill of sale from the vender is required, that stipulates the vehicle has been sold to meet the standard of new Hackney Carriage vehicles for North East Lincolnshire Council;
* A Taximeter which will be tested by the Council

**Carrying of pushchairs in Hackney Carriage vehicles**

Wheelchair access vehicles have space(s) reserved for the carrying of wheelchairs. Therefore, the restraining mechanisms are designed purposely for restraining wheelchairs only. Pushchairs should be folded and secured; infants should be safely restrained in a passenger seat and not be transported in a pushchair.

**6.** **Vehicle licence fees (payment by Credit/Debit Card (Chip & PIN), Cheque or Postal Order)**

 Vehicle inspection fee £48.00

 Deposit on licence Plate £73.00

 Hackney Carriage Vehicle Licence (Vehicles must be under 5 years old) £269.00

 Private Hire Vehicle Licence (Vehicles must be under 5 years old) £253.00

 Door Signs for PH Vehicles £11.00 each (two are required in total) £22.00

**Stretched Limousines**

Additional to the above requirements, imported stretched Limousines are required to have a certificate of evidence of compliance with British Regulations under, the Single Vehicle Approval inspection regime (S.V.A); that is issued before the vehicle is registered with the DVLA, document’s to be produced at the time of licensing.

**Private Hire - Operators Licence and fees**

An Operator’s licence is required for a person who wishes to take his/her own bookings or open an office. The council has stringent requirements regarding responsibilities of Operator’s and attaches Conditions to the Licence. If an Operator is not already a licensed driver they will be required to obtain a standard disclosure. A separate application form must be completed and proposed premises may be firstly subject to planning permission. Following receipt of the application the proposed premises and parking area will be visited by the officers to determine suitability. The new licence fee is £624.00 for a 5 year licence, which includes the operation of the first vehicle; each additional vehicle is £5.00.

**7. Legislation/Conditions**

The main legislation governing the trade is to be found under Sections 37 to 68 of the Town Police Clauses Act 1847 and Sections 45 to 79 of the Local Government (Miscellaneous Provisions) Act 1976.

The legislation enables the Council to attach to licence conditions as they feel are required, the conditions for Hackney Carriage and Private Hire Vehicle Licences and Private Hire Drivers and Operators Licences are set under Sections 47, 48 55 and 56 of the Local Government (Miscellaneous Provisions) Act 1976.

Breaches in Licence Conditions could result in a licence being revoked or suspended, while an offence committed under the aforementioned legislation could result in a prosecution, fine and the licence being revoked or suspended.

1. **Additional Requirements and information.**

On receipt of application, special appointments for knowledge tests can be considered for applicants who have reading/writing problems*.*

As from 1 July 2007 it is an offence for drivers and passengers to smoke in all types of public vehicles. This applies to both hackney carriage and private hire vehicles, irrespective of the vehicles use at the time or location. At least one no smoking sign must be clearly displayed.

As from 1st July 2009 all new vehicles licensed must be under 5 years of age, proof of the V5 form must be produced. Exceptions: the vehicle is used solely for executive hire work.

As from 1st September 2009 all private hire vehicles when licensed will be issued two permanent self adhesive door signs, which will have the Private Hire Operators details on, at the time of licensing full instructions will be given out. The only exception is if the vehicle is used solely for providing chauffeur services and executive hire. In which case, an application in writing will need to be made to the Hackney Carriage Officer at least 2 weeks before the vehicle inspection appointment. Each application will be considered on its own individual merits; however exemptions will not apply if the vehicle is used for both types of bookings.

From 1st April 2010 a Driver’s Dress Code has been introduced for all Hackney Carriage and Private Hire Driver’s. Copies of the dress code are available from the Hackney Carriage Office or from the council’s web site.

**NORTH EAST LINCOLNSHIRE COUNCIL**

**MINIMUM VEHICLE STANDARDS FOR HACKNEY CARRIAGES AS FROM**

 **5th APRIL 2005**

**New specification for all new Hackney Carriage vehicles licensed.**

1. Every new taxi cab offered for approval must be designed and developed exclusively for use as a wheelchair accessible taxi, have M1 classification and comply in all respects to EC Whole Vehicle Type Approval, (E C W V T A), or UK Low Volume Type Approval (UK L V T A). UK (NI) Type Approval or GB Type Approval
2. Production of the registration document (V5 form) that records when first registered; model type; body type; vehicle type approval will be required to be produced at the time of mot testing and licensing, together with a certificate provided by the manufacturer, issued by the Vehicle Certification Agency (VCA form); and a bill of sale from the vendor that stipulates the vehicle is the standard of the new specification.

(N.B:- The VCA certificate or Certificate of Conformity must have been issued before the vehicle has been registered with the DVLA. Adaptations will not be accepted after registered.)

In addition to the above vehicle specification:

c) Anchorage provided for wheelchair access vehicles must be either chassis or floor linked. Restraints for wheelchair and occupant must be independent of each other. Anchorage must be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment.

The vehicle must also comply with the following current conditions attached to Hackney Carriage vehicle licenses:

d) To have at least four doors, all of which must be capable of being opened from the inside of the vehicle and have adequate seating accommodation for not less than four persons in addition to the driver. The seat width requirement is 16” per person. The width for 3 persons of 48” shall be measured by taking the actual distance between the arm rests.

1. The roof sign must display the word “TAXI” and be capable of being illuminated during the hours of darkness; be of the type approved by the Council, i.e. 18 inches in length and 5 inches in height, except in the case of where vehicles have a standard taxi sign installed in such vehicles, the said roof sign shall not be required.
2. A bill of sale from the seller to say that the Vehicle meets the specification for North East Lincolnshire Council.

PLEASE NOTE - As from 1st July 2009 all new vehicle licences including change of cars must be under 5 years of age, proof of the V5 form must be produced. Exceptions: unless the vehicle is used solely for executive hire work.

*All other conditions imposed on Hackney Carriage vehicle licences still apply.*

*North East Lincolnshire Council reserve the right to alter, amend or add*

*further conditions at any time.*