



THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

GUIDANCE NOTES FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS (DUAL DRIVERS LICENCE)

INDEX

	Page
1. The Legislation	3
2. Who should use this form	3
3. Do I qualify for a licence?	3
4. What do I do first?	3
5. Enhanced Disclosure & Barring Service Check (DBS)	4
6. Alternative criminal record checks for applicants who have not lived in the UK or do not have a British Passport	5
7. Evidence of permission to work in the UK	5-7
8. Knowledge Test	7
9. Medicals	7
10. Driving Licence	7
11. Drivers without a UK Driving Licence	8
12. What happens next?	8
13. Changes in circumstances	8
14. Conditions	8
15. Renewal Application	8-9
16. Further information	9
Data Protection Act 1998	9

1. THE LEGISLATION

The law relating to Hackney Carriage and Private Hire (dual) drivers and operators is contained in the Local Government (Miscellaneous Provisions) Act 1976, The Town Police Clauses Act 1847, the Road Traffic Act 1988 and the Motor Vehicle (Construction and Use) Regulations 1986. Attached to the grant of a licence issued by a Council are conditions, which must be complied with. When an application form for the grant of any licence is signed by an applicant, this signifies that they will comply with all the conditions attached to the licence.

2. WHO SHOULD USE THIS FORM

This form should be used by anyone wishing to drive a private hire or hackney carriage vehicle, licensed within the County of Herefordshire.

3. DO I QUALIFY FOR A LICENCE?

To qualify for a licence you must:-

- Have held a full current driver's licence for at least 12 months (see note 8)
- Be 21 years of age or over
- Have a good knowledge of Herefordshire Council's area (see note 6)
- Pass a medical examination (see note 7)
- Be a fit and proper person (see note 5)

4. WHAT DO I DO FIRST?

In the first instance you should go to the Herefordshire Council Web-Site <https://www.herefordshire.gov.uk/>, if you type dual driver in the search box you will find all the information you need including the following:-

- An application form for a dual drivers licence.
- A copy of these guidance notes.
- A copy of the dual drivers licence conditions.
- Guidance on completing the Disclosure & Barring Service check (DBS) online application and presenting id documents to be verified at Hoople LTD
- A Medical questionnaire (it is advised that the medical is not carried out until a satisfactory DBS certificate has been received).
- DVLA mandate

Please ensure that you read the documents thoroughly prior to submitting any documentation. Any missing information will inevitably delay the processing of the application. When you have completed all the forms you will need to submit them to the Taxi Licensing Section at No 8 St Owen Street, Hereford HR1 2PJ or complete the form on-line if this function is available.

All applicants will be subject to the following checks before the licence is issued

- Enhanced Disclosure & Barring Service check.
- Knowledge Test
- Medical
- DVLA check

5. **ENHANCED CRIMINAL RECORD CHECK**

Section 59 (1) (a) The Local Government (Miscellaneous Provisions) Act 1976 states that a District Council shall not grant a licence to drive a hackney carriage unless they are satisfied that the applicant is a 'fit and proper' person to hold the licence.

An enhanced DBS check is carried out on all drivers applying for a dual drivers licence, and every 3 years after that. The DBS shows details of Police Records of Convictions, Cautions, Reprimands and Final Warnings. Enhanced disclosures contain details of all current convictions, as well as spent convictions, cautions, reprimands or final warnings, plus details of other information held by the police.

The criteria for spent convictions as defined by Rehabilitation of Offenders Act 1974 has the effect of removing a convicted persons criminal record, certain offences are removed after a stipulated time. The application form outlines when convictions would under the usual circumstances become spent (Appendix 1). Certain professions including Taxi drivers are exempt from the Act therefore spent and unspent convictions can be considered for applications in relation to determining whether they are a 'fit and proper persons'.

In order to apply for your DBS check, please apply online by visiting the following website:

<https://disclosure.capitarvs.co.uk/herefordshire/>

On accessing the site, please click into the orange box and click on 'start application'. Please log in using the following details:

Organisation Reference: **TAXI**

Password: **TAXICRB12**

Once you have completed the online check, please ensure you submit your driving licence (if photo card format we require both paper and card parts) and passport or birth certificate and a utility bill less than 3 months old to the Hoople Offices, 57-59 Blueschool Street, Hereford. The fee for this is £46 plus an admin fee.

Please note that your DBS application cannot be processed any further until your documents have been verified. If you do not have personal access to the internet, it is possible to complete the DBS application on-line at the Hoople Office. If you require any guidance with regards to completing the form, please contact the DBS Team on 01432 260705.

Tracking the progress of your application with the DBS

If you supplied an email address whilst entering your application, as soon as your application has been received at the DBS and is assigned a DBS Application Reference number you will receive a second email detailing this information.

This email will also include details and links to the DBS website to enable you to track the progress of your application from the moment the disclosure process commences.

The DBS will send both yourself and the Council a copy of any information. The DBS return can take up to 8 weeks, the Authority has no control over the length of time a DBS takes to be returned.

Once the information has been received, the information will be used to assist the Authority in determining if the applicant is fit and proper. Such decisions will be made subject to the policy guidelines adopted by the Council (a copy of the Policy is available upon request). If you have previous convictions your application may be referred to the Councils Regulatory Committee for determination. You will be invited to attend the meeting to speak in support of your application, alternatively you may have legal representation.

The DBS has recently reviewed its advice to clarify that it no longer facilitates the portability of Disclosure. Portability is the re-use of a DBS Disclosure for a position in another organisation. Therefore, we will require our own DBS to be carried out and will not accept DBS' carried out by other organisations.

6. ADDITIONAL CRIMINAL RECORD CHECKS FOR APPLICANTS WHO DO NOT HAVE A BRITISH PASSPORT

In addition to a DBS you will be required to obtain a Certificate of Good Conduct from your country/ies of origin or where you have been living since the age of 18 years.

The DBS provides information on how an individual can obtain a copy of their own certificate of good conduct or criminal record from a number of countries. This information can be found on the DBS web site [overseas page](#). For information about any country not listed you should contact that country's representative in the UK. Contact details can be found on the Foreign and Commonwealth Office web site at <http://www.fco.gov.uk> ([new window](#))

7. EVIDENCE OF PERMISSION TO WORK IN THE UK

All applicants must show documentary evidence to show they are able to work within the UK. You do not need permission to work if you belong to one of the following groups:-

British Citizen.

Commonwealth citizens with the right of abode in the UK.

European Economic Area (EEA) and Swiss nationals – although some will need to register with the Home Office.

What Documents Do I Need to Produce?

NB. At least one document must show your current address and at least one document must show your date of birth.

You can find a comprehensive list of acceptable forms of identification in the following table.

List of Valid Identity Documents

Which documents do you need to provide? Can you produce any documents from Group 1?	
<p style="text-align: center;"><u>YES</u></p> <p style="text-align: center;">3 documents must be seen 1 document from Group 1 plus any 2 from Groups 1 or 2</p>	<p style="text-align: center;"><u>NO</u></p> <p style="text-align: center;">A birth certificate must be seen plus 1 document from Group 2a and 3 documents from Group 2a or 2b.</p>

Please note: all documents must be in your current name (marriage certificate excepted). At least one document must show your current address and at least one document must show your date of birth.

Group 1 – Primary Trusted Identity Credentials

- Current valid Passport.
- Biometric Residence Permit (UK).
- Current Driving Licence (UK) (Full or provisional) Isle of Man /Channel Islands;
- Photo card only (a photo card is only valid if the individual presents it with the associated counterpart licence; except Jersey).
- Birth Certificate (UK and Channel Islands) - issued at the time of birth;
- Full or short form acceptable including those issued by UK authorities overseas, such as Embassies, High Commissions and HM Forces. (Photocopies are not acceptable).

Group 2a – Trusted Government/State Issued Documents

- Current UK Driving licence (old style paper version).
- Current Non-UK Photo Driving Licence (valid only for applicants residing outside of the UK at time of application).
- Birth Certificate (UK and Channel Islands) - (issued after the time of birth by the General Register Office/relevant authority i.e. Registrars – Photocopies are not acceptable).
- Marriage/Civil Partnership Certificate (UK and Channel Islands).
- Adoption Certificate (UK and Channel Islands).
- HM Forces ID Card (UK).
- Fire Arms Licence (UK and Channel Islands).

Group 2b – Financial/Social History Documents

- Mortgage Statement (UK or EEA)** (Non-EEA statements must not be accepted).
- Bank/Building Society Statement (UK or EEA)* (Non-EEA statements must not be accepted).
- Bank/Building Society Account Opening Confirmation Letter (UK).
- Credit Card Statement (UK or EEA)* (Non-EEA statements must not be accepted).
- Financial Statement ** - e.g. pension, endowment, ISA (UK).
- P45/P60 Statement **(UK & Channel Islands).
- Council Tax Statement (UK & Channel Islands). **
- Work Permit/Visa (UK) (UK Residence Permit). **
- Letter of Sponsorship from future employment provider (Non-UK/Non-EEA only – valid only for applicants residing outside of the UK at time of application).
- Utility Bill (UK)* – Not Mobile Telephone.
- Benefit Statement* - e.g. Child Allowance, Pension.
- A document from Central/ Local Government/ Government Agency/ Local Authority giving entitlement (UK & Channel Islands)*- e.g. from the Department for Work and Pensions, the Employment Service , Customs & Revenue, Job Centre, Job Centre Plus, Social Security.
- EU National ID Card.
- Cards carrying the PASS accreditation logo (UK and Channel Islands).
- Letter from Head Teacher or College Principal (16/17 year olds in full time education – (only used in exceptional circumstances when all other documents have been exhausted).

Please note:

If a document in the List of Valid Identity Documents is:

- Denoted with * - it should be less than three months old.
- Denoted with ** - it should be issued within the past 12 months.
- Not denoted – it can be more than 12 months old.

Alternatively request an appointment or telephone assistance from the Taxi Licensing Staff who will be able to advise you.

8. KNOWLEDGE TESTS

You will need to telephone 01432 261761 to make an appointment to sit the test. The Knowledge Test consists of 20 questions from 3 categories (5 each from places of interest and roads & routes and 10 from the conditions and byelaws. The pass mark is 80% and you will be allowed 3 attempts to pass the test.

In order to pass the English and numeracy test, candidates must answer correctly 15 out of 17 questions in spoken English 88% and 5 out of 5 questions, i.e. 100%, in the numeracy section.

You must also correctly identify and interpret 3 out of 3 UK high-way code signs, i.e. 100%.

In the event of failure on the third attempt your application will be referred to the Regulatory Committee for determination. The cost of re-test is the same as for an initial test of £12. Please note that failure to attend the knowledge test at the appointed time will result in a further fee of £12 being payable unless there are exceptional circumstances relating to your non-attendance.

9. MEDICALS

The medical questionnaire is to be completed by a Doctor that you have been registered with for at least 12 months and who has access to your medical records. Once completed the form must be submitted to the Taxi Licensing Unit.

The medical report will be referred to the Council's medical adviser where the assessment will be carried out in accordance with Group 2 requirements, recommended by the Medical Commission for Accident Prevention. The publication *Medical Aspects of Fitness to drive* recommends that 'taxi drivers' (meaning both hackney carriage and private hire drivers) should be required to meet Group 2 standards. Full details of the Group 2 standard are available on the DVLA website www.dvla.gov.uk.

Medicals will be required at the time of initial application and every 5 years up to the age of 65 years and then annually thereafter unless otherwise specified.

10. DRIVING LICENCE

You must be 21 years or over and have held a full driving licence (not provisional) for at least 12 months, which authorised you to drive a motor vehicle.

The driving licence must show your current address and we will not accept any Driving Licence, which shows any other address. Please note it is a criminal offence not to notify the DVLA of a change of address and you could be fined up to £1000.

Your driving licence must be produced at the time of your application and if it is a new paper and card licence both parts must be produced. The Council will check licence details with the DVLA and for this purpose you are required to complete the form of authorisation attached to the application form.

11. DRIVERS WITHOUT A UK DRIVING LICENCE

There may be additional requirements if you do not have a UK driving licence. Further information is available from the DVLA website or from taxi licensing. <http://www.direct.gov.uk/en/Motoring/DriverLicensing/DrivingInGbOnAForeignLicence/index.htm>

12. WHAT HAPPENS NEXT?

Making the application

Take your application form, forms of identity and appropriate fee to one of the information centres where they will check your forms of identity. Please note it may be necessary to produce these documents again to the licensing staff.

Insurance

Before your badge can be issued we must have an insurance certificate showing that the applicant is appropriately insured for the purposes of Hackney Carriage/Private Hire use.

Photograph

When you come in for your knowledge test a photograph will be taken using the Departments' digital camera, you do not have to bring any photos with you.

Information

When all the checks are received back and the knowledge test is passed a member of the licensing team will contact you either by telephone or by letter to request further information or inform you when your badge will be ready for collection.

Refunds

No refunds will be given either in full or part if the licence is refused, revoked or suspended.

13. CHANGES IN CIRCUMSTANCES

You must disclose any change in your circumstances to the Licensing Officer immediately. It may affect your application.

14. CONDITIONS

If you are granted a licence it will be subject to the conditions given to you with the Guidance Notes. If you breach any of these conditions the Council could issue penalty points, suspend or revoke your licence.

15. RENEWAL APPLICATIONS

The dual drivers licence lasts for three years.

Renewal application forms will be sent to you at your last recorded address, if you change address during the term of your licence it is vital that you let us know. Only one renewal application pack will be sent, the responsibility to renew the licence before expiry is with the applicant. No licence will be issued until all the necessary checks have been returned and are deemed to be satisfactory.

You will be notified with your renewal pack if you are required to undertake a Medical or a DBS. If you are required to have a DBS we will need to receive the renewal forms promptly as the process can take up to 12 weeks.

If you apply after the expiry date, we will not be able to process the application without a referral to the Officer Panel, which will incur additional costs.

16. FURTHER INFORMATION

If you require further information or advice about your application please contact 01432 – 261761 or e-mail taxi-licensing@herefordshire.gov.uk

Data Protection Act 1998

This policy covers the treatment of personal data that Herefordshire Council may collect when you e-mail us, complete an application form, or when you complete and submit an online form on our web site.

When completing forms you may be asked for personal information such as name, address, postcode etc. It is only when you supply this type of information that you can be personally identified.

Herefordshire Council is registered with the Data Protection Act 1998 for the purpose of processing personal data in the performance of its legitimate business. Any information held by the Council will be processed in compliance with the principles set out in the Act.

Further information relating to the Data Protection Act 1998 can be sent to you on request.

If you have concerns about the processing of your personal data by the Council you may contact the Council's Data Protection Officer:

Data Protection Officer,
County Secretary and Solicitor
Herefordshire Council
Plough Lane
Hereford
Herefordshire
HR4 0LE